

STATE OF IOWA



Formal Competitive Bid REQUEST FOR PROPOSAL RFP# ED-AH105-01

Title Iowa High School Equivalency Diploma Test

On Behalf of the Iowa Department of Education

Letters of Intent to Bid Due Date: April 24, 2013, by 4:30 p.m. Central Standard Time

Proposal Due Date: May 17, 2013, by 4:30 p.m. Central Standard Time

Submit Bid Proposal to:

Alex Harris, Issuing Officer
Iowa Department of Education
Division of Community College
Bureau of Adult, Career and Community College Education
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-0146
Email: alex.harris@iowa.gov (preferred method of communication)
Fax: (515) 242-5988

All questions should be in writing and directed to the Issuing Officer.

All available information concerning this Request for Proposal can be viewed and downloaded from the following website: <http://bidopportunities.iowa.gov/>

TABLE OF CONTENTS

SECTION 1 - INTRODUCTION	pg 4
1.1 PURPOSE OF PROCUREMENT	pg 4
1.1.1 Project Deliverables	pg 4
1.2 DEFINITIONS	pg 4
SECTION 2 - ADMINISTRATIVE INFORMATION	pg 6
2.1 ISSUING OFFICER	pg 6
2.2 PROCUREMENT TIMETABLE	pg 6
2.3 RESTRICTION ON COMMUNICATION	pg 6
2.4 SUBMISSION OF PROPOSALS	pg 6
2.5 DOWNLOADING THE RFP FROM THE INTERNET	pg 7
2.6 QUESTIONS, REQUESTS FOR CLARIFICATION AND SUGGESTED CHANGES	pg 7
2.7 AMENDMENT TO THE RFP AND PROPOSAL, AND WITHDRAWAL OF PROPOSAL	pg 7
2.8 JOINT VENTURES	pg 7
2.9 SUBCONTRACTORS	pg 7
2.10 COSTS TO PREPARE THE PROPOSAL	pg 8
2.11 PROPOSAL OPENING	pg 8
2.12 DISQUALIFICATION	pg 8
2.13 NONMATERIAL AND MATERIAL VARIANCES	pg 9
2.14 REJECTION OF PROPOSALS	pg 9
2.15 PUBLIC RECORDS AND REQUEST FOR CONFIDENTIAL TREATMENT	pg 9
2.16 PROPOSAL CLARIFICATION PROCESS	pg 10
2.17 VERIFICATION OF PROPOSAL CONTENT	pg 10
2.18 REFERENCE CHECKS	pg 10
2.19 INFORMATION FROM OTHER SOURCES	pg 10
2.20 SECURITY, CRIMINAL HISTORY AND BACKGROUND INVESTIGATION	pg 10
2.21 EVALUATION OF PROPOSALS SUBMITTED	pg 10
2.22 PRESENTATIONS	pg 11
2.23 AWARD NOTICE AND ACCEPTANCE PERIOD	pg 11
2.24 DEFINITION OF CONTRACT	pg 11
2.25 DISPOSITION OF PROPOSALS	pg 11
2.26 COPYRIGHTS	pg 12
2.27 RELEASE OF CLAIMS	pg 12
2.28 RESTRICTIONS ON GIFTS AND ACTIVITIES	pg 12
2.29 CHOICE OF LAW AND FORUM	pg 12
2.30 NO MINIMUM GUARANTEE	pg 12
2.31 CONTRACT TERMS AND CONDITIONS	pg 12
SECTION 3 - SERVICE REQUIREMENTS	pg 13
3.1 INTRODUCTION TO THE PROGRAM	pg 13
3.2 SCOPE OF WORK	pg 13
3.2.1 Task 1-Overview of the Proposed HSED-Test	pg 14
3.2.2 Task 2-Overview of the Iowa HSED Test-Administration	pg 15
3.2.3 Task 3-Overview of the Iowa HSED Test-Test Scoring, Data Exchange, and Reporting	pg 16
3.2.4 Task 4-Overview of the Iowa HSED Test- Testing Materials, Training, and Transition	pg 17
SECTION 4 - FORMAT AND CONTENT OF PROPOSALS	pg 19
4.1 INSTRUCTIONS	pg 19
4.2 TECHNICAL PROPOSAL	pg 20
4.2.1 Transmittal/Cover Letter	pg 20
4.2.2 Table of Contents	pg 20
4.2.3 Executive Summary	pg 20
4.2.4 Service Requirements	pg 20

4.2.5 Background Information	pg 20
4.2.6 Experience.....	pg 21
4.2.7 Personnel	pg 21
4.2.8 Financial Information	pg 21
4.2.9 Terminations, Litigation, Debarment.....	pg 21
4.2.10 Proposal Certification.....	pg 22
4.2.11 Acceptance of Terms and Conditions	pg 22
4.2.12 Certification of Independence and No Conflict of Interest.....	pg 22
4.2.13 Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions.....	pg 22
4.2.14 Authorization to Release Information	pg 22
4.2.15 Certification Regarding Sales and Use Tax.....	pg 22
4.2.16 Firm Proposal Terms	pg 23
4.3 COST PROPOSAL	pg 23
SECTION 5 - EVALUATION OF PROPOSALS	pg 24
5.1 INTRODUCTION	pg 24
5.2 EVALUATION COMMITTEE.....	pg 24
5.3 EVALUATION CRITERIA	pg 24
5.4 RECOMMENDATION OF THE EVALUATION COMMITTEE	pg 25
Attachment #1	pg 26
Attachment #2	pg 27
Attachment #3	pg 28
Attachment #4	pg 29
Attachment #5	pg 30
Attachment #6	pg 31

SECTION 1 - INTRODUCTION

1.1 PURPOSE OF PROCUREMENT

This Request for Proposal (RFP) is issued by the Iowa Department of Education (DE). The purpose of this RFP is to seek the services and solicit Proposals from qualified Vendors for the delivery of a paper-based and/or a computer-based Iowa High School Equivalency Diploma (HSED) test. For tests administered by computer, the vendor must ensure the test can be accessed by utilizing as much of the existing computers and infrastructure in Iowa's local testing centers with any additional material (software or hardware) clearly described as part of this RFP. For both paper-based and computer-based approaches, test accommodations for individuals with disabilities must be available, including a vendor-developed process for approving accommodation requests.

The contract resulting from the RFP will be for a term anticipated to begin December 13, 2013, and to end December 31, 2016, with an option to renew. The Iowa HSED test must be available for implementation by January 2, 2014.

The intent of this RFP is to award a contract to that responsible Vendor whose Proposal best meets the needs of the Department, as determined by the Department. Any contract resulting from the RFP shall not be an exclusive contract.

1.1.1 Project Deliverables

- Provision of a HSED test (either an existing vendor created test, or a newly developed custom test delivered as a paper-based and/or computer-based test)
- Alignment of test questions with Iowa Core Standards
- Efficient method of approving accommodation requests
- Delivery of the HSED test in other languages
- Secure administration and handling of the test
- For PBT, printing and secure shipping of tests to Iowa approved testing centers
- For CBT, provision of a system-agnostic test administration platform that can be used by computers at Iowa's existing adult education approved testing locations to administer the test
- Score reporting services
- Scoring of student responses (including any essay response)
- Procedure for PBT's to have answer sheets scanned
- Provision of testing materials and training for test administrative and instructional staff
- Transition plan for seamless entry and exit.

1.2 DEFINITIONS

CBT means computer-based test(ing).

Contract means the RFP, and addenda thereto, the Vendor's Proposal, and the purchase. The contract constitutes the entire agreement between the State of Iowa and the Vendor.

Department means the Iowa Department of Education.

Evaluation Committee means a committee established by the Department to review and evaluate Proposals to determine the successful Vendor.

HSED means High School Equivalency Diploma.

Invoice means bill submitted to the Department by the Vendor for services rendered under the contract.

Joint Venture means two (2) or more corporations or entities that form a temporary union for the purpose of an RFP.

PBT means paper-based test(ing).

Targeted Small Business means a small business which is fifty-one percent (51%) or more owned, operated and actively managed by one (1) or more women, minority persons, or persons with a disability, as defined in Iowa Code Section 15.102.

Vendor means a person, partnership, firm, corporation, or joint venture submitting a Proposal for the purpose of obtaining a contract.

SECTION 2 - ADMINISTRATIVE INFORMATION

2.1 ISSUING OFFICER

The Issuing Officer, identified below, is the sole point of contact regarding this RFP from the date of issuance until selection of the successful Vendor:

Alex Harris, Issuing Officer
Iowa Department of Education
Division of Community College
Bureau of Adult, Career and Community College Education
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319-0146
Email: alex.harris@iowa.gov
Fax: (515) 242-5988

2.2 PROCUREMENT TIMETABLE

The following dates are set forth for informational and planning purposes; however, the Department reserves the right to change the dates:

Issue RFP Notice to Targeted Small Business website	April 15, 2013
Issue RFP	April 17, 2013
Letters of Intent to Bid Due @ 4:30 PM Central Time	April 24, 2013
Vendor's Questions Due @ 4:30 PM Central Time	May 1, 2013
Responses to Vendor's Questions Issued	May 6, 2013
Proposals Due @ 4:30 PM Central Time	May 17, 2013
Open and Evaluate Bid Proposals	May 23, 2013
Vendor Presentation	May 23, 2013
Announce Successful Vendor	June 14, 2013

2.3 RESTRICTION ON COMMUNICATION

From the issue date of this RFP until announcement of the successful Vendor, Vendors may contact **only** the Issuing Officer. The Issuing Officer will respond only to questions regarding the procurement process. Vendors shall be disqualified if they contact any State employee other than the Issuing Officer regarding this RFP.

Verbal questions related to the interpretation of this RFP will not be accepted. In NO CASE shall verbal communications override written communications. Only written communications are binding on the State.

2.4 SUBMISSION OF PROPOSALS

Proposals must be received by the Department no later than **4:30 PM (central time) on May 17, 2013**. This is a mandatory requirement and will not be waived by the Department. Any Proposals received after this deadline will be rejected and returned unopened to the Vendor. It is the Vendor's responsibility to ensure their Proposal is received by the Department prior to the deadline. Vendors mailing Proposals must allow delivery time to ensure timely receipt of the Proposal. Postmarking by the due date will not substitute for actual receipt of the Proposal. Electronic mail and faxed Proposals will not be accepted. Vendors must furnish all information necessary to evaluate the Proposal.

Proposals that fail to meet the mandatory requirements of this RFP will be disqualified. Verbal information provided by the Vendor shall not be considered part of the Proposal.

2.5 DOWNLOADING THE RFP FROM THE INTERNET

All amendments will be posted on the state bid opportunities website at <http://bidopportunities.iowa.gov/>. The Vendor is advised to check the state bid opportunities website periodically for amendments to this RFP, particularly if the Vendor downloaded this RFP from the Internet as the Vendor may not automatically receive amendments. If the Vendor received this RFP as a result of a written request to the Department, the Vendor will automatically receive amendments.

2.6 QUESTIONS, REQUESTS FOR CLARIFICATION AND SUGGESTED CHANGES

Vendors are invited to submit written questions and requests for clarifications regarding this RFP. Vendors may also submit suggestions for changes to the requirements of this RFP. The questions, requests for clarifications, or suggestions must be in writing via U.S. mail, electronic mail, or fax and received by the Issuing Officer no later than **4:30 PM (central time) on May 1, 2013**. Oral questions will not be permitted. If the questions, requests for clarification, or suggestions pertain to a specific section of this RFP, the page(s) and section number(s) must be referenced. Written responses to questions, requests for clarifications, or suggestions will be posted on or before **May 6, 2013** on the state bid opportunities website <http://bidopportunities.iowa.gov/>. The Department's written responses will be considered part of this RFP. If the Department decides to adopt a suggestion, the Department will issue an amendment to this RFP. The Department assumes no responsibility for verbal representations made by its officers or employees unless such representations are confirmed in writing and incorporated into this RFP.

2.7 AMENDMENT TO THE RFP AND PROPOSAL, AND WITHDRAWAL OF PROPOSAL

The Department reserves the right to amend this RFP at any time. The Vendor shall acknowledge receipt of any amendments in its Proposal. If the amendment occurs after the closing date for receipt of Proposals, the Department may, in its sole discretion, allow Vendors to amend their Proposals in response to the Department's amendment if necessary.

The Vendor may amend its Proposal at any time prior to the due date of the Proposals. The amendment must be in writing, signed by the Vendor and received prior to the deadline for the receipt of Proposals. Electronic mail and faxed amendments will not be accepted. Vendors who submit Proposals in advance of the deadline may withdraw, modify, and resubmit Proposals at any time prior to the deadline. Vendors must notify the Issuing Officer in writing if they wish to withdraw their Proposal. Electronic mail and/or faxed requests to withdraw Proposals will not be accepted.

After the deadline, Vendors may make a written request to withdraw their Proposal and must provide evidence that a substantial mistake has been made. The Issuing Officer may permit withdrawal of the Proposal upon verification that a substantial mistake has been made

2.8 JOINT VENTURES

Joint ventures are acceptable. If submitting a Proposal as a joint venture, the Vendor must submit a copy of the joint venture agreement that identifies the principals involved and its rights and responsibilities regarding performance and payment.

2.9 SUBCONTRACTORS

Subcontractors may be used to perform work under this contract. If a Vendor intends to use subcontractors, the Vendor must identify in the Proposal the names of the subcontractors and the portions of the work the subcontractors will perform. Assignment of subcontracted work under this project other than that identified in the Vendor's Proposal must be approved in writing by the Department.

If a Proposal with subcontractors is selected, the Vendor must provide the following information concerning each prospective subcontractor within five (5) working days from the date of the Department's request:

- Complete name of the subcontractor.
- Complete address of the subcontractor.
- Type of work the subcontractor will be performing.
- Percentage of work the subcontractor will be providing.
- A written statement, signed by each proposed subcontractor that clearly verifies that the subcontractor is committed to render the services required by the contract.

A Vendor's failure to provide this information within the set time shall cause the Department to consider the Proposal non-responsive and reject the Proposal.

The substitution of one subcontractor for another may be made only at the sole discretion, and with prior written approval, of the Department's Issuing Officer or Project Manager.

2.10 COSTS TO PREPARE THE PROPOSAL

The costs of preparation and delivery of the Proposal to the Department are the sole responsibility of the Vendor.

2.11 PROPOSAL OPENING

The Department will open Proposals on **May 23, 2013**. The Proposals will remain confidential until the Evaluation Committee has reviewed all Proposals submitted in response to this RFP and the Department has announced a Notice of Intent to Award the contract to the apparent successful Vendor.

2.12 DISQUALIFICATION

The Department reserves the right to accept or reject any part of any Proposal and to accept or reject any and all Proposals without penalty. Any Proposal may also be rejected outright and not be evaluated for any one of the following reasons:

1. The Vendor fails to deliver the Proposal by the due date and time.
2. The Vendor fails to deliver the Cost Proposal in a separate envelope.
3. The Vendor states that a service requirement cannot be met.
4. The Vendor's response materially changes a service requirement.
5. The Vendor's response limits the rights of the Department.
6. The Vendor fails to include information necessary to substantiate that it will be able to meet a service requirement. A response of "will comply" or merely repeating the requirement is not sufficient. Responses must indicate present capability; representations that future developments will satisfy the requirement are not sufficient.
7. The Vendor fails to respond to the Department's request for information, documents, or references.
8. The Vendor fails to include any signature, certification, authorization, stipulation, disclosure, or guarantee requested in Section 4 of this RFP.
9. The Vendor presents the information requested by this RFP in a format inconsistent with the instructions in Section 4 of this RFP.
10. The Vendor initiates unauthorized contact regarding the RFP with state employees other than the Issuing Officer.
11. The Vendor provides misleading or inaccurate responses.

2.13 NONMATERIAL AND MATERIAL VARIANCES

The Department reserves the right to waive or permit cure of nonmaterial variances in the Proposal if, in the judgment of the Department, it is in the Department's best interest to do so. Nonmaterial variances include minor informalities that:

- Do not affect responsiveness.
- Are merely matters of form or format.
- Do not change the relative standing or otherwise prejudice other Vendors.
- Do not change the meaning or scope of this RFP.
- Do not reflect a material change in the services.

In the event the Department waives or permits cure of nonmaterial variances, such waiver or cure will not modify RFP requirements or excuse the Vendor from full compliance with RFP specifications or other contract requirements if the Vendor is awarded the contract. The determination of materiality is in the sole discretion of the Department.

2.14 REJECTION OF PROPOSALS

The Department reserves the right to reject any or all Proposals, in whole and in part, received in response to this RFP at any time prior to the execution of a written contract. Issuance of this RFP in no way constitutes a commitment by the Department to award a contract. This RFP is designed to provide Vendors with the information necessary for the preparation of a competitive Proposal. This RFP process is for the Department's benefit and is intended to provide the Department with competitive information to assist in the selection process. It is not intended to be comprehensive and each Vendor is responsible for determining all factors necessary for submission of a comprehensive Proposal.

2.15 PUBLIC RECORDS AND REQUEST FOR CONFIDENTIAL TREATMENT

Before the Notice of Intent to Award is issued, all details of the Proposals and scoring will remain confidential. Upon issuance of the Notice of Intent to Award, all Proposals and scoring become public information. The release of information by the Department is subject to Iowa Code Chapter 22 or other applicable laws. Vendors are encouraged to familiarize themselves with Chapter 22 before submitting a Proposal. The Department will treat all information submitted by a Vendor as public information unless the Vendor properly requests that information be treated as confidential at the time of submission.

Any request for confidential treatment of information must be included in the transmittal/cover letter with the Vendor's Proposal. In addition, the Vendor must enumerate the specific grounds in Iowa Code Chapter 22 or other applicable law, which support treatment of the material as confidential and must explain why disclosure is not in the best interest of the public. The request must include: the name, the address, and telephone number of the person authorized by the Vendor to respond to any inquiries by the Department concerning the confidential status of the materials.

Any Proposals submitted which contain confidential information must be clearly marked on the outside as containing confidential information, and each page upon which confidential information appears must be clearly marked as containing confidential information. The confidential information must be clearly identifiable to the reader wherever it appears. All copies of the Proposal submitted, as well as the original Proposal, must be marked in this manner.

In addition to marking the information as confidential where it appears, the Vendor must submit one (1) copy of the Proposal, marked "Public Copy" from which the confidential information has been excised. This excised copy is in addition to the number of copies requested in Section 4.1 of this RFP. The confidential information must be excised in such a way as to allow the public to determine the general nature of the material removed and to retain as much of the Proposal as possible. The "Public Copy" will be made available for public inspection.

An entire Proposal cannot be marked confidential. Only those sections that meet the criteria in Iowa Code Chapter 22 or other applicable laws for confidentiality may be marked and treated as confidential information. Costs that will be

incorporated into any resulting contract cannot be deemed confidential. Marking the entire Proposal as confidential may be deemed non-responsive, resulting in disqualification of the Proposal.

In the event the Department receives a request for information marked confidential, written notice shall be given to the Vendor seven (7) calendar days prior to the release of the information to allow the Vendor to seek injunctive relief pursuant to Section 22.8 of the Iowa Code.

The Vendor's failure to request confidential treatment of material pursuant to this section and the relevant laws and administrative rules will be deemed by the Department as a waiver of any right to confidentiality, which the Vendor may have had.

2.16 PROPOSAL CLARIFICATION PROCESS

The Department reserves the right to contact a Vendor after the submission of a Proposal for the purpose of clarifying a Proposal to ensure mutual understanding. This contact may include written questions, interviews, site visits, a review of past performance if the Vendor has provided goods or services to the Department or any other political subdivision wherever located, or requests for corrective pages in the Vendor's Proposal. The Department will not consider information received if the information materially alters the content of the Proposal or alters the type of goods and services the Vendor is offering to the Department. An individual authorized to legally bind the Vendor shall sign responses to any request for clarification. Responses shall be submitted to the Department within the time specified in the Department's request. Failure to comply with requests for additional information may result in rejection of the Proposal as non-compliant.

2.17 VERIFICATION OF PROPOSAL CONTENT

The contents of a Proposal submitted by a Vendor are subject to verification. Misleading or inaccurate responses shall result in disqualification.

2.18 REFERENCE CHECKS

The Department reserves the right to contact any reference to assist in the evaluation of the Proposal, to verify information contained in the Proposal, and to discuss the Vendor's qualifications and the qualifications of any subcontractor identified in the Proposal.

2.19 INFORMATION FROM OTHER SOURCES

The Department reserves the right to obtain and consider information from other sources concerning a Vendor, such as the Vendor's capability and performance under other contracts; or the Vendor's authority and ability to conduct business in the State.

2.20 SECURITY, CRIMINAL HISTORY AND BACKGROUND INVESTIGATION

It is the responsibility of the Vendor to ensure that all documentation, electronic files, and data are developed, used, and maintained in a secure manner, protecting the confidentiality of all materials, records, and files

The Department reserves the right to conduct criminal history and other background investigations on the Vendor, its officers, directors, shareholders, partners, managerial and supervisory personnel retained by the Vendor for performance of services under the contract.

2.21 EVALUATION OF PROPOSALS SUBMITTED

Proposals that are submitted timely and are not subject to disqualification will be reviewed in accordance with Section 5 of this RFP. The Department will not necessarily award any contract resulting from this RFP to the Vendor offering the lowest cost to the Department. Instead, the Department will award the contract to the compliant Vendor whose

Proposal receives the most points in accordance with the evaluation criteria set forth in Section 5 of this RFP and subject to approval of the Department.

2.22 PRESENTATIONS

All Vendors will be required to make a presentation of their Proposal to discuss the content, scope of work, deliverables, and procedures of this RFP. The presentation shall be limited to one (1) hour, which includes at least fifteen (15) minutes for questions from the Evaluation Committee. The location of the presentation will be at the **Des Moines Area Community College (DMACC) Ankeny Campus, 2006 S Ankeny Blvd, Building #22 Board Room (Borgen Administration Center), Ankeny, IA**. The presentation may be conducted in person or remotely through video conference. The presentations will begin at **12:30 PM (central time) on May 23, 2013**, and the order will be at the sole discretion of the Department. The Department shall bear no cost for the time and travel of the Vendor for attendance at the presentation. The presentation may include slides, graphics, and other media selected by the Vendor to illustrate the Vendor's Proposal. The presentation shall not materially change the information contained in the Proposal

2.23 AWARD NOTICE AND ACCEPTANCE PERIOD

A Notice of Intent to Award will be sent to all Vendors submitting a timely Proposal. The Notice of Intent to Award does not constitute the formation of a contract between the Department and the apparent successful Vendor. After the announcement of the apparent successful Vendor, negotiation and execution of the contract shall commence. If the apparent successful Vendor fails to negotiate and execute a contract, the Department may, in its own discretion, cancel the Award and award the contract to the next highest ranked Vendor or withdraw this RFP.

Vendors whose Proposal has been filed in accordance with the requirements of this RFP may appeal the decision by filing a written notice of appeal (in accordance with Chapter 11-105.20, Iowa Administrative Code) to:

Director
Iowa Department of Education
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319-0146

A copy of the appeal shall also be submitted to the Issuing Officer. The notice of appeal must be filed within five (5) calendar days of the date of the Notice of Intent to Award, exclusive of Saturdays, Sundays, and legal State holidays. The written appeal may be mailed, faxed, or delivered. The notice of appeal must clearly and fully identify all issues being contested by reference to the page(s), section(s), and line number(s) and/or the Notice of Intent to Award. A notice of appeal may not stay the negotiations with the apparent successful Vendor.

2.24 DEFINITION OF CONTRACT

The full execution of a written contract shall constitute the making of a contract for services and no Vendor shall acquire any legal or equitable rights relative to the contract services until the contract has been fully executed by the successful Vendor and the Department.

2.25 DISPOSITION OF PROPOSALS

All Proposals become the Property of the Department and shall not be returned to the Vendor, unless all Proposals are rejected or this RFP is cancelled. In either event, Vendors will be asked to send prepaid shipping instruments to the Department for return of the Proposals submitted. In the event the Department does not receive shipping instruments, the Department will destroy the Proposals. At the conclusion of the selection process, the contents of all Proposals will be placed in the public domain and be open to inspection by interested parties subject to exceptions provided in Iowa Code Chapter 22 or other applicable law.

2.26 COPYRIGHTS

By submitting a Proposal, the Vendor agrees that the Department may copy the Proposal for purposes of facilitating the evaluation of the Proposal or to respond to requests for public records. The Vendor consents to such copying by submitting a Proposal and warrants that such copying will not violate the rights of any third party. The Department shall have the right to use ideas or adaptations of ideas that are presented in the Proposal.

2.27 RELEASE OF CLAIMS

By submitting a Proposal, the Vendor agrees that it will not bring any claim or cause of action against the Department based on any misunderstanding concerning the information provided herein or concerning the Department's failure, negligent or otherwise, to provide the Vendor with pertinent information as intended by this RFP.

2.28 RESTRICTIONS ON GIFTS AND ACTIVITIES

Iowa Code Chapter 68B restricts gifts which may be given or received by state employees and requires certain individuals to disclose information concerning their activities with state government. Vendors are responsible to determine the applicability of this Chapter to their activities and to comply with the requirements. In addition, pursuant to Iowa Code Section 722.1, it is a felony offense to bribe or attempt to bribe a public official.

2.29 CHOICE OF LAW AND FORUM

This RFP and the resulting contract are to be governed by the laws of the State of Iowa.

Changes in applicable laws and rules may affect the award process or the resulting contract. Vendors are responsible for ascertaining pertinent legal requirements and restrictions. Any and all litigations or actions commenced in connection with this RFP shall be brought in the appropriate Iowa forum.

2.30 NO MINIMUM GUARANTEE

The Department anticipates that the selected Vendor will provide services as requested by the Department. The Department will not guarantee that any minimum compensation will be paid to the Vendor nor will the Department guarantee the usage of a minimum amount of services performed by the Vendor.

2.31 CONTRACT TERMS AND CONDITIONS

The contract that the Department expects to award as a result of this RFP will be based upon the Proposal submitted by the apparent successful Vendor and this RFP. The contract between the Department and the apparent successful Vendor shall be a combination of the specifications, terms and conditions of this RFP, the offer of the Vendor contained in their Technical and Costs Proposals, written clarifications or changes made in accordance with the provisions herein, and any other terms deemed necessary by the Department. The governing order of precedence for documents shall be:

- The Executed Contract.
- The Request for Proposal (RFP).
- The Vendor Proposal.

By submitting a Proposal, each Vendor acknowledges its acceptance of these specifications, terms and conditions without change, except as otherwise expressly stated in the Proposal. If a Vendor takes exception to a provision, it must state the reason for the exception and set forth in the Proposal the specific contract language it proposes to include in place of the provision. Exceptions that materially change the terms or the requirements of this RFP may be deemed non-responsive by the Department, at its sole discretion, resulting in disqualification of the Proposal. The Department reserves the right to either award a contract without further negotiation with the apparent successful Vendor or to negotiate contract terms with the apparent successful Vendor if the best interest of the Department will be served.

SECTION 3 - SERVICE REQUIREMENTS

3.1 INTRODUCTION TO THE PROGRAM

The Iowa State Board of Education is responsible for setting educational policy, standards and rules. The State Board of Education has approved and published learning standards in curricular areas: Mathematics, Science, Literacy, Social Studies, and 21st Century Learning Skills. In 2010, the State Board of Education integrated the Common Core State Standards in Literacy and Mathematics into the Iowa Core. The Learning Standards are the foundation for a rigorous system of assessments designed to:

- Evaluate higher-order thinking skills and performance abilities, including planning and acquiring resources, problem-solving, conducting independent research, and producing real world products.
- Provide information that helps teachers adapt instruction to students' strengths and needs, and informs students, parents, educators, and the general public about what students are expected to know and do.

The current learning standards are available at:

http://www.educateiowa.gov/index.php?option=com_content&view=article&id=2485&Itemid=4602/.

Iowa Code 259A establishes standards for the issuance of a High School Equivalency Diploma (HSED) in Iowa. Currently, the GED® test is the primary method to achieve a HSED. As part of a comprehensive plan to raise college and career readiness of out-of-school youth and adults, the Department has called for the development of a HSED test to be in place by January 2, 2014.

Current Iowa Delivery System

There are approximately 250,000 adults without a high school diploma or equivalency in Iowa, according to a five-year average of the 2010 American Community Survey. Approximately 24,000 individuals are enrolled in Iowa adult education funded programs annually. Of these, 6,000 are annually referred for testing for receive their HSED. This data of tests that were used from January 2011 to December 2011 should be used to guide the Vendor's plan to provide the number of CBT and PBT administrations needed.

Testing Version-English	5,580	Tested at Correctional Facility	1,191
Testing Version-Spanish	185	Testing Format-Audiocassette	24
Test Services Completers	4,257	Testing Format-Large Print	14
One or More Tests Retaken	1,091		

Currently the Department supports the operation of approximately fifty-five (55) test centers throughout a network of:

- Community Colleges
- Learning Centers
- Community-Based Organizations
- Correctional Facilities

Iowa Administrative Code Rule 281-32.6 indicates that "the applicant or supporting agency shall pay an application fee to cover only actual testing costs." Iowa does not have state allocated funds to offset the costs of administering the test or subsidizing the cost for the applicants; therefore it is anticipated that any proposed testing fee does not reach levels that have an adverse effect on applicants.

3.2 SCOPE OF WORK

This section outlines the tasks to be completed by the Vendor. Proposals submitted in response to this RFP must address all the requested information set forth in this RFP and must contain sections corresponding to each task and the related activities in this RFP.

3.2.1 Task 1-Overview of the Proposed HSED-Test

This section must acknowledge the Vendor's long-term commitment to implementing the deliverables in Iowa by completing all requirements specified below and describing the process and timelines associated with the following activities:

1. The Vendor must have a history and success associated with statewide test delivery.
2. The Vendor shall describe the HSED test and its delivery methodology. If the proposed HSED test currently exists, describe its current use. Iowa prefers the test length to be comparable to the state's current HSED test, approximately seven (7) hours, but welcomes a testing approach that measures equivalent constructs while making more efficient use of test time. The Proposal shall include a plan describing how the test taker interacts with the test administration system including registering, scheduling, and taking the HSED test. If the HSED test is CBT, describe the digital literacy system necessary for a successful testing experience.
3. The Vendor shall provide details on how specific test questions are developed and selected. The HSED test should, at a minimum, include sections for English Language Arts (ELA-defined as reading and writing), mathematics, science (not necessarily content specific), and social studies (not necessarily content specific). The Vendor shall describe the percentage of the test, if any, assesses writing competency. Describe any optional test components. The description shall include what percentage of the test questions are fill in the blank, multiple choice, or any other type of response for either PBT or CBT. The Vendor shall include how the test taker navigates through the test, how items of different types are displayed in the test and responded to by the test taker, and how the test taker completes the test.
4. The Vendor shall provide a description of how the test questions are aligned to Iowa's Core standards or will be during the contract period. The Vendor shall also provide a description of how College and Career Readiness Standards for Adult Education (set to be released mid-April 2013 and available online via Office of Vocational and Adult Education and Adult Education Content Standards Warehouse websites) will be incorporated into the test during the contract period. If the Vendor plans to have the proposed HSED test approved by the Department as a test determined to be suitable for use in the National Reporting System for adult education, the timeline and activities to achieve this shall be described. Explain how the HSED test is coded for cognitive complexity using Webb's Depth of Knowledge.
5. The test proposed by the Vendor must be able to be defensibly used for the purposes of determining high school equivalency for individual adult learners. Describe whether the HSED test is norm or criterion-reference. Describe how the test is or may be normed to individuals who recently obtained a high school diploma or adult learners. Submit results of reliability and validity studies and evidence of comparability with other HSED instruments used nationwide.
6. The Vendor shall provide a plan complying with the Americans with Disabilities Act (ADA) of 1990. Proposals must include a plan for testing with accommodations to individuals with disabilities, and include a detail description of documentation required for approval. Proposals shall provide a plan that demonstrates a review and decision process administered by the Vendor including but not limited to the following testing accommodations:
 - Extended Time
 - Special location, private room, small group
 - Audio
 - Adaptive font size
 - Calculator, talking calculator
 - Scribe

- Supervised breaks
- Signed interpreted instructions for the deaf/hearing impaired.

The Vendor shall identify accommodations that are appropriate for PBT and CBT administrations. Vendor submissions are also required to include copies of current and/or proposed application materials and model for accommodations application and approval, supporting documentation and decision process for HSED testing.

7. The Vendor shall provide a planned approach and timeline in which to offer the HSED test in languages other than English.

3.2.2 Task 2-Overview of the Iowa HSED Test-Administration

The administrative system used to manage the delivery of tests must be capable of supporting the various aspects of the assessment process. This might include data, test, and security management. In the Proposal, the Vendor shall describe the administrative system for the proposed test administration platform.

1. The security of the HSED test, its contents and student demographic and performance data are of utmost importance to Iowa. The Vendor's security plan must detail in full how materials and data will be kept secure at all times during the contract period for test administration. If PBT, the Vendor shall submit a work plan for annually printing and securely shipping test batteries and appropriate supplies to Iowa's HSED testing centers. This plan must include a method for returning damaged tests and for the return of used tests from the testing centers. For CBT, the Vendor shall provide a test administration platform that is secure. The proposal shall describe testing security administration and security requirements detailing the roles and responsibilities of the Vendor and of test administrators. If any plan to update the security requirements shall be included. The Department will be responsible for ensuring that the test environment is in compliance with the contract and satisfies the requirements stated in this RFP. This joint effort will ensure that the test administration is properly implemented. The Vendor shall provide a detailed description of the procedure for a security breach or test interruption including responsibilities and timelines.
2. The Vendor shall provide a plan for administering the HSED test in correctional facilities. Proposals shall include how offenders will register and schedule for either the PBT or CBT and access the HSED test. Describe any exceptions to the procedures as outlined in 3.2.1(2).
3. For CBT, the Vendor shall have a detailed plan on how the administration platform will be used by administrators to manage the testing process. The platform must be system-agnostic, meaning the platform can run on a reasonable proportion of the computers in place at the HSED testing centers. The Department recognizes that the testing platform may not run on computers that are significantly old or that have unique operating systems. The Vendor must provide the technical specifications for their proposed approach to delivering tests by desktop, laptop, or other devices planned for inclusion. This must include the following:
 - Minimum specifications for desktop, laptop, or other devices on which the test is delivered
 - Minimum specifications for any administrative device associated with the units on which the test is delivered (if applicable)
 - Minimum specifications for the networking associated with any device involved in the delivery of tests (if applicable)
 - Minimum infrastructure specifications for Internet, printing, and any other applicable requirements involved in the delivery of the tests.

The Proposal shall describe in detail the proposed test administration platform, which may include:

- Test Control Access

- Administrative Access Control
 - Security or test content and test taker data
 - Desktop security during testing
 - Wireless networking
 - Network availability
 - Data Interoperability
4. The Department will have final decision on sites that are approved for administering the HSED test. The Vendor shall provide details on the space requirements, physical storage needs, and if there are security measures that need to be included in the approval of a site.
 5. The Vendor shall provide written guidelines for the qualifications for staff administering the HSED tests that the Department will amend or adapt into policy. The Proposal shall include how the guidelines might be updated over the course of the contract. This information can be referenced in 3.2.4(1).
 6. The Vendor shall describe any type or level of system monitoring performed by the Vendor or expected by the testing sites to ensure the integrity of the testing system. The Vendor shall propose a comprehensive solution for system monitoring, remotely or on-site, that provides monitoring and reporting information. Any phase-in plan shall be described in the Proposal. Proposed actions for identified issues as a result of monitoring shall be described in the plan.
 7. The Vendor shall plan to provide technical assistance to testing sites on an as-needed basis. If this is to be done through a support helpline, detailed hours of operation shall be provided. If the support help desk is automated or live, the Proposal shall detail the turnaround time and method of tracking issues. If there is to be a means to email or fax concerns from testing center personnel and testers, this shall be detailed in the Proposal.

3.2.3 Task 3-Overview of the Iowa HSED-Test Scoring, Data Exchange, and Reporting

The proposed HSED test by the Vendor must be scored and have the ability to securely transfer those scores to the Department on a regular ongoing basis. In the Proposal, the Vendor shall submit their methodology in determining a passing score and plan to provide the scoring for PBT or CBT.

1. Since the awarding of the HSED is a state credential, the Department must be satisfied that the passing score represents a high school level equivalency. Therefore, the Vendor shall provide how a passing score is determined including test/battery passing scores and non-passing scores, and percentile scores. If for the duration of the contract the scoring will change, it will need to be detailed in the Proposal. The Vendor shall include if there is an overall score or individual test minimums as well as the time between test administration and access to scores. If the Vendor is proposing to use the HSED test to provide diagnostic guidance to testers, describe how test summaries, test item analysis, and/or skill builder guidance can assist the tester and what training will be given to the Department and testing centers on the interpretation of the additional scores.
 - For PBT's, the Vendor shall describe the process of scanning and scoring the answer sheets along with an estimation of when results will be available. If this process is to be done at the testing centers or will be handled by the Vendor, expectations of scanning needs or delivery methods of answering sheets shall be clearly defined. Information on whether the test taker has obtained a passing score and any additional score reports for each sub test and the total test shall be included in the Proposal.
 - For CBT's, the Vendor shall gather all data from the Vendor's test administration platform, score all items, sum the scores, and determine whether the test taker has obtained a passing score and any additional score reports for each sub test and the total test.

2. If there is a written response portion to the proposed HSED test, the Vendor shall describe the process in conducting the scoring. The Vendor shall ensure that a rubric and/or scoring guide is developed and administered in a consistent manner. If the process is evolving or will alter during the course of the contract, this information shall be included in the Proposal.
3. The Proposal shall detail the process for the tester to re-test in any subject areas in which a passing score was not obtained. Currently, Department rules allow for the re-test to be done prior to the completion of the full test battery. The Proposal should accommodate for this policy.
4. The Department will own the demographic and performance information, including test scores generated by the testers referred through the adult education programs. All personally identifiable data provided by test takers during administration of the test, and all test data resulting from administration of the test (including but not limited to test scores) shall belong to the Department. If the Vendor plans to use any data belonging to the Department, a detailed description of the data elements, purpose and its proposed destruction shall be included. After tests are scored, test results as well as candidate demographic data (to be determined by the Department) will be encrypted and transferred to a secure file transfer protocol (FTP) site at the Department for processing. The data layout and transfer site and time will be determined by the Department. The Vendor shall work with the Department to determine the optimum format of providing data and information that will optimize the reuse of this data and information in currently held files. The Vendor shall also provide the Department with a list of all computer programs and software tools necessary to allow an end user to read and export any data provided by the Vendor under this contract. In addition, the Vendor shall propose a candidate summary report format for the Department's approval. The Vendor must submit candidate summary reports quarterly to the Department and testing centers.
5. The Proposal shall include a plan to provide an annual progress report. Beginning in 2014, the annual report is due to the Department by the last business day in January. The annual progress report shall include cumulative data for the year-to-date in achieving and administration of the key deliverables of this contract.
6. The Proposal shall provide for monthly management meetings between Vendor and Department staff. This may be done by telephone or videoconference. The monthly management meetings will provide an opportunity to review and discuss task implementation and status. The Vendor shall prepare an agenda with input from the Department, take minutes, and submit the minutes to the Department by electronic mail. Minutes shall include lists and contact information and a list and status of the activities identified for completion with the deadline and person(s) assigned to each activity.

3.2.4 Task 4-Overview of the Iowa HSED-Testing Materials, Training, and Transition

The Vendor shall describe the procedures of requesting testing materials and serve as a resource for preparation materials. In addition, the Vendor shall assume responsibility of training the test administration and preparation associated with the proposed HSED test. The Department is committed to ensuring a seamless transition in 2014 and if the contract is ended in December 2016, the proposal shall include how the Vendor will assist in the transition process.

1. The Proposal shall include a description of the ordering process for any material that is needed for the HSED test or for the preparation of testers. This can include supplemental supports as well as information on practice tests. The delivery method, timeline of availability and costs (per seat/per test) shall be described. The Vendor shall provide guidance on materials and curriculum that is currently available and in use for HSED preparation that will continue to be usable by adult education centers in preparation for the proposed HSED test.

2. The Vendor shall provide a test administrator's guide and/or technical manual with detailed training steps for administrators of the proposed HSED test to the Department and each approved testing center (CM-ROM or web-based). Plans to update the guide shall be included in the Proposal, as well as a suggested table of contents.
3. The Vendor shall provide a technical manual each year covering the forms administered during that year. All draft technical manuals shall be subject to careful and complete editing by the Vendor's editors and proofreaders before the Vendor submits the manuals to the Department for implementation.
4. The Vendor shall agree to provide, at a minimum, one (1) face-to-face training to Department staff and testing center staff regarding the technical aspect of the test, the accommodation process, and information specific to the content. In addition, the Vendor shall provide at minimum five (5) live, interactive webinars for Department staff, subcontractors, and testing center staff on each of the content areas of the proposed HSED test by June 30 of each year after the HSED test launches in January 2014. However, in 2013 the successful Vendor must present during the State's annual conference on July 18-19, 2013 in Des Moines, Iowa. In addition, a minimum of five (5) live, interactive webinars (that will be recorded and archived) for the staff, subcontractors, and testing center staff on the delivery method, sub test content, scoring process and interpretation, administrator training, and any other appropriate training relevant to the launch of the HSED test shall be presented prior to January 2014.
5. Upon acceptance of the contract as a result of this RFP, the Vendor shall assist the Department in completing a seamless transition to the proposed HSED test. This shall include, but not be limited to, assisting the Department in developing and implementing a feasible transition plan in advance of January, 2014. As part of that plan the vendor shall provide marketing materials that can be used to ensure the portability and recognition of the proposed HSED test to testers, employers and educational institutions.
6. The Vendor agrees to cooperate fully with any successive Vendor and the Department, if the contract is terminated, and refrain from any activity that would interfere with the successful implementation of a seamless transition after December 2016. The Vendor shall provide at no cost to the Department: (a) all reports, materials, data, and property owned by the Department in the Vendor's possession; and (b) any information reasonably useful to and requested by the Department in developing a request for Proposal for a successive Vendor, prior to the expiration, cancellation, or termination of the contract.

SECTION 4 - FORMAT AND CONTENT OF PROPOSALS

4.1 INSTRUCTIONS

These instructions describe the format and content of the Proposal. Each Proposal shall be prepared simply and economically, providing straightforward, concise delineation of Vendor's capabilities to satisfy the requirements of this RFP. Emphasis of each Proposal must be on completeness and clarity of content. To expedite the evaluation of Proposals, it is essential that Vendors follow the format and instructions contained herein. Failure to adhere to the Proposal format may result in the disqualification of the Proposal.

4.1.1 The Proposal shall be typed, on 8.5" x 11" paper, one-sided, and the font size of the body of text should be comparable to Times New Roman point size 12.

4.1.2 The Proposal shall be divided into two parts: (1) the Technical Proposal; and (2) the Cost Proposal. The Technical Proposal and the Cost Proposal shall be placed in separate envelopes, and clearly labeled as such. If multiple envelopes for each Proposal are used, the envelopes shall be numbered in the following fashion: 1 of 4, 2 of 4, etc. The envelopes shall be labeled with the following information:

RFP Number

RFP Title

Issuing Officer's Name

Department's Address

Vendor's Name and Address

4.1.3 One (1) original and five (5) copies of the Proposal shall be submitted timely to the Issuing Officer. Each envelope containing the original Proposal shall be labeled "Original" and each envelope containing a copy of the Proposal shall be labeled "Copy." Each copy shall contain all attachments and be an exact copy of the original.

4.1.4 If the Vendor designates any information in its proposal as confidential pursuant to Section 2.15, the Vendor must also submit one (1) copy of the Proposal from which confidential information has been excised. The confidential material must be excised in such a way as to allow the public to determine the general nature of the material removed and to retain as much of the Proposal as possible.

4.1.5 Proposals shall not contain promotional or display materials.

4.1.6 Attachments shall be referenced in the Proposal.

4.1.7 If a Vendor proposes more than one method of meeting these requirements, each should be labeled and submitted separately. Each will be evaluated separately.

All answers that are given to the questions asked in this RFP are subject to verification. Misleading and/or inaccurate information shall be grounds for disqualification at any stage in the procurement process.

Electronic mail and/or fax Proposals will not be accepted.

The content of the Proposal and any clarification thereto submitted by the successful Vendor shall become a part of the contractual obligation and incorporated as an exhibit into the ensuing contract.

By submission of a response to this RFP, the Vendor certifies that this Proposal was developed independently. The Vendor also certifies that no relationship exists or will exist during the contract period between the Vendor and the Department that interferes with fair competition or is a conflict of interest. The Department reserves the right to reject a Proposal or cancel the award if, in its sole discretion, any relationship exists that could interfere with fair competition or conflict with the interests of the Department.

4.2 TECHNICAL PROPOSAL

The Vendor shall provide the following responses and documents in the Technical Proposal in the following order:

4.2.1 Transmittal/Cover Letter

The letter shall be signed by an individual that is authorized to legally bind the Vendor. The letter shall include the Vendor's:

1. Mailing Address
2. Electronic Mail Address
3. Telephone Number
4. Fax Number

Any request for confidential information shall be included in the letter in addition to the specific statutory basis supporting the request and an explanation why disclosure of the information is not in the best interest of the public. The transmittal letter shall also contain the name, address and telephone number of the individual authorized to respond to the Department about the confidential nature of the information.

The Vendor shall acknowledge in the letter the receipt of any amendments and receipt of the Department's responses to questions submitted by Vendors.

4.2.2 Table of Contents

The Vendor shall include a Table of Contents in the Proposal.

4.2.3 Executive Summary

The Vendor shall submit an executive summary that briefly reviews the strengths of the Vendor and outlines the services it is offering, including the following information:

1. Statements that demonstrate that the Vendor understands and agrees with the terms and conditions of this RFP and the proposed contract.
2. A vision and mission statement for this program.
3. An overview of the Vendor's plans for the scope of work.
4. A demonstration of the Vendor's knowledge related to the services to be performed.

4.2.4 Service Requirements

The Vendor shall address each service requirement in Section 3 of this RFP and explain how it plans to approach each requirement. Proposals must be fully responsive to Service Requirements. Merely repeating the requirements will be considered non-responsive and may disqualify the Vendor. Proposals must identify any deviations from the requirements of this RFP or requirements the Vendor cannot satisfy. Any deviations from the requirements of this RFP or any requirement of this RFP that the Vendor cannot satisfy may disqualify the Vendor.

4.2.5 Background Information

The Vendor shall provide the following general background information:

1. Name, address, telephone number, fax number and electronic mail address of the Vendor. Please include all d/b/a's or assumed names or other operating names of the Vendor.
2. Form of business entity (i.e. Corporation, Partnership, LLC, or Proprietorship)
3. State of incorporation, state of formation, or state of organization. The successful Vendor will also be required to register to do business in the State of Iowa. If already registered, provide the date of the Vendor's registration to do business in Iowa, and the name of the Vendor's registered agent.

4. Identify and specify the location(s) and telephone numbers of the major offices and other facilities that relate to the Vendor's performance under the terms of this RFP.
5. Local office address and telephone number (if any).
6. Number of employees.
7. Type of business.
8. Name, address, and telephone number of the Vendor's representative to contact regarding all contractual and technical matters concerning this Proposal.
9. Name, address, and telephone number of the Vendor's representative to contact regarding scheduling and other arrangements.
10. Name and qualifications of any subcontractors who will be involved with this project.
11. Identify the Vendor's accounting firm.

4.2.6 Experience

The Vendor must provide the following information regarding its experience, including experience related to Section 3.2.1(1):

1. Number of years in business.
2. Number of years experience with providing the types of services sought by this RFP.
3. Describe the level of technical experience in providing the types of services sought by this RFP.
4. List all services similar to those sought by this RFP that the Vendor has provided to other businesses or governmental entities.
5. Letters of reference from three (3) previous clients knowledgeable of the Vendor's performance in providing services similar to the services described in this RFP. Please provide a contact person and telephone number for each reference.

4.2.7 Personnel

The Vendor must provide résumés for all key personnel, including the Project Manager, who will be involved in providing the services outlined in this RFP. The following information must be included in the résumés:

1. Full Name
2. Education
3. Years of experience and employment history particularly as it relates to the scope of work specified.

4.2.8 Financial Information

The Vendor shall provide the following financial information:

1. Audited financial statements (annual reports) for the last three (3) years for the Vendor. (Vendors who do not have financial statements shall provide a detailed explanation of why they are not available and shall provide alternatives that are acceptable to the Department).
2. A minimum of three (3) financial references.

4.2.9 Terminations, Litigation, Debarment

The Vendor must provide the following information:

1. During the last five (5) years, has the Vendor had a contract for services terminated for any reason? If so, provide full details related to the termination.
2. During the last five (5) years, describe any damages or penalties of anything of value traded or given up by the Vendor under any of its existing or past contracts as it relates to services performed that are similar to

the services outlined in this RFP and the resulting contract. If so, indicate the reason for the penalty or exchange of property or services and estimated account of the cost of incident to the Vendor.

3. During the last five (5) years, describe any order, judgment or decree of any federal or state authority barring, suspending or otherwise limiting the right of the Vendor to engage in any business, practice or activity.
4. During the last five (5) years, list and summarize pending or threatened litigation, administrative or regulatory proceedings, or similar matters that could affect the ability of the Vendor to perform the required services. The Vendor must also state whether it or any owners, officers, or primary partners have ever been convicted of a felony. Failure to disclose these matters may result in rejection of the Proposal or termination of any subsequent contract. This is a continuing disclosure requirement. Any such matter commencing after submission of a Proposal, and with respect to the successful Vendor after the execution of a contract, must be disclosed in a timely manner in a written statement to the Department.
5. During the last five (5) years, have any irregularities been discovered in any of the accounts maintained by the Vendor on behalf of others? If so, describe the circumstances of irregularities or variances and disposition of resolving the irregularities or variances.

4.2.10 Proposal Certification

The Vendor shall sign and submit with the Proposal the document included as **Attachment #1** in which the Vendor shall certify that the contents of the Proposal are true and accurate.

4.2.11 Acceptance of Terms and Conditions

The Vendor shall specifically agree that the Proposal is predicated upon the acceptance of all terms and conditions stated in this RFP. If the Vendor objects to any term or condition, the Vendor must specifically refer to this RFP page(s) and section(s). Objections or responses that materially alter this RFP may be deemed non-responsive and disqualify the Vendor.

4.2.12 Certification of Independence and No Conflict of Interest

The Vendor shall sign and submit with the Proposal the document included as **Attachment #2** in which the Vendor shall certify that it developed the Proposal independently. The Vendor shall also certify that no relationship exists or will exist during the contract period between the Vendor and the Department that interferes with fair competition or is a conflict of interest. The Department reserves the right to reject a Proposal or cancel the award if, in its sole discretion, any relationship exists that could interfere with fair competition or conflict with the interests of the Department.

4.2.13 Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions

The Vendor shall sign and submit with the Proposal the document included as **Attachment #3** in which the Vendor shall certify that it is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal, department, or agency.

4.2.14 Authorization to Release Information

The Vendor shall sign and submit with the Proposal the document included as **Attachment #4** in which the Vendor authorizes the release of information to the Department.

4.2.15 Certification Regarding Sales and Use Tax

The Vendor shall sign and submit with the Proposal the document included as **Attachment #5** regarding collection of sales and use tax.

4.2.16 Firm Proposal Terms

The Vendor shall guarantee in writing the availability of the services offered and that all Proposal terms, including price, will remain firm a minimum of ninety (90) days following the deadline for submitting Proposals.

4.3 COST PROPOSAL

The Cost Proposal shall include all costs associated with performing the services described in the Scope of Work. The Cost Proposal shall be in the following format, and include the following information:

- Cost of the full test battery per tester.
- Cost of scanning/scoring a full test battery.
- Cost associated with re-testing a sub test if a passing score is not achieved.
- Cost per site/seat for test administration.
- Cost for hardware and/or software license associated with CBT.
- Cost associated with data management and transfer of records to the Department.
- Cost associated with training staff in administration or instructors in test content.
- Cost associated with any practice test material.
- The Vendor shall state any other costs associated or anticipated not otherwise covered or mentioned.
- The Vendor shall describe method(s) of collecting testing fees directly from the tester and third parties.
- The Proposal shall justify the amount charged for testing fees, that it is reasonable and not prohibitive.

SECTION 5 - EVALUATION OF PROPOSALS

5.1 INTRODUCTION

This section describes the evaluation process that will be used to determine which Proposal provides the greatest benefit to the Department. The Department will not necessarily award a contract to the Vendor offering the lowest cost to the Department or to the Vendor with the highest point total. Rather, the Department will award the contract to the compliant Vendor whose Proposal is judged to provide the greatest benefit to the State and that has the best combination of attributes to perform the required services. The Department reserves the right to not award a contract.

5.2 EVALUATION COMMITTEE

The Department intends to conduct a comprehensive, fair, and impartial evaluation of Proposals received in response to this RFP. The Department will use an Evaluation Committee to review, evaluate, and rank the Proposals.

5.3 EVALUATION CRITERIA

All Proposals submitted in response to this RFP which fulfill all mandatory requirements will be evaluated. Each category has a maximum points possible potential. The Evaluation Committee will conduct a fair, impartial and comprehensive evaluation of Proposals in accordance with the criteria set forth below:

Technical Proposal	
<p><u>Executive Summary</u></p> <ul style="list-style-type: none"> a. Understanding the Department’s needs. b. Clear overview of proposed services. c. Understanding of the nature and scope of the work involved. 	50 points possible
<p><u>Service Requirements</u></p> <ul style="list-style-type: none"> a. Sufficient specificity for the scope of work to demonstrate understanding of the requirements and tasks involved. <ul style="list-style-type: none"> 1. Task 1 – Test 2. Task 2 – Administration 3. Task 3 – Test Scoring, Data Exchange, and Reporting 4. Task 4 – Testing Materials, Training, and Transition b. Detailed capacity to reasonably meet all requirements within proposed timelines. c. Understanding of the psychometrics of developing and implementing HSED test. d. Efficient communication, management, and operation of the system. e. Demonstrates coordination and integration of all of the components of the assessment system. 	500 points possible
<p><u>Vendor Overview</u></p> <ul style="list-style-type: none"> a. The ability, capacity and skill of the vendor to deliver and implement the system that meets the requirements of this RFP. b. The character, integrity, reputation, judgment, experience and efficiency of the vendor. c. The competency of the professional personnel who will be assigned by the contractor to provide services during the contract. Qualifications of professional personnel will be evaluated by education and relevant experience. d. Evidence of existing customer satisfaction. e. Successful experience providing similar services at a similar scale. f. Overall quality of proposal. 	200 points possible

Cost Proposal	
<u>Cost Proposal</u> a. Costs are clear and sufficiently detailed. b. Costs are reasonable and justified. c. Proposal provides maximum value for least cost. d. Costs are provided for enhancements or optional activities.	250 points possible
Total	1000 points possible

5.4 RECOMMENDATION OF THE EVALUATION COMMITTEE

The Evaluation Committee will rank the Proposals, and submit a recommendation based on the Proposals and evaluations. This recommendation may include, but is not limited to, the name of one or more Vendors recommended for selection or a recommendation that no Vendor be selected.

Attachment #1

Date:

Alex Harris, Issuing Officer
Iowa Department of Education
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-0146

Re: Request for Proposal Number ED-AH105-01
PROPOSAL CERTIFICATION

Dear Mr. Harris,

I certify that the contents of the Proposal submitted on behalf of _____ (Vendor) in response to the Iowa Department of Education Request for Proposal Number ED-AH105-01 are true and accurate. I also certify that _____ (Vendor) has not made any knowingly false statements in its proposal.

Furthermore, I acknowledge my understanding of the following:

Chapter 73.2 of the Code of Iowa states that all requests for bids and proposals shall contain a paragraph reading as follows, "by virtue of statutory authority, a preference will be given to products and provisions grown and coal produced within the state of Iowa."

Sincerely,

Name:

Title:

Attachment #2

Date:

Alex Harris, Issuing Officer
Iowa Department of Education
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-0146

Re: Request for Proposal Number ED-AH105-01
CERTIFICATION OF INDEPENDENCE AND NO CONFLICT OF INTEREST

Dear Mr. Harris,

By submitting a Proposal in response to the Iowa Department of Education Request for Proposal (RFP) Number ED-AH105-01 for the services described in this RFP, the undersigned certifies the following:

1. The Proposal has been developed independently, without consultation, communication or agreement with any employee or consultant of the Department who has worked on the development of this RFP, or with any person serving as a member of the Evaluation Committee.
2. The Proposal has been developed independently, without consultation, communication or agreement with any other Vendor or parties for the purpose of restricting competition.
3. Unless otherwise required by law, the information found in the Proposal has not been knowingly disclosed and will not be knowingly disclosed prior to the award of the contract, directly or indirectly, to any other Vendor.
4. No attempt has been made or will be made by (Vendor) to induce any other Vendor to submit or not to submit a Proposal for the purpose of restricting competition.
5. No relationship exists or will exist during the contract period between (Vendor) and the Department that interferes with fair competition or as a conflict of interest.

Sincerely,

Name:

Title:

Attachment #3

Date:

Alex Harris, Issuing Officer
Iowa Department of Education
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-0146

Re: Request for Proposal Number ED-AH105-01
CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND ELIGIBILITY, AND VOLUNTARY EXCLUSION

Dear Mr. Harris,

By submitting a Proposal in response to the Iowa Department of Education Request for Proposal (RFP) Number ED-AH105-01 for the services described in this RFP, the undersigned certifies the following:

1. I certify that, to the best of my knowledge, (Vendor) and all of its principles:
 - a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a federal agency or agency;
 - b) have not within a three-year period preceding this Proposal been convicted of, or had a civil judgment rendered against them from commission of fraud, or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction, violation of antitrust statutes or commission of embezzlement, theft, forgery, falsification or destruction of records, making false statements, or receiving stolen property;
 - c) are not presently indicted for or criminally or civilly charged by a government entity (federal, state, or local) with the commission of any of the offenses enumerated in (b) of this certification;
 - d) have not within a three-year period preceding this Proposal had one or more public transactions (federal, state, or local) terminated for cause.
2. This certification is a material representation of fact upon which the Department has relied when this transaction was entered into. If it is later determined that the undersigned knowingly rendered an erroneous certification, in addition to other remedies available, the Department may pursue available remedies including suspension, debarment, or termination of the contract.

Sincerely,

Name:

Title:

Attachment #4

Date:

Alex Harris, Issuing Officer
Iowa Department of Education
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-0146

Re: Request for Proposal Number ED-AH105-01
AUTHORIZATION TO RELEASE INFORMATION

Dear Mr. Harris,

(Vendor) hereby authorizes the Iowa Department of Education to obtain information regarding its performance on other contracts, agreements or other business arrangements, its business reputation, and any other matter pertinent to evaluation and the selection of a successful Vendor in response to Request for Proposal Number ED-AH105-01.

The Vendor acknowledges that it may not agree with the information and opinions given by such person or entity in response to a reference request. The Vendor acknowledges that the information and opinions given by such person or entity may hurt its chances to receive contract awards from the Department or may otherwise hurt its reputation or operations. The Vendor is willing to take that risk.

The Vendor hereby releases, acquits and forever discharges the state of Iowa, the Department, their officers, directors, employees and agents from any and all liability whatsoever, including all claims, demands and causes of action of every nature and kind affecting the undersigned that it may have or ever claim to have relating to information, data, opinions, and references obtained by the Department in the evaluation and selection of a successful Vendor in response to Request for Proposal Number ED-AH105-01.

The Vendor authorizes representatives of the Department to contact any and all of the persons, entities, and references which are, directly or indirectly, listed, submitted, or referenced in the undersigned's Proposal submitted in response to Request for Proposal Number ED-AH105-01.

The Vendor further authorizes any and all persons and entities to provide information, data, and opinions with regard to the undersigned's performance under any contract, agreement, or other business arrangement, the undersigned's ability to perform, the undersigned's business reputation, and any other matter pertinent to the evaluation of the undersigned. The undersigned hereby releases, acquits and forever discharges any such person or entity and their officers, directors, employees and agents from any and all liability whatsoever, including all claims, demands and causes of action of every nature and kind affecting the undersigned that it may have or ever claim to have relating to information, data, opinions, and references supplied to the Department in the evaluation and selection of a successful Vendor in response to Request for Proposal Number ED-AH105-01.

Sincerely,

Printed Name of Vendor Organization

Name of Authorized Representative

Title

Date

Attachment #5

Date:

Alex Harris, Issuing Officer
Iowa Department of Education
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-0146

Re: Request for Proposal Number ED-AH105-01

CERTIFICATION REGARDING REGISTRATION, COLLECTION, AND REMISSION OF STATE SALES AND USE TAX

Dear Mr. Harris,

Pursuant to Iowa Code sections 423.2(10) & 423.5(8) (2005 Code Sup.) - a retailer in Iowa or a retailer maintaining a business in Iowa that enters into a contract with a state agency must register, collect, remit Iowa sales tax and Iowa use tax levied under Iowa Code Chapter 423 on all sales of tangible personal property and enumerated services. The Act also requires Vendors to certify their compliance with sales tax registration, collection, and remission requirements and provides potential consequences if the certification is false or fraudulent.

By submitting a Proposal in response to the Iowa Department of Education Request for Proposal (RFP) Number ED-AH105-01 for the services described in this RFP, the undersigned certifies the following:

- (Vendor) is registered with the Iowa Department of Revenue, collects, and remits Iowa sales and use taxes as required by Iowa Code Chapter 423.
- (Vendor) is not a "retailer" or a "retailer maintaining a place of business in this state" as those terms are defined in Iowa Code subsections 423.1(42) & (43)
- (Vendor) acknowledges that the Department may declare the (Vendor) bid or resulting contract void if the above certification is false
- (Vendor) understands that fraudulent certification may result in the Department or its representative filing for damages for breach of contract

Sincerely,

Name:

Title:

Attachment #6

MINORITY IMPACT STATEMENT

Pursuant to 2008 Iowa Acts, HF 2393, Iowa Code Section 8.11, all grant applications submitted to the State of Iowa which are due beginning January 1, 2009, shall include a Minority Impact Statement. This is the state's mechanism to require grant applicants to consider the potential impact of the grant project's proposed programs or policies on minority groups.

Please choose the statement(s) that pertains to this grant application. Complete all the information requested for the chosen statement(s).

- The proposed grant project programs or policies could have a disproportionate or unique **positive** impact on minority persons.

Describe the positive impact expected from this project.

Indicate which group is impacted:

- _____ Women
- _____ Persons with a Disability
- _____ Blacks
- _____ Latinos
- _____ Asians
- _____ Pacific Islanders
- _____ American Indians
- _____ Alaskan Native Americans
- _____ Other

- The proposed grant project programs or policies could have a disproportionate or unique **negative** impact on minority persons.

Describe the negative impact expected from this project.

Present the rationale for the existence of the proposed program or policy.

Provide evidence of consultation of representatives of the minority groups impacted.

Indicate which group is impacted:

- _____ Women
- _____ Persons with a Disability
- _____ Blacks
- _____ Latinos
- _____ Asians
- _____ Pacific Islanders
- _____ American Indians
- _____ Alaskan Native Americans
- _____ Other

The proposed grant project programs or policies are **not expected to have** a disproportionate or unique impact on minority persons.

Present the rationale for determining no impact.

I hereby certify that the information on this form is complete and accurate, to the best of my knowledge:

Signature of Executive Officer

Title

Date

Definitions

“Minority Persons”, as defined in Iowa Code Section 8.11, mean individuals who are women, persons with a disability, Blacks, Latinos, Asians or Pacific Islanders, American Indians, and Alaskan Native Americans.

“Disability”, as defined in Iowa Code Section 15.102, subsection 5, paragraph “b”, subparagraph (1):b. As used in this subsection:

"Disability" means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of the individual, a record of physical or mental impairment that substantially limits one or more of the major life activities of the individual, or being regarded as an individual with a physical or mental impairment that substantially limits one or more of the major life activities of the individual.

"Disability" does not include any of the following:

- (a) Homosexuality or bisexuality.
- (b) Transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments or other sexual behavior disorders.
- (c) Compulsive gambling, kleptomania, or pyromania.
- (d) Psychoactive substance abuse disorders resulting from current illegal use of drugs.

“State Agency”, as defined in Iowa Code Section 8.11, means a Department, board, bureau, commission, or other agency or authority of the State of Iowa.

It is the policy of the Iowa Department of Education not to discriminate on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, gender, disability, religion, age, political party affiliation, or actual or potential parental, family or marital status in its programs, activities, or employment practices as required by the Iowa Code sections 216.9 and 256.10(2), Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000d and 2000e), the Equal Pay Act of 1973 (29 U.S.C. § 206, et seq.), Title IX (Educational Amendments, 20 U.S.C.§§ 1681 – 1688), Section 504 (Rehabilitation Act of 1973, 29 U.S.C. § 794), and the Americans with Disabilities Act (42 U.S.C. § 12101, et seq.). If you have questions or grievances related to this policy, please contact the Legal Consultant, Department of Education, Grimes State Office Building, Des Moines, Iowa 50319-0146, 515/281-5295.