



# MONTGOMERY COUNTY PUBLIC SCHOOLS

www.montgomeryschoolsmd.org

MARYLAND

301-279-3555

December 10, 2019



RFP Number: 4892.1  
Due Date: January 9, 2020  
Open Time: 2:00 p.m.

To: Prospective Respondents:

Montgomery County Public Schools (MCPS) is issuing this RFP to determine whether the Professional Growth Systems (PGSs), which are currently in use, are meeting our mission to have professional excellence that leads to student success. We seek to learn how well the PGSs support our core values and a culture of continuous professional growth and support. We also wish to determine whether there are adequate and properly allocated resources devoted to achieving stated goals.

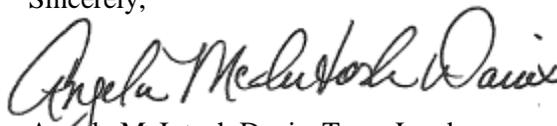
Questions regarding the RFP must be submitted by the close of business, 4:00 p.m., on December 19, 2019. Responses will be posted on MCPS' Procurement website December 30, 2019.

Please respond according to the instructions provided in the attached. Proposals must be received on or before 2:00 p.m., on January 9, 2020. Proposals received after this date and time will not be considered. Proposals shall be delivered in a sealed opaque envelope with the RFP number, opening date and opening time indicated in the lower left corner of the envelope. Proposals shall be delivered to Montgomery County Public Schools Procurement Unit, 45 West Gude Drive, Suite 3100, Rockville, Maryland 20850.

The contractor must submit one (1) original, one (1) redacted copy, one (1) electronic version on CD or flash drive and five (5) separate copies of the proposal. The proposal must be signed by an official having authority to contract with MCPS. The firm and official's name shall be used. This solicitation does not commit the district to pay any costs incurred in the submission of proposals or guarantee that an award will be made.

In the event of emergency closing of the MCPS Board of Education offices, this RFP will open at the same time on the next regular working day.

Sincerely,

  
Angela McIntosh Davis, Team Leader  
Procurement Unit

AMD  
Enclosure

**Procurement Unit**

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45 West Gude Drive, Suite 3100 ♦ Rockville, Maryland 20850-9999

**Department of Materials Management**  
**MONTGOMERY COUNTY PUBLIC SCHOOLS**  
**Procurement Unit**  
**45 West Gude Drive, Suite 3100**  
**Rockville, Maryland 20850**

**Request for Proposal No. 4892.1, Professional Growth Systems Consultant**

**1.0 INTENT**

Montgomery County Public Schools (MCPS) is issuing this RFP to determine whether the Professional Growth Systems (PGSs), which are currently in use, are meeting our mission to have professional excellence that leads to student success. We seek to learn how well the PGSs support our core values and a culture of continuous professional growth and support. We also wish to determine whether there are adequate and properly allocated resources devoted to achieving stated goals.

**2.0 OVERVIEW**

MCPS is the 14th largest school system in the United States, and the largest in the state of Maryland. During the 2018–2019 school year, MCPS served more than 162,600 students from 157 countries speaking 150 languages across 207 schools. With a Fiscal Year (FY) 2019 Operating Budget of approximately \$2.59 billion, MCPS employs more than 23,800 employees including 13,142 teachers. MCPS leads the state with more than 850 teachers certified by the National Board for Professional Teaching Standards. Among the 206 schools that MCPS operates, 41 are National Blue Ribbon schools. MCPS has one of the highest graduation rates among the nation’s largest school districts according to Education Week, with an overall graduation rate of 89.5 percent. The Class of 2018 graduates received more than \$364 million in scholarships. MCPS received the 2010 Malcolm Baldrige National Quality Award for performance excellence (the highest presidential honor bestowed upon American organizations) as well as the 2006 U.S. Senate Productivity Award, Maryland’s most prestigious award for performance excellence. In 2010, MCPS became the first Maryland school district finalist for the \$1 million Broad Prize for Urban Education. MCPS was named a Gold Medal school system for 15 consecutive years by Expansion Management for the district’s attractiveness to the business community and was nationally recognized by the National Board of Professional Teaching Standards in 2010 for professional development programs for administrators, teachers, and supporting services staff. The student demographics of MCPS in 2018–2019 school year are as follows:

Hispanic/Latino: 32.3%  
White: 28.3%  
Black or African American: 21.4%  
Asian: 14.4%  
Two or more races: ≤ 5.0%  
American Indian or Alaskan Native: ≤5.0%  
Native Hawaiian or other Pacific Islander: ≤5.0%  
Students receiving Free and Reduced-price Meals System (FARMS): 35.1%  
Students ever receiving FARMS: 35.1%  
English for Speakers of Other Languages (ESOL): 17.5%  
Students receiving special education services: 11.7%

The PGSs we have today were formed over several years, starting in the early 2000’s, and MCPS was one of the first school systems to implement such models. The PGSs were created at the request of and in partnership with the Montgomery County Association of Administrators and Principals (MCAAP), Montgomery County

Education Association (MCEA), Service Employees International Union (SEIU) Local 500. The teacher PGS began in 2002 to support classroom teachers' professional excellence through peer assistance, job-embedded professional development opportunities, classes to create a common framework for understanding professional excellence, and an evaluation system based on teacher-developed standards. Soon similar programs for administrators and support professionals were added in addition to the teacher PGS. By 2008 all unionized employees in MCPS participated in a PGS for their bargaining unit, a practice that continues today.

Over time, MCPS has become a model for other school systems in valuing employees and supporting them. The PGSs support excellence by providing continuous opportunities for professional growth. Continuous professional improvement, specific and timely feedback, and ownership of the professional standards by those doing the work are the foundational elements of the system, all with a focus on improving student achievement. However, rather than use quantitative measures such as student test scores to evaluate staff, the PGSs provide a qualitative analysis of employee performance. Employees are expected to reflect on their practice and continually seek to grow in their capacity to help students succeed in gaining an excellent education.

In recent years, there has been a growing desire on the part of MCAAP, MCEA, SEIU Local 500, and MCPS to conduct a review of the PGSs. MCPS and union leadership agree that the PGSs are the best way to achieve excellence in the education profession. However, MCPS and partners seek to know whether the current system is meeting the needs of a school system that has seen tightened budgets, significant shifts in its student population, and changes in the education profession and public education writ large.

MCPS has committed to substantial investment in this system for the past twenty years in order to elevate the capacity of all employees to achieve their professional best. The underlying philosophy is that every employee has value and the ability, desire and need to grow in order to adapt to changes in the educational environment. The PGSs ideally should lead to a happy, healthy working environment in which we recruit and retain excellent educators, support continual improvement, and recognize employees' professional excellence in the service of student learning.

### **3.0 SCOPE OF SERVICES**

MCPS seeks proposals that will demonstrate the ability of the vendor(s) to conduct a review/study of the MCPS Professional Growth Systems that shall address the following scope of services:

- Thorough capture of all stakeholder voices from MCPS and the bargaining units;
- Exploration of connections between the three PGSs and learning outcomes for students;
- Analysis of professional growth practices in comparable school systems;
- Consideration as to whether professional growth systems address the needs of the current and future workforce; and
- Identification of the impact on employee attraction, growth and retention.

#### **Professional Development**

How well do the PGSs' address professional development? When the PGSs were designed two decades ago, in-house professional development was one of the foundational elements of the program. The underlying belief has been that jobs in education require employees to seek constant adaptation and growth in order to meet changing student needs. Since the economic downturn in 2008, staffing and time for professional development has been substantially reduced. Course offerings are more limited, and there has been a reduction in the sections of courses taught. Access to professional leave is also a concern.

The study should therefore address:

- Access to Professional Development

- Number of course instructors/sections
- Professional development courses for school based leaders and business and operations administrators
- Physical space for classes
- Substitutes/job coverage
- Teacher National Board Certification
- Course Offerings
  - Facilitative Leadership
  - Studying Skillful Teaching 1 & 2, Studying Skillful Teaching for Paraeducators, Observing and Analyzing Teaching 1 & 2
  - Supervising and Evaluating Performance of Support Level Staff
- Professional Development Days
- Professional Development Plans, Student Learning Objectives - Efficacy
- Mentoring Program for MCEA Union Members
- The Career Pathways Program

Additional Information on the Professional Growth Systems can be found here:

<https://www.montgomeryschoolsmd.org/departments/professionalgrowth/>

### **Onboarding and New Educator Orientation**

Staffing and training to support onboarding of new hires have also been reduced in recent years. All onboarding is managed by the Director of Professional Growth Systems with the help of a part-time support professional. There was once a training provided to all new hires that was designed to introduce all employees to the MCPS culture and to create a shared sense of purpose. New employees from all units, as well as new at-will administrators, met together to receive this training.

The study should therefore address the following questions:

- Do we have adequate staffing, time, and space to properly provide on-boarding?
- How do we set expectations, create a sense of community, and develop shared values across all job categories?

### **Evaluations - Process and Efficacy**

Evaluations in MCPS are seen as crucial feedback to employees as they seek continuous professional improvement. Because the PGSs rely on qualitative evaluation of employees, significant time is required for observations, meetings, and report writing. Given the ever-expanding responsibilities of those who conduct observations and write evaluations, it would be beneficial to identify ways, without compromising the quality of feedback, to make the evaluation process more efficient.

The study should therefore address the following questions:

- Can writing requirements for evaluations be streamlined without compromising their quality and usefulness as feedback?
- Are evaluation/observations being used to support growth?
- Are the standards and competencies widely known?
- What are the meaningful practices of evaluators that lead to growth?
- What is the impact of the evaluation on the employee's professional growth?
- What is the level of compliance? If low, what is preventing compliance?
- Are all processes and timelines for evaluations necessary? Is the PGS cycle appropriate?

### **Supports**

Significant resources in MCPS are devoted to providing staff and systems to support employees in achieving professional excellence. Moreover, careful design of the PGS provides specific procedures for supervisors and staff to follow. The goal is to systematically provide assistance to all new and under-performing employees, in a way that is fair and leads to the best outcomes for all parties, especially students.

The study should therefore address the following questions:

- Are the Peer Assistance and Review (PAR) Programs, Performance Improvement Process, 90-day Special Evaluation, and Improvement Plan processes meeting their goals of assisting employees with meeting standard or competency?
- What can be done to encourage greater use of the processes listed in the previous bullet to support employees who are underperforming?
- Is mentor support provided systematically to all employees? What is the degree of effectiveness of mentor support? Are we fulfilling requirements under COMAR for teacher mentorships?
- What can be done to encourage the use of Improvement Plans to support professional growth?
- What are the rates of recidivism and success for those referred to PAR as underperformers?
- What are the best practices related to career counseling?
- Are we able to allocate our human resources through these supports to place people in the best positions to meet their full potential?
- How would a mentoring program for all job categories impact employee attraction, growth and retention?
- How does the Teacher PGS align with the teacher leadership path as defined in Kirwan Commission recommendations?
- Do we have the Human Resources supports we need to attract and retain and grow an excellent workforce?
  - Co-Chairs
  - Director, Department of Professional Growth Systems
  - Consulting Teachers
  - Professional Growth Consultants
  - Consulting Principals
  - Instructional Specialists, Skillful Teaching and Leading
  - Staff Development Teachers
  - Mentors
  - National Board Certification Teacher Specialists
  - Other positions

### **Product/Deliverable**

- The consultant shall provide a written report to include an analysis and recommendation for all of the identified areas and, if possible, a cost analysis associated with recommendations.
- The consultant also shall provide a presentation that can be shared with multiple stakeholder groups including the Board of Education and other public forums.
- Proposed Timeline - Study Duration 6 months
  - Data Collection
  - Consultation and Analysis
  - Final Presentation

## **4.0 CONTRACT TERM**

The initial term of contract shall be for one (1) year as stipulated in the RFP. However, the contract may not begin until one day after approval by the Montgomery County Board of Education and will conclude as stated under the contract term. MCPS reserves the right to extend this contract at existing prices, terms, and conditions

for up to three additional terms for one (1) year each. Written notice indicating MCPS' intention to pursue the extension of the contract will be issued to the successful vendor 90 days prior to the expiration of the original contract. The vendor shall have ten (10) days from the date of notification to return the notice acknowledging its intent to accept or reject the extension.

Work orders that are issued as part of this scope will coincide with the contract terms.

Once all responses are evaluated, MCPS staff may make a recommendation to the Board to extend the contract or decide to rebid. If the contract is extended by the Board, a contract amendment will be issued.

## **5.0 CONTRACT TERMINATION**

MCPS reserves the right to cancel the contract in whole or in part at any time in accordance with Article 12, MCPS General Contract Articles. MCPS also reserves the right to cancel the contract with a specific offer or for failure to comply or failure to fulfill the terms of this contract in accordance with Article 13.

## **6.0 FORMAT OF RESPONSE**

- 6.1 Responses to this RFP shall be submitted in the same order as the RFP and provide an individual response to each RFP specification.
- 6.2 Contractors shall include any and all statements and representations made within its submission in the contract for services with the MCPS. This includes, but is not limited to, the vendors' point-by-point response to this RFP. If the vendor responds only "Understand and comply," it is assumed that the vendor complies with MCPS' understanding of the requirement.
- 6.3 A pricing proposal shall be submitted as a separate document.

## **7.0 MANDATORY SUBMISSIONS**

Each Contractor must submit a complete proposal including all required information and attachments. The response shall address each paragraph in the same order as the RFP and provide an individual response to each RFP specification. All proposals must be presented using the same numbering sequence and order used in this RFP document or as otherwise specified by MCPS. Contractors may request via e-mail to Mrs. Angela McIntosh Davis, Team Leader, MCPS Procurement Unit, at [angela\\_s\\_mcintosh-davis@mcpsmd.org](mailto:angela_s_mcintosh-davis@mcpsmd.org), a Microsoft Word version to help them in preparing the response.

One (1) original and five (5) copies, as well as one (1) electronic version on CD or flash drive of the response, and one (1) redacted copy, as well as one (1) electronic version on CD or flash drive of the redacted response must be sent by mail, courier, or hand-delivery to the address below. Responses shall be in binders with tabs identifying each section. A table of contents should be included and all pages numbered as referenced in the Table of Contents. No faxes or electronic submission of proposals will be accepted. Proposals are to be received no later than 2:00 p.m. on July 15, 2019. Submit responses of the entire RFP proposal to:

Montgomery County Public Schools  
Procurement Unit  
45 West Gude Drive, Suite 3100  
Rockville, MD 20850

Submissions will become the property of MCPS.

The proposal must be signed by an official having authority to contract with MCPS. The firm and the official's name shall be used in the contract process. MCPS reserves the right to make an award without further discussion of the proposals received. MCPS also may negotiate with the one Contractor who submits the best proposal or with two or more Contractors who are in the competitive range. Therefore, it is important that the Contractor's proposal be submitted initially on the most favorable terms from both the technical and cost standpoints. After the submission and closure of proposals, no information will be released until after the award. It is understood that the Contractor's proposal will become a part of the official file on this matter without obligation to MCPS.

The proposal must be complete and comply with all aspects of these specifications. Marketing or promotional verbiage will likely overshadow the Contractor's qualifications and expertise. MCPS urges the Contractor to be specific and brief in their responses.

MCPS shall not be responsible or liable for any costs incurred by the contractor in the preparation and submission of their proposals and pricing.

**Complete Response must include:**

Failure to include the following required submissions may render the proposal non-responsive as determined by the director of the Department of Materials Management.

- Point-by-point Response to each section of the RFP
- A list of at least three (3) references for the contracting agency including contact persons and telephone numbers must be submitted, See 6.0 References.
- Respondent's annual fiscal report in order to demonstrate the Respondent's financial stability (If desired, the Respondent also may include any other financial documents that the Respondent wishes to include regarding Respondent's financial condition).
- Equal Opportunities Certification (Attachment A)
- Certification of Non-segregated Facilities (Attachment B)
- Minority Business Enterprise (Attachment C)
- Non-Debarment Acknowledgement (Attachment D)
- Mid-Atlantic Purchasing Team Rider Clause (Attachment E)
- Current Form W-9
- A redacted copy of the Respondent's proposal as specified in Section 8.0.

All of these written deliverables described above shall be submitted in electronic format (MS Word) with at least five (5) hard copies. Absent good cause, payment for the services provided by the External Consultant(s) shall be contingent upon meeting the mutually agreed-upon deadlines.

MCPS reserves the right to engage the External Consultant(s) in providing future consultation and follow up regarding the MCPS curriculum.

It is the intention to award to the most favorable respondent(s) based on the evaluation criteria in Section 11.0. However, the Board reserves the right to make awards according to the best interest of MCPS. This request for proposals may result in multiple awards for different components of the scope of services.

The selected provider(s) must have demonstrated experience in providing alternative programs for students to obtain a high school diploma (as defined in Section 3) in similar institutions (e.g., school districts, departments of education, etc.).

In determining the qualifications of a contractor, MCPS will consider the contractor's record and performance of any prior contracts with MCPS, federal departments or agencies, or other public bodies, including but not limited to the contractor's record providing such detailed programs/services as described in Section 3.0 to MCPS or other schools or school districts. MCPS expressly reserves the right to reject the proposal of any contractor if the investigation discloses that the contractor, in the opinion of MCPS, has not properly performed such prior contracts or has habitually and without just cause neglected the payment of bills or has otherwise disregarded its obligations to subcontractors or employees.

MCPS may conduct any necessary investigation to determine the ability of the contractor to perform the work, and the contractor shall furnish to MCPS all such information and data requested, such as information about its reputation, past performance, business and financial capability and other factors that demonstrate that the provider is capable of satisfying MCPS' needs and requirements for a specific contract. MCPS reserves the right to reject any proposal if the evidence submitted by the contractor or investigation of such contractor fails to satisfy MCPS that such contractor is properly qualified to carry out the obligations of the contract and to complete all requirements contemplated therein. Consideration will be given to any previous performance with MCPS as to the quality and the acceptability of bidder's services.

All Contractor's submitting a proposal shall include evidence that they maintain a permanent place of business. Copies of any appropriate licenses necessary to perform this work shall be submitted with each proposal. Contractors also shall demonstrate that they have adequate staff to perform the required services. Use of subcontractor(s) and/or third party providers, if any, must be specifically identified within the proposal. Subcontractor and/or third party provider roles shall be clearly expressed. MCPS reserves the right to accept or reject use of proposed subcontractor(s) and/or third party provider(s).

**MCPS reserves the right to add or delete vendors, as needed, should our requirements change during the contract term.**

## **8.0 TREATMENT OF TECHNICAL DATA IN PROPOSAL**

The proposal submitted in response to this request may contain technical data which the offeror does not want used or disclosed for any purpose other than evaluation of the proposal. The use and disclosure of any such technical data, subject to the provisions of the Maryland Public Information Act, may be so restricted:

Provided, that offeror marks the cover sheet of the proposal with the following legend, specifying the pages of the proposal which are to be restricted in accordance with the conditions of the legend: "Technical data contained in pages \_\_\_ of this proposal shall not be used or disclosed, except for evaluation purposes."

Provided, that if a contract is awarded to this offeror as a result of or in connection with the submission of this proposal, MCPS shall have the right to use or disclose these technical data to the extent provided in the contract.

This restriction does not limit the right of MCPS to use or disclose technical data obtained from another source without restriction.

MCPS assumes no liability for disclosure or use of unmarked technical data or products and may use or disclose the data for any purpose and may consider that the proposal was not submitted in confidence and therefore is releasable. Price and cost data concerning salaries, overhead, and general and administrative expenses are considered proprietary information and will not be disclosed, if marked in accordance with the instructions in Section 9, Proprietary and Confidential Information.

## 9.0 PROPRIETARY AND CONFIDENTIAL INFORMATION

Offerors are notified that MCPS has unlimited data rights regarding proposals submitted in response to this solicitation. Unlimited data rights means that MCPS has the right to use, disclose, reproduce, prepare derivative works, distribute copies to the public, or perform publicly and display publicly any information submitted by the offeror in response to this or any solicitation issued by MCPS. However, MCPS will exempt information that is confidential commercial or financial information of an offeror, as defined by the Maryland Public Information Act, State Government Article, Section 10-617, from disclosure. It is the responsibility of the offeror to clearly identify each part of its proposal that is confidential commercial or financial information by stamping the **bottom right-hand corner** of each pertinent page with one-inch bold face letters stating the words “**confidential**” or “**proprietary**.” The offeror agrees that any portion of the proposal that is not stamped as proprietary or confidential is not proprietary or confidential. As a condition for MCPS keeping the information confidential, the offeror must agree to defend and hold MCPS harmless if any information is inadvertently released. Each offeror must submit a proprietary and confidential redacted copy of its proposal to be used in responding to MPIA requests.

## 10.0 EVALUATION CRITERIA

MCPS reserves the right to ask clarifying questions about submitted proposals. Offerors also may ask questions that they may have related to this RFP prior to submitting their responses. See Section 11, Schedule of Events. Only proposals received by the deadline will be considered. Proposals will be screened down to a number of finalists.

MCPS reserves the right to convene a meeting with the top qualified offerors prior to awarding a contract. The purpose of the meeting will be to afford both parties an opportunity to discuss any aspects of the requirements and services that will be performed and clarify any issues. Issues raised during the meeting, which cannot be resolved to the satisfaction of MCPS, shall be cause to reject the proposal.

All offerors are advised that in the event of receipt of an adequate number of proposals, which, in the opinion of MCPS require no clarification and/or supplementary information, such proposals may be evaluated without further discussions. Therefore, proposals should be submitted initially on the most complete and favorable terms and conditions. Should proposals submitted require additional clarification and/or supplementary information, offerors should be prepared to submit such additional clarification and/or supplementary information, in a timely manner, when requested.

Proposals meeting all requisite criteria will be evaluated. Those who do not meet requisite criteria will not be evaluated further.

The determination of those that are qualified, interested, and available, and MCPS’ choice of the best qualified will be based on the following criteria:

- Completeness of response.
- Ability to perform and meet MCPS’ needs (based on the criteria set forth in this RFP, including but not limited to Section 3.0, Scope of Services).
- Qualifications, reputation, and experience of the Respondent relevant to the Scope of Services including specific experience in providing products and services to school districts of similar size, including the bidder’s knowledge of best practices and educational research.
- Qualifications, reputation, and experience of key staff that will be responsible for this contract.

- Past performance as determined by recent and relevant contracts. Evaluation will be based on information obtained from references provided by the bidder as well as other relevant past performance information obtained from other sources known to MCPS.
- Pricing proposal and fee structure.

A selection committee comprised of MCPS staff will evaluate proposals based on these criteria.

## 11.0 SCHEDULE OF EVENTS

The anticipated schedule of activities related to this RFP is as follows:

<b>RFP Issued:</b>	<b>December 10, 2019</b>
<b>Questions Due:</b>	<b>December 19, 2019 4:00 p.m. EST</b>
<b>Answers Posted:</b>	<b>December 30, 2019</b>
<b>Proposals Due:</b>	<b>January 9, 2019 2:00 p.m. EST</b>
<b>Anticipated Award Date:</b>	<b>Spring 2020</b>

All dates are subject to change at the discretion of MCPS.

## 12.0 ADDENDA/ERRATA

Changes and addenda to a solicitation may occur prior to the solicitation opening date and time. It is the offeror's responsibility to check the MCPS website under "Event Calendar" <http://procurement.montgomeryschoolsmd.org/home/Bids> contact the Procurement Unit at 301-279-3555 to verify whether addenda/errata have been issued.

In the event that MCPS issues addenda/errata, all terms and conditions will remain in effect unless they are specifically and explicitly changed by the addenda/errata. Offerors must acknowledge receipt of such addenda/errata by returning one signed copy of each of the addenda/errata with its proposal. Failure to provide the signed acknowledgement of the addenda/errata may result in a bid being deemed non-responsive.

## 13.0 eMARYLAND MARKETPLACE ADVANTAGE (EMMA)

Maryland law requires local and state agencies to post solicitations on eMaryland Marketplace Advantage. Registration with eMaryland Marketplace advantage is free. It is recommended that any interested supplier register at <https://procurement.maryland.gov/> regardless of the award outcome for this procurement as it is a valuable resource for upcoming bid notifications for municipalities throughout Maryland.

## 14.0 MULTI-AGENCY PARTICIPATION

MCPS reserves the right to extend the terms and conditions of this solicitation to any and all other agencies within the state of Maryland as well as any other federal, state, municipal, county, or local governmental agency under the jurisdiction of the United States and its territories. This shall include but not be limited to private schools, parochial schools, nonpublic schools such as charter schools, special districts, intermediate units, nonprofit agencies providing services on behalf of government, and/or state, community and/or private colleges/universities that require these goods, commodities and/or services. Use of this solicitation by other agencies may be dependent on special local/state requirements attached to and made a part of the solicitation at the time of contracting. The supplier/contractor agrees to notify the issuing agency of those entities that wish to use any contract resulting from this bid and will also provide usage information, which may be requested. A copy of the contract pricing and the bid requirements incorporated in this contract will be supplied to

requesting agencies. Each participating jurisdiction or agency shall enter into its own contract with the Award offeror(s) and this contract shall be binding only upon the principal's **signing** such an agreement. Invoices shall be submitted "directly" to the ordering jurisdiction for each unit purchased. Disputes over the execution of any contract shall be the responsibility of the participating jurisdiction or agency that entered into that contract. Disputes must be resolved solely between the participating agency and the Award offeror. MCPS assumes no authority, liability, or obligation on behalf of any other public or nonpublic entity that may use any contract resulting from this bid. MCPS pricing is based on the specifications provided in this solicitation.

## 15.0 INQUIRIES

Inquiries regarding this solicitation must be submitted in writing to Mrs. Angela McIntosh-Davis, Team Leader, MCPS Procurement Unit, 45 W. Gude Drive, Suite 3100, Rockville, MD 20850, via fax at 301-279-3173 or email to [Angela\\_S\\_McIntosh-Davis@mcpsmd.org](mailto:Angela_S_McIntosh-Davis@mcpsmd.org). Questions are due 4:00 p.m. EST on December 19, 2019. Responses will be posted on eMaryland Marketplace and on MCPS' Procurement website on December 30, 2019. The Board will not be responsible for any oral or telephone explanation or interpretation by any agent or employee of MCPS. Any binding information given to an offeror in response to a request will be furnished to all offerors as addenda/errata, if such information is deemed necessary for the preparation of proposals, or if the lack of such information would be detrimental to the uninformed offerors. Only such addenda/errata, when issued by MCPS, will be considered binding on MCPS.

**Contact by offerors with any other MCPS employee regarding this solicitation until the contract is awarded by MCPS will be considered by MCPS as an attempt to obtain an unfair advantage and result in non-consideration of its RFP response.** The MCPS Procurement website address is [www.montgomeryschoolsmd.org/departments/procurement/](http://www.montgomeryschoolsmd.org/departments/procurement/).

## 16.0 UNNECESSARILY ELABORATE BROCHURES

Unnecessarily elaborate brochures or other presentations beyond those sufficient to present a complete and effective proposal are not desired and may be construed as an indication of the offeror's lack of cost consciousness. Elaborate art work and expensive visual and other presentation aids are neither necessary nor wanted.

## 17.0 BID PROTESTS

Any bid protests, including appeals, will be governed by the applicable MCPS Procurement Unit Regulations. The burden of production of all relevant evidence, data and documents and the burden of persuasion to support the protest is on the offeror making the protest.

## 18.0 CONTRACT

MCPS plans to enter a contractual agreement with Respondent(s) to whom the award is made and intends to make MCPS General Contract Articles, attached hereto and incorporated herein as Appendix A, part of the contractual agreement, except and unless modified by MCPS. Proposals must clearly identify any variances from or objections to the specifications in this RFP and the terms and conditions of the MCPS General Contract Articles. Lacking any response to the contrary, MCPS will infer that the Respondent agrees to the specifications of this RFP and each term and condition of the MCPS General Contract Articles. Respondents should note that any variance may provide a basis for MCPS to reject the proposal. **In particular, the provisions set forth in Articles 5-6, 12-18, 21-22, and 26 of the MCPS General Contract Articles are non-negotiable.**

**19.0 NOTICE TO BIDDERS**

The appropriate items below must be completed as part of the RFP. Failure to comply may disqualify your bid.

(See Next Page)

Type or print legibly in ink.

**I. BIDDER INFORMATION:**

As appropriate, check and/or complete one of the items below.

- 1. Legal name (as shown on your income tax return) \_\_\_\_\_
- 2. Business Name (if different from above) \_\_\_\_\_
- 3. Tax Identification Number \_\_\_\_\_

**A copy of your W-9 must be submitted with this bid response.**

**II. BIDDER'S CONTACT INFORMATION:** This will be filed as your permanent contact information.

- 1. Company Name \_\_\_\_\_
- 2. Address \_\_\_\_\_
- 3. Bid Representative's Name \_\_\_\_\_
- 4. Phone Number/Extension \_\_\_\_\_
- 5. Fax Number \_\_\_\_\_
- 6. Toll Free Number \_\_\_\_\_
- 7. Email Address \_\_\_\_\_
- 8. Website \_\_\_\_\_

**III. VENDOR'S CERTIFICATION:**

Upon notification of award, this document in its entirety is the awarded vendor's contract with MCPS. By signing below, the undersigned acknowledges that he/she is entering into a contract with MCPS.

- A. The undersigned proposes to furnish and deliver supplies, equipment, or services, in accordance with specifications and stipulations contained herein, and at the prices quoted. This certifies that this bid is made without any previous understanding, agreement or connection with any person, firm, or corporation making a bid for the same supplies, materials, or equipment, and is in all respects fair and without collusion or fraud.
- B. I hereby certify that I am authorized to sign for the bidder and that all statements, representations, and information provided in this response to the Request for Qualifications, including but not limited to the Non-Debarment Acknowledgement, are accurate.

By (Signature) \_\_\_\_\_

Name and Title \_\_\_\_\_

Witness Name and Title \_\_\_\_\_

Acknowledgement of Errata/Addenda

By submitting a response, the respondent acknowledges that he/she has acquainted themselves with the terms, scope, and requirements of the project based on the information contained in this RFP and any addendums. Any failure by the proposer to acquaint themselves with available information will not relieve them from the responsibility for estimating properly the difficulty or cost of successfully performing the work available. MCPS is not responsible for any conclusions or interpretations made by the proposer on the basis of the information made available by the MCPS.