



*Request for Proposals*

**AB 928 Third-Party Planning Facilitator**

**Table of Contents**

- I. Overview**
- II. Proposal Requirements and Timeline**
- III. Eligibility and Qualifications**
- IV. Scope of Work and Deliverables**
- V. Proposal Requirements**
- VI. Selection Process**
- VII. Post-Award Agreements**
- VIII. Standard Conditions of Service**

## I. Overview

The Governor's Office of Planning and Research (OPR) invites you to review and respond to the Request for Proposal (RFP) solicitation #OPR21135. OPR is soliciting for proposals for a third-party planning facilitator (AB 928 Facilitator) to support the work of the AB 928 Committee, described in item (3) below and in this solicitation. OPR intends to award one entity up to \$400,000 over three years to begin this work no later than July 1, 2022. OPR may (separately) award one additional consultant contract to advise the AB 928 Facilitator on matters pertaining to higher education transfer. This RFP uses the Secondary Method for scoring where scoring is based on the highest score, and not necessarily the lowest cost. In submitting your proposal, you must comply with the instructions found herein.

This RFP is published online in the California eProcurement (Cal eProcure) website. To view and ensure receipt of any addenda to this RFP that may be issued, interested parties are encouraged to register online at Cal eProcure. For more information, [please see Cal eProcure website directory](#).

For the purposes of the RFP, the following definitions shall apply. "Proposer" shall be defined as those individuals or entities that intend to submit a response to this RFP. "Contractor" or "Facilitator" shall be defined as the individual or entity ultimately selected to perform work and is the lead entity on the contract.

AB 928 (Chapter 566, Statutes of 2021) establishes the Student Transfer Achievement Reform Act of 2021 to increase degree attainment, improve time to degree, and close racial equity gaps. AB 928 seeks to "transform the transfer process through three significant student-centered provisions by reimagining transfer from the student perspective."<sup>1</sup>

AB 928's key provisions include the following:

- (1) AB 928 requires the Intersegmental Committee of the Academic Senates of the University of California, the California State University, and the California Community Colleges, on or before May 31, 2023, to establish a singular lower division general education pathway that meets the academic requirements necessary for transfer admission to the California State University and the University of California.<sup>2</sup>

---

<sup>1</sup> Author's statement included as part of Senate Education Committee's analysis 7/12/21, which can be found here: [https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill\\_id=202120220AB928](https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202120220AB928)

<sup>2</sup> AB 928 also requires, if the committee is unable to come to agreement on or before May 31, 2023, the respective administrative bodies of those segments to establish the singular lower division general education pathway by December 31, 2023.

- (2) AB 928 requires the California Community Colleges, on or before August 1, 2024, to place students who declare a goal of transfer on their mandatory education plans on the ADT pathway if the student has not opted out and if such a pathway exists for their intended major.
- (3) AB 928 establishes, until July 1, 2025, the Associate Degree for Transfer Intersegmental Implementation Committee (AB 928 Committee) to serve as the primary entity charged with the oversight of the Associate Degree for Transfer (ADT) including the duty to establish timelines and reporting deadlines relating to reviews of transfer model curricula, and the duty to develop a comprehensive communications plan and guidance to inform students about the ADT pathway. AB928 also requires the Committee, on or before December 31, 2023, to provide the Legislature with recommendations on certain issues impeding the scaling of the ADT and streamlining transfer across segments for students.

## The Challenge

"The 1960 Master Plan for Higher Education promised an accessible, affordable, and high-quality higher education for all California students. The transfer pathway, from community college to four-year institution, is an integral component of the Master Plan's commitment to access and affordability. Too many community college students hoping to find an affordable and achievable pathway to a four-year university instead are confronted with a maze of pathways and requirements that create confusion, lead to unnecessary unit accumulation, and too often lead to students dropping out before earning a degree."<sup>3</sup> – Office of Assemblyman Marc Berman

## II. Proposal Requirements and Timeline

### Proposal Requirements

OPR intends to award one entity that will be selected to receive up to \$400,000 over three years to serve as the AB 928 Facilitator. OPR may (separately) award one additional consultant contract to advise the AB 928 Facilitator on matters pertaining to higher education transfer. Proposers must submit proposals with the required information via electronic submission only directly to [Contracts@opr.ca.gov](mailto:Contracts@opr.ca.gov) by **5:00:00 PM PT on Tuesday, March 15, 2022**. Proposals must have the RFP solicitation number OPR21135 in the subject line.

---

<sup>3</sup> Ibid. 1.

Proposals received past the date and time specified in timeline below will be deemed non-responsive and rejected. Under no circumstances will any proposals be accepted past the date and time stated. The deadline includes the hour, minute and seconds to which proposals are due. All such proposals received one (1) second past the deadline will not be accepted.

Questions must be submitted electronically to [AB928Implementation@opr.ca.gov](mailto:AB928Implementation@opr.ca.gov) through 5:00 PM PT Thursday, March 10, 2022. Proposals received late will not be accepted.

## Timeline

Below is the time schedule for this RFP. The OPR reserves the right to modify or cancel the RFP and/or change dates and times at its sole discretion, prior to the date fixed for submissions of proposals, by the issuance of an addendum that will be posted in the California eProcurement website portal.

<b>Proposal Stage</b>	<b>Associated Date</b>
Request for Proposals solicitation release	Monday, February 7, 2022
Deadline to submit questions for webinar	Monday, February 14, 2022, by 5:00 PM PT
Pre-Proposal Webinar	Tuesday, February 15, 2022, 2:30 – 3:30 PM PT
Posting of Q&A	Wednesday, February 16, 2022
Deadline to submit questions	Thursday, March 10, 2022, by 5:00 PM PT
Posting of revised Q&A	Friday, March 11, 2022
<b>Deadline for receipt of proposals</b>	<b>Tuesday, March 15, 2022, by 5:00:00 PM PT</b>
Estimated Review period	March 16 – March 31, 2022
Estimated Award announced, contingent on approval of funds	Monday, April 18, 2022

<b>Proposal Stage</b>	<b>Associated Date</b>
Estimated Contract finalized, contingent on approval of funds	April 20 – April 30, 2022
Estimated Contract commences, contingent on approval of funds	May 1 – July 1, 2022
Project End Date	May 1, 2025

## Questions

All questions and/or concerns to the RFP requirements must be submitted electronically to the following e-mail address:

[AB928Implementation@opr.ca.gov](mailto:AB928Implementation@opr.ca.gov)

## Webinar

There will be a pre-proposal webinar for this RFP that is scheduled for Tuesday, February 15, 2022 from 2:30 to 3:30 PM PT. During the webinar, OPR staff will walk through the key components of the RFP and respond to questions. Participation in this meeting is optional but highly encouraged.

The webinar will be held through the Zoom platform. Presentations will appear on your screen, and you may listen to audio via your computer or telephone. Please be aware that the meeting may be recorded. Below is the information on how to join the meeting:

To join a meeting:

Join Zoom Meeting

<https://governorca.zoom.us/j/88961084532?pwd=WnNBc2xSZ2t6L3hGbmx1dTdlUHNRdz09>

Join from Zoom Room

Meeting ID: 889 6108 4532

Password: 121569

One tap mobile

+16699009128,,88961084532# US (San Jose)

+12532158782,,88961084532# US (Tacoma)

Dial by your location

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)  
+1 301 715 8592 US (Washington DC)  
+1 312 626 6799 US (Chicago)  
+1 646 558 8656 US (New York)  
833 548 0276 US Toll-free  
833 548 0282 US Toll-free  
877 853 5257 US Toll-free  
888 475 4499 US Toll-free

Meeting ID: 889 6108 4532

Find your local number: <https://governorca.zoom.us/j/88961084532>

### III. Eligibility and Qualifications

This section contains instructions for the submission of your proposal. It is the responsibility of the Proposer to carefully read and follow all proposal requirements within this RFP. Compliance with the RFP instructions is mandatory for a proposal to be considered for award. Failure to comply with the RFP instructions may cause your proposal to be deemed non-compliant and non-responsive, thus ineligible for award.

Any entity or group of individuals that meets the qualifications below is eligible to submit a proposal. However, proposers may not be concurrently employed at or directly affiliated with any segment of public higher education (e.g., University of California, California State University, or California Community Colleges). *This applies only to the AB 928 Facilitator, and not to any consultant retained by OPR or the AB 928 Facilitator who will work in an advisory capacity.*

#### **Qualifications required for eligibility:**

1. Knowledge of the Master Plan. The 1960 Master Plan for Higher Education promised an accessible, affordable, and high-quality higher education for all California students who qualify. The transfer pathway, from community college to four-year postsecondary educational institution, is an integral component of the master plan's commitment to access and affordability.
2. Understanding problems of transfer from all perspectives, including students, faculty, advisors, and administrators.
3. Expertise in transfer pathways including ADTs, UC transfer pathways, any pathways developed from independent institutions or campus to campus.
4. Expertise in transfer barriers for Black, Latinx, Indigenous, first-generation students, and low-income students/PELL students as well as geographic barriers and students from community colleges generally.
5. Knowledge of student-centered transfer models.
6. Demonstrated success working with all three segments of public higher education and independent institutions.

7. Demonstrated success working with advisors, disciplinary faculty and academic senates.
8. Demonstrated ability in obtaining and analyzing data.
9. Demonstrated ability in working with complex data sets, including datasets on transfer.
10. Demonstrated success in facilitation, and consensus building and managing different constituencies.
11. Demonstrated success in publishing professional reports.
12. Demonstrated success in communications, outreach and stakeholder relations.
13. Demonstrated success in organizing multi-year, multi-stage projects.
14. Capacity to administratively support a large committee.
15. Demonstrated ability to work at the direction of a committee.

**Proposer Responsibilities:**

Each proposal will be reviewed to determine if it meets the administrative requirements. Failure to meet the administrative requirements for the RFP may be cause for rejection of the proposal for lack of responsibility on behalf of the Proposer and/or lack of responsiveness on behalf of the proposal.

A proposal may be rejected if it is conditional or incomplete, and/or if it contains any alterations of forms or other irregularities of any kind. The State may reject any or all proposals and may waive any immaterial deviation in a proposal. The State's waiver of immaterial defect shall in no way modify the RFP document or excuse the Proposer from full compliance with all requirements if the Proposer is awarded the agreement.

OPR may modify the RFP up to the specified time of the date fixed for submission of proposals by the issuance of an addendum to all parties who received a proposal package. Any addendum will be issued through Cal eProcure.

OPR reserves the right to reject all proposals. OPR reserves the right to cancel the solicitation. OPR is not required to award an agreement.

Hand delivered and mailed proposals are not allowed.

More than one (1) proposal from an individual, firm, partnership, corporation, or association under the same or different names, will not be considered. Reasonable grounds for believing that any Proposer has submitted more than one (1) proposal for the work contemplated herein will cause the rejection of all proposals submitted by that Proposer. If there is reason to believe that collusion exists among Proposers, none of the participants in such collusion will be considered, in this or future acquisitions.

A Proposer may modify a proposal after its submission by withdrawing its original proposal and resubmitting a new proposal prior to the proposal submission deadline. Proposal modifications offered in any other manner, oral or written, will not be considered.

Before submitting a response to this RFP, Proposer should review their response, correct all errors, and confirm compliance with the RFP requirements. It is the Proposer's responsibility to complete and submit all required attachments.

Costs incurred for developing proposals and in anticipation of award of the Agreement are entirely the responsibility of the Proposer and shall not be charged to OPR.

Proposer is responsible to review, read, understand, and comply in full with the State's General Terms and Conditions (GTC 04/2017) along with the Contractor's Certification Clauses (CCC 04/2017). For more information, [please see Standard Contract Language directory](#).

Each proposal must constitute an irrevocable offer for a period of at least ninety (90) business days after proposal submission.

The Proposer must provide evidence to show that members of the Proposer's project team possess the specific qualifications, competence, experience, resources, and business integrity necessary to carry out the work under the contract as expected. Examples of evidence include, but are not limited to: resumes, letters of reference, and project summaries that highlight the team's specific experience.

The Proposer must own and operate a legitimate business. Prior to the date of Agreement award, the Proposer must be registered and in good standing with the California Secretary of State, if such registration is required by California law. Evidence of registration shall be submitted with the proposal, such as a screenshot or printout of the registration.

If any license(s) and/or permit(s) expire at any time during the term of the Agreement, Proposer agrees to provide OPR a copy of the renewed license(s) and/or permit(s) within thirty (30) days following the expiration date. In the event the Proposer fails to keep in effect at all times all required license(s) and permit(s), the State may, in addition to any other remedies it may have, terminate the Agreement upon occurrence of such event.

It is unlawful for any person engaged in business within this state to sell or use any article or product as a "loss leader" as defined in section 17030 of the Business and Professions Code.

### **Signatures**

Only an individual who is authorized to bind the proposing firm ("Firm") contractually shall sign the required Cover Letter for the proposal. "Firm" is defined as the business entity. The signature must indicate the title or position that the individual holds in the Firm. An unsigned proposal may be rejected.

### **Disposition of Proposals**

Upon proposal opening, all documents submitted in response to this RFP will become the property of the State of California and will be regarded as public records under the California Public Records Act (Government Code section 6250, et seq.) and subject to review by the public. The State cannot prevent the disclosure of public documents.

### **Attachments to Include:**

The following are attachments included with this RFP. Attachments with an asterisk (\*) next to it indicates that it is required to be submitted with your proposal. Failure to include the required attachments may deem the proposal as incomplete. It is at the discretion of OPR to determine if the absence of a required attachment will deem the proposal as incomplete. OPR will determine if the absence of an attachment results as either an immaterial deviation or material deviation for grounds to reject a proposal.

- \*Attachment 1, Payee Data Record STD 204
- \*Attachment 2, Contractor Certification Clauses CCC 04/2017
- \*Attachment 3, California Civil Rights Laws Certification DGS OLD 04
- \*Attachment 4, Darfur Contracting Act Certification
- \*Attachment 5, Iran Contracting Act Certification
- \*Attachment 6, Bidder Declaration GSPD 05-105
- \*Attachment 7, Commercially Useful Function
- Attachment 8, Voluntary Statistical Data Sheet

The Proposer must complete, sign and submit to OPR of **Attachment 1, Payee Data Record (STD 204)**, or the form can be obtained via the [internet website directory](#). The purpose of this form is to determine if the selected Proposer is subject to state income tax withholding pursuant to California Revenue and Taxation Code Sections 18662. No payment under this Agreement shall be made unless a completed and signed STD 204 has been returned to OPR.

The Proposer must complete, sign and submit to OPR **Attachment 2, Contractor Certification Clauses (CCC 04/2017)**. The form can also be obtained via the [internet website directory](#).

The Proposer must complete, sign and submit to OPR the **Attachment 3, California Civil Rights Laws Certification (DGS OLS 04)**. The form can also be obtained via the [internet website directory](#).

The Proposer must complete, sign and submit to OPR the **Attachment 4, Darfur Contracting Act Certification**. The form can also be obtained via the [internet website directory](#).

The Proposer must complete, sign and submit to OPR the **Attachment 5, Iran Contracting Act Certification**. The form can also be obtained via the [internet website directory](#).

The Proposer must complete, sign and submit to OPR the **Attachment 6, Bidder Declaration (GSPD 05-105)**. The form can also be obtained via the [internet website directory](#).

The Proposer must complete, sign and submit to OPR the **Attachment 7, Commercially Useful Function**. The form can also be obtained via the [internet website directory](#).

The Proposer may complete, sign and submit to OPR the **Attachment 8, Voluntary Statistical Data Sheet**. This attachment is voluntary and not required. The form can also be obtained via the [internet website directory](#).

## IV. Scope of Work and Deliverables

### Scope of Work

OPR will enter into an exclusive or nonexclusive contract with a third-party planning facilitator (hereafter known as "AB 928 Facilitator" or "Facilitator" or "Contractor").

The AB 928 Facilitator shall convene Bagley-Keene compliant meetings of the 16-member Associate Degree for Transfer Intersegmental Implementation Committee ("AB 928 Committee" or "Committee") established pursuant to AB 928 (Chapter 566, Statutes of 2021), and shall perform all of the following duties:

- Provide facilitation and staff support to the Committee in meeting its statutory charge.
- Facilitate advisory groups as needed to support the Committee's goals.
- Develop written reports of the Committee's recommendations and progress pursuant to AB 928.
- Ensure the Committee's overall compliance with statutory requirements, including but not limited to the filling of vacancies and the rotation of chairs.

### Explication of Duties

(A) *Provide facilitation and staff support to the Committee in meeting its statutory charge.*

The AB 928 Committee is statutorily designated to serve as the primary entity charged with the oversight of the associate degree for transfer for the sole purpose of strengthening the pathway for students and to ensure it becomes the primary transfer pathway in California between campuses of the California Community Colleges and the University of California, the California State University, and participating independent institutions of higher education defined in subdivision (b) of Section 66010, so that more students can avail themselves of the pathway's benefits. The oversight shall include, but is not limited to, all of the following:

- Ensuring a reduction in the number of excess units accumulated by California Community College students before transferring to four-year postsecondary educational institutions.
- Eliminating repetition of courses at four-year postsecondary educational institutions taken by California Community College students who successfully transfer into four-year postsecondary educational institutions.
- Increasing the number of California Community College students who transfer into a four-year postsecondary educational institution through an ADT pathway.

The AB 928 Committee is statutorily designated to enhance coordination and communication between four-year postsecondary educational institutions and the California Community Colleges by providing a venue by which they can regularly meet and address issues that are related to its charge.

(B) *Facilitate advisory groups as needed to support the Committee's goals.*

To support the goals of the Committee and obtain additional input from other interested stakeholders, the facilitator must engage with the expertise of faculty through existing intersegmental oversight bodies and workgroups, including, but not limited to, the

Intersegmental Committee of the Academic Senates, the Intersegmental Curriculum Workgroup, the Intersegmental Coordinating Committee, and the California Intersegmental Articulation Council. The Committee shall also use the members designated by the Academic Senates of the UC, CSU, and CCC as liaisons to their respective curriculum workgroups to ensure better coordination and alignment.

**(C) Develop written reports of the Committee's recommendations and progress pursuant to AB 928.**

Facilitator is expected to obtain the Committee's approval of all final reports and recommendations that are issued on its behalf. These recommendations and reports are considered the work product of the Committee. Facilitator will share reports and recommendations with OPR prior to publication and ensure they meet professional standards for publication and statutory intent.

**(D) Ensure the Committee's overall compliance with statutory requirements, including but not limited to the filling of vacancies and the rotation of chairs.**

Facilitator must carefully address all aspects of the Committee's charge and functions, including administrative functions that are necessary to execute its charge.

## **Deliverables**

Facilitator will timely share with OPR materials related to all deliverables below, and notify OPR when such deliverables have been completed, if no due date is specified.

### **1. Notice to the Legislature**

Within 15 days of receiving notice of contract signature, the AB 928 Facilitator shall prepare a report on funding amounts that OPR shall provide to the contractor for submission to the Department of Finance and relevant subcommittees of the Legislature.

### **2. Bylaw Creation**

Prior to the first meeting of the AB 928 Committee, facilitator will create Bagley-Keene compliant draft bylaws for approval by the Committee, which shall include other necessary statutory requirements related to vacancies, appointments, chair rotation, etc. Facilitator will work under the direction of the designated chair with respect to bylaw creation.

### **3. Schedule of Convenings and Workplan for Approval**

Prior to the first meeting of the AB 928 Committee, facilitator will create a schedule of convenings for approval by the Committee. At the first or second meeting, Facilitator will also propose convenings for additional advisory groups and a general workplan to be approved by the Committee.

### **4. Recommendations**

No later than December 1, 2023, Facilitator will submit to the Legislature on behalf of the AB 928 Committee the approved recommendations on all of the following issues impeding the scaling of the ADT and streamlining transfer across segments for students:

- (1) Identifying annual goals for increasing transfer rates in California and closing racial equity gaps in transfer outcomes to be adopted by the state. Specifically, these goals shall include all of the following:

- (A) Annual goals for improving transfer attainment needed to meet the state's workforce demands.
- (B) Goals for closing gaps in transfer outcomes by race.
- (C) Goals for closing regional opportunity gaps to access ADT pathways.
- (D) Annual goals to meet the statewide degree attainment goal of 70 percent.

(2) Proposing a new unit threshold for STEM degree pathways that meet the requirements for admission to the California State University and the University of California. The recommendations made pursuant to this paragraph shall comply with both of the following requirements:

- (A) The recommendations shall include sufficient evidence supporting a higher unit threshold for each STEM degree pathway, including an analysis of colleges that have succeeded in adopting similar pathways within the 60-unit framework for lower division units taken at the California Community Colleges.
- (B) A recommendation for a differing unit threshold within a STEM degree pathway shall not recommend a change of more than six units.

(3) Reengaging ADT earners who do not transfer or apply for transfer into a four-year

The recommendations shall be developed under the direction of and approved by the

Facilitator will submit to OPR a draft of the recommendations above no later than November 1, 2023.

#### 5. Establishment of Timelines and Reporting Deadlines for Regular Review

No later than December 1, 2024, Facilitator will establish on behalf of the AB 928 Committee approved timelines and reporting deadlines for the existing regular review of declaring or matching transfer model curricula similar to the California State University majors for admissions purposes. In doing this, the Facilitator shall develop and deliver an approved plan to establish reporting and accountability requirements to ensure that transfer model curricula are aligned with the ADT.

The timelines, reporting deadline, and plan shall be developed under the direction of and approved the Committee.

Facilitator shall submit the draft plan to OPR no later than November 1, 2024.

#### 6. Development of Plan for Periodic Analysis and Creation of Additional Transfer Model Curricula

No later than December 1, 2024, Facilitator shall develop and deliver an approved plan for the periodic analysis and creation of additional transfer model curricula for the ADT to respond to evolving workforce demands, including STEM degree pathways, and degree pathways that will aid in the economic recovery from the COVID-19 pandemic, such as nursing and cybersecurity. The plan shall establish venues for professional collaboration in consultation with academic senates and appropriate discipline faculty on degree production, major alignment, and workforce- or industry-specific relevance.

The plan shall be developed under the direction of and approved the Committee.

Facilitator shall submit the draft plan to OPR no later than November 1, 2024.

#### 7. Development of Communications Plan and Guidance on Student Outreach

No later than December 1, 2024, Facilitator will develop and deliver a comprehensive communications plan and guidance on student-centered outreach to inform students about the ADT pathway and to ensure prompt and accurate information is communicated across four-year postsecondary educational institutions, the California Community Colleges, and elementary and secondary educational institutions.

The plan shall include, but not be limited to, guidance to community college counselors and articulation officers on their role in communicating the value of the ADT pathway, guidance to high school counselors on incorporating the ADT pathway into their menu of college options, and templates that can be customized for outreach in local contexts. The communications plan shall also address how updates about the ADT pathways, including new majors and new participating four-year postsecondary educational institutions, will be communicated to four-year postsecondary educational institutions, the California Community Colleges, and high schools.

The plan shall also address how updates about the ADT pathway will be regularly communicated to four-year postsecondary educational institutions, the California Community Colleges, and high schools so that counselors, advisers, and student support staff engaged in educating students about their college options, participating four-year postsecondary educational institutions, and degree options, have the most current information about the ADT pathway, and are aware of updates to the program such as new majors or new participating four-year postsecondary educational institutions.

The plan shall be developed under the direction of and approved by the Committee.

Facilitator shall submit the draft plan with OPR no later than November 1, 2024.

#### 8. Development of Plan for Regular Review and Identification of Updates for ADT Internet Website

No later than December 1, 2024, Facilitator will provide feedback on behalf of the AB 928 Committee for the regular review and identification of updates needed to the ADT internet website maintained by the California Community Colleges to ensure current information and updates are communicated to students, families, and student support staff engaged in educating students about their college options, participating four-year postsecondary educational institutions, and degree options.

Feedback to be provided shall be developed under the direction of and approved by the Committee.

Facilitator shall submit draft feedback to OPR no later than November 1, 2024.

#### 9. Report Progress on AB 928 Activities Related to General Education

Facilitator is responsible for sharing with the AB 928 Committee progress related to AB 928 activities related to the establishment of general education pathways.

Facilitator shall follow the direction of the Committee as to what intervals such updates will be provided.

## Special Terms and Conditions

1. Statutory definitions will apply to any terminology in this Scope of Work.
2. Facilitator will work with any parties OPR contracts with for services related to AB 928 implementation.
3. Facilitator will report on a quarterly basis progress related to this Scope of Work.
4. Facilitator will create and maintain a public website related to implementation and respond to any questions from stakeholders or the general public.
5. All other terms and conditions will accord with the State of California's standard terms and conditions unless otherwise specified.

## V. Proposal Requirements

**The deadline for proposers to submit a Proposal and to be received by OPR is 5:00:00 PM PT on Tuesday, March 15, 2022.**

*Please use no smaller than Arial 11 font and no less than 0.5" margins.*

### Cover Letter (2 pages)

In addition to Proposer Responsibilities identified above, Proposers must submit a cover letter with their proposal summarizing their qualifications, budget request, and approach to supporting the AB 928 Committee and related deliverables.

### Statement of Qualifications (3-5 pages)

Proposers must respond to the qualifications enumerated in Part III. Eligibility and Qualifications, and how the individuals/team/entity's experience satisfies the required qualifications. Please provide related resumes and CVs at the end of the PDF, as indicated below.

### Proposal (8-10 pages)

Please provide a response to the overall charge of the AB 928 Facilitator, and specific responses for how you propose to execute on the required deliverables above. Please be specific about who will be doing what and outline your implementation plan and how you will ensure the quality of each deliverable.

### Budget (1-3 pages)

Please provide a budget for the Scope of Work. Please list the roles/positions, the hourly commitment on an annual basis, and rates for each individual proposed to be part of the AB 928 team. For Key Personnel (non-admin), please provide the name of

the individual along with the role. Please account for all ancillary costs in the budget, including travel, subawards, other direct costs, etc. Proposers are requested to use an Excel spreadsheet to prepare this information, but include all sheets within the single PDF required for this proposal.

All proposals shall include any and all anticipated costs for completion of work, such as but not limited to:

- Direct costs
- Classification/position titles funded
- Salary rates or ranges
- Percentage of time devoted to the work
- Fringe benefits
- Operating expenses
- Travel and per diem expenses (based on CalHR rates; see [CalHR directory](#))
- Overhead or indirect costs
- Subcontractor costs
- Other costs

## **Resumes/Curriculum Vitae (~2 pages per individual)**

Please provide a resume or curriculum vitae (CV) for all team members included in the statement of qualifications.

## **VI. Selection Process**

OPR will review all proposals and may consult with higher education experts on the content of the proposals. OPR may ask for supplemental information following the submission of an proposal.

Awards and final award amounts are contingent on successful negotiation of a contract<sup>4</sup> between OPR and the entity to be awarded.

This solicitation is exempt from the requirements of going out competitively per Assembly Bill (AB) 98, Chapter 566, for Education Code Section 66749.8 (d)(2). OPR is also exempt from the review and approval from the State of California's Department of General Services.

This Request For Proposals solicitation is modeled after the secondary method, also

---

<sup>4</sup> \*Education Code Section 66749.8 (d)(2) exempts this contract from Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code, Section 19130 of the Government Code, Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code, and from the review or approval of any division of the Department of General Services.

known as the high score method. In this case, technical quality is equal to or more important than cost alone. The evaluation will consist of three phases: (1) Administrative Evaluation; (2) Technical Evaluation; and (3) Cost Evaluation.

The preference and incentive programs: Small Business (SB), Disabled Veteran-Owned Business Enterprises (DVBE), Tire-Derived, and Target-Area Contract Preference Act (TACPA) – are not applicable for this solicitation and will not be given additional points during evaluation scoring.

The State will put each proposal through a process of evaluation to determine that the Proposers are responsible, and the proposals are responsive to this RFP. Only the proposals submitted by responsible Proposers will be evaluated for responsiveness to the OPR's needs. The final selection and award will be made to the highest scoring responsible and responsive Proposer as calculated by the cumulative points earned from the Technical and Cost scoring process.

Proposals containing false or misleading statements or providing references that do not support an attribute or condition claimed by the Proposer may be rejected. If, in the opinion of the OPR, information was intended to mislead the OPR in its evaluation of the proposal, and the attribute, condition, or capability in question is a requirement of this RFP, it will be the basis for rejection of the proposal.

OPR reserves the right to reject any or all proposals for any reason. OPR may reject any or all proposals and may waive any deviation deemed immaterial in a proposal. OPR's waiver of an immaterial deviation shall in no way modify the RFP document or excuse the proposer from full compliance with all requirements, if awarded the agreement. All deviations will be examined to determine whether the deviation is immaterial (e.g., errors in mathematical computation or spelling). A material deviation shall cause rejection of the proposal. A proposal shall be rejected if any such defect or irregularity constitutes a material deviation from the RFP requirements. If a deviation is deemed immaterial, then the proposal may be processed as if no deviation has occurred.

If there is a tied score between two proposals, OPR will conduct a coin toss. The coin toss will be witnessed and documented by at least two OPR employees.

If no proposals are received offering a price that in the opinion of the OPR is reasonable, OPR is not required to award an Agreement (Public Contract Code, Section 10344 (d)).

The proposer is advised that this RFP should result in an award of an Agreement. The Agreement will not be in force and no work shall be performed until the Agreement is fully approved by the State and the Contractor is notified by the Contract Officer to begin work.

### Administrative Evaluation (Pass/Fail)

During the Administrative Requirements Evaluation, OPR will determine whether the Proposer meets the Minimum Qualifications and is therefore responsible. Only the proposals submitted by responsible Proposers will be evaluated in subsequent Phases. Each proposal will be checked for completeness of all required information and to ensure that the Proposer meets the Minimum Qualifications in conformance with the submission requirements.

During this Administrative Evaluation, if an item is unclear or needs further clarification, Proposers may be requested to provide additional clarification and/or documentation, with the exception of the Bidder's Declaration form; this form cannot be submitted after the proposal due date and time as this has the potential to affect the scoring of the evaluation. If the Bidder's Declaration form is not provided, the proposal will be deemed non-responsive for the material deviation and will not continue in the evaluation process. The Minimum Qualifications will be scored on a pass/fail basis. Those who meet the Minimum Qualifications will move on to the Technical Evaluation.

### Technical Evaluation (100 Possible Points)

OPR will convene a panel to conduct an evaluation of the technical areas of the proposal by an evaluation panel consisting of OPR staff. If deemed necessary, independent academic, technical or policy experts may be called upon to answer any be a part of the evaluation team. These individuals will not be participants in the scoring process.

#### Technical Evaluation (100 Possible Points)

Item/Description	Points Awarded	Points Available
A. <b>Clarity and Organization of Proposal</b> – This criterion will assess whether the proposal is presented in a clear, organized manner that facilitates the technical assistance proposed.		10
B. <b>Approach to Scope of Work</b> – This criterion provides proposers the opportunity to demonstrate their knowledge in the subject of the RFP and to lay the groundwork for the actual work to be performed for this project.		20
1) Strength and specificity of implementation plan, including quality assurance for deliverables.		10
2) Understanding of transfer issues and explanation of rationale in the approach to supporting the AB 928 committee in meeting its charge.		10

Item/Description	Points Awarded	Points Available
C. <b>Work Plan and Schedule</b> – For this criterion, reviewers will consider the schedule of activities and project management plan, evaluating its effectiveness in reaching outlined goals and objectives. Project schedule, estimated dates of completion, and proposed methods for measuring project progress are feasible when measured against the work plan.		20
D. <b>Proposer &amp; Team Experience</b> —		50
1) Understanding of transfer barriers and pathways. (See Section III. (1.a) Qualifications for Eligibility of the RFP, items 1-5.)		10
2) Track record working with specific stakeholders. (See Section III. (1.a) Qualifications for Eligibility of the RFP, items 6-7.)		10
3) Understanding data and working with complex data sets. (See Section III. (1.a) Qualifications for Eligibility of the RFP, items 8-9.)		10
4) Success in facilitation, consensus building, managing different constituencies. (See Section III.(1.a) Qualifications for Eligibility Qualifications of the RFP, item 10.)		10
5) Track record in professional management of tasks, including general communications and stakeholder relations, project management and deliverables, working at the direction of and supporting a committee, producing professional reports. (See Section III. (1.a) Qualifications for Eligibility of the RFP, items 11-15.)		10

NOTE: There will be no individual sheets, no written scores, and no written notes. There will be one final score sheet for each bidder.

### **Cost Evaluation (50 Possible Points)**

This criterion allows staff to evaluate and compare the budgets of each proposal relative to those of its competitors. The budgeted amount is the maximum allowable amount for this contract in accordance with the State Contracting Manual, Vol. 1, Section 5.25. Each proposer must have identified a total proposal amount in the budget section of their proposal. Any proposals submitted that are over the expected expenditure/budgeted amount will be disqualified.

Each Proposer's cost score will be calculated based on the ratio of the lowest cost proposal to the Proposer's cost, multiplied by the maximum number of cost points available, as shown

in the calculation below:

$$\frac{(\text{Lowest Total Cost Proposal}) \times (50 \text{ Total Cost Points Possible})}{\div \text{ Proposer Total Cost}}$$

Example: To help illustrate this process, refer to table below, for an example of the cost score calculation process. Cost figures in the example below explain the calculations and have no other significance. Cost points with a decimal value, will be calculated up to two values after the decimal and will be rounded up or down to the nearest hundredth. If there are three or more values after the decimal, the thousandths values of '5' and over will be rounded up, and values with '4' and under will be rounded down. For example, if the cost point total came out to be 44.5678 it will be rounded up become 44.57. If the total came out to be 44.5648 it will be rounded down to become 44.56.

Cost Evaluation (50 Possible Points)

BIDDER	GRAND TOTAL COST	CALCULATION	COST POINTS AWARDED
A	\$40,000	\$30,000 x 50 / \$40,000	37.50
B	\$35,000	\$30,000 x 50 / \$35,000	42.90
C	\$30,000	\$30,000 x 50 / \$30,000	50.00

Final Scoring Methodology

BIDDER	TECHNICAL SCORE (OUT OF 100)	COST SCORE (OUT OF 50)	TOTAL POINTS AWARDED
A	84	37.50	121.50
B	76	42.80	118.80
C	92	50.00	142.00

In this case, the highest scored proposal is from Bidder C and would be the intended awardee.

## VII. Post Award Agreements

A notice of a recommended award shall be listed on the Cal eProcure website for this solicitation. Protests will not be allowed.

All post-award expectations will be specified in award agreement (contract). The awarded entity will enter into contract with OPR, with the following provisions:

- **Budget Flexibility:** Contractor will have some budget flexibility; however, prior approval will be required for budget changes between approved budget categories above negotiated thresholds.
- **Start Date:** Initiate work within 30 days of signing the contract. Contracts must be signed no later than 30 days after award notification or the approval of

funds, whichever comes later.

- **Reporting:** Submit progress reports at agreed-upon intervals, including tracking of milestones and expenditures, respond to requests for information and seek technical assistance from OPR, as necessary.
- **Use of Data:** Contractor is expected to share data and any research findings consistent with academic standards.
- **Additional Consultant:** OPR may award one additional consultant contract to advise the AB 928 Facilitator on matters pertaining to higher education transfer. OPR will determine the benefits of retaining an additional consultant after reviewing the qualifications of proposers. If an additional consultant is retained, Contractor shall work with the consultant to execute all deliverables in the contract.
- **Protection of Privacy and Personal Information:** Contractor is expected to follow state and federal law to protect privacy and personal information.
- If the Contractor refuses or fails to execute the contract, then OPR may award the contract to the next ranking proposer. Contract shall be signed by the Contractor and returned within ten (10) calendar days of receipt. Due to time sensitivity matters in relation to the nature of the work, OPR is requesting the Contractor sign and return the agreement to OPR as soon as possible.

## VIII. Standard Conditions of Service

Please note the following conditions if an Agreement will be made for your proposal:

- Service shall be available no sooner than the date set by OPR and the Contractor, after all approvals have been obtained and the Agreement is fully executed. Should the Contractor fail to commence work at the agreed upon time, OPR, upon five (5) days written notice to the Contractor, reserves the right to terminate the Agreement. In addition, the Contractor shall be liable to the State for the difference between Contractor's proposal price and the actual cost of performing work by the second responsive and responsible proposer or by another Contractor.
- All performance under the Agreement shall be completed on or before the termination date of the Agreement.
- The State does not accept alternate Agreement language from a prospective Contractor. A proposal with such language will be considered a counter proposal and will be rejected. The State's General Terms and Conditions (GTC 04/2017) are not negotiable. The General Terms and Conditions GTC 04/2017 may be viewed at

Internet site: [DGS Office of Legal Services](#).

- The State does not negotiate rates and/or costs listed on any cost proposal submitted. Contractor will be paid only for costs incurred pursuant to the final contract.
- No oral understanding or agreement shall be binding on either party