

EANS #21-001

The New York State Education Department (NYSED) is implementing the Emergency Assistance to Non-Public Schools (EANS) program. Under the EANS program, we have received requests from non-public schools throughout New York State for the educational services outlined below. We are seeking proposals from qualified vendors that are interested and available to provide these services.

Questions about this advertisement:

Questions regarding the request must be submitted by email to EANSprocurement@nysed.gov no later than the close of business September 8, 2021. Answers will be posted with this advertisement by September 13, 2021. The following are the designated contacts for this procurement:

- Program Matters: Amanda Lolik, EANSprocurement@nysed.gov
- Fiscal Matters: Jessica Hartjen, EANSprocurement@nysed.gov
- Minority / Women-Owned Business Enterprises (M/WBE) matters: Brian Hackett, EANSprocurement@nysed.gov

Submission instructions:

The following documents must be submitted by email to EANSprocurement@nysed.gov and be received at NYSED no later than September 24, 2021 by 3:00 PM:

1. Technical Proposal
2. Cost Proposal
3. M/WBE Documents
4. Submission Documents
5. Appendix R: Data Privacy and Security Plan

Please use the Cost Proposal, M/WBE Documents, Submission Documents, and Appendix R: Data Privacy and Security Plan templates attached to this advertisement for your submission. In the subject line of the email transmitting your submission, please identify the region(s) for which you are applying and include the solicitation number, EANS #21-001.

We understand that this timing poses challenges due to the start of school year and religious holidays; however, we must establish contracts as quickly as possible for the services to be meaningful at the beginning of the school year. With this in mind, we have attempted to make this a streamlined process.

Contract Period:

The contracts resulting from this advertisement will be for a term anticipated to begin October 15, 2021 and to end September 30, 2023.

The services requested in this advertisement apply to the first round of EANS funding under the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, which requires work to be completed by September 2022. NYSED anticipates the contracts established in response to this advertisement will also be used to complete work under the second round of EANS funding included in the American Rescue Plan (ARP) Act, which must be completed by September 2023. The details associated with the second round of EANS funding, such as the number of schools to be served and estimates by region, are not available at this time.

Regions:

NYSED anticipates awarding three (3) contracts pursuant to this advertisement, one in each of the following regions:

- Long Island (Suffolk and Nassau)
- NYC Metro (Bronx, Dutchess, Kings, New York, Orange, Queens, Richmond, Rockland, Ulster, and Westchester)
- Rest of State (Albany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Cortland, Erie, Genesee, Greene, Jefferson, Monroe, Niagara, Oneida, Onondaga, Ontario, Oswego, Rensselaer, St. Lawrence, Steuben, Washington, Wayne)

Bidders may apply for more than one region, but should submit a separate, complete proposal for each region. Please clearly identify the region(s) for which you are applying on the first page of your Technical Proposal.

Pricing:

Contractors will be paid based on the hourly rates submitted on their Cost Proposals for the following titles: teachers, mentors, tutors, mental health counselors or clinical social workers, guidance counselors, curriculum and instruction specialists, and supervisors. These rates must include all costs incurred by the contractor for performing the services, including:

- Total staff cost (including any fringe benefits)
- Total purchased services (e.g., non-employee consultants, subcontractors)
- Total non-personal services (e.g., content supplies and materials, etc.)
- Indirect costs

Payments will be contingent upon properly prepared invoices and acceptable performance by the contractor, as determined by NYSED. Vendors should be prepared to show how they arrived at the hourly rates should they be subject to audit.

Staffing:

NYSED desires certified teachers; however, upon individual approval from the non-public school, a non-certified teacher can be hired based upon a credential/experience review. Social workers, mental health counselors, and guidance counselors must be licensed/certified. All on-site staff and any staff with student contact in the virtual programs in NYC must be Personnel Eligibility Tracking System (PETS)-cleared prior to initiating work. Outside NYC, those staff must have background checks performed prior to initiating work.

The vendor must ensure that staff and subcontractors are respectful of the diverse religious and ethnic communities within the nonpublic school population of New York and will provide services and assistance that aligns with the social and societal norms and expectations of the specific population.

The vendor may subcontract with other vendors to perform aspects of this work. Subcontracting is defined as non-employee direct personal services and related incidental expenses, including travel.

Estimated numbers of schools and students to be served during the 2021-22 school year:

NYSED estimates that **approximately 240** schools will receive services under these contracts. Please see the regional breakdown of schools, student enrollment numbers, and funding amounts requested for educational services attached (“EANS Services Requested by Region”).

Description of services:

These services will fall into three main categories: Academic Support, Social- Emotional Support and Professional Development. Each of the three categories is explained in further detail below.

1. Academic Support

Direct student services that accelerate learning by reinforcing and strengthening key skills – literacy and math, for example – to meet the diverse needs of students. Vendor’s programs must be tailored to the students’ needs to ensure that students strengthen key prerequisite and on-grade level skills to close opportunity gaps and build solid connections into grade level content. Key elements of vendor’s services in core academic content will include:

- Diagnostic and prescriptive approach that uses data to develop personalized learning plans based on students’ unique needs
- Intensive High-Dosage Intervention – Where necessary, instructional programs will provide structured learning for vendor’s students in both individual settings and/or in small groups with activities that align to classroom instructional objectives and differentiate lessons to meet the needs of individual students. Instruction includes explicit modeling, guided peer opportunities, and teacher interactive techniques designed to enhance student interest and attitudes toward learning and promote the active engagement of the learner. This

intensive support will accelerate students' learning by targeting key areas of need and supporting grade-level work in core subjects. Depending on student needs 1-on-1 and small group instruction will include explicit modeling of skills that develop independence and confidence.

- Content will be age, developmentally and culturally appropriate content with differentiation support.
- Interim data cycles will use formative and interim assessment data to monitor growth and inform instruction.
- Tutoring – Where appropriate, the program will provide tutoring and homework assistance during the school day and/or after school (extended day) delivered virtually or at school sites. These services are for students in grades K-12, which include support in literacy, math, science, social studies, and other core subject areas. Services can be structured as: 1:1 or small group tutoring, depending on student needs.
- Redeveloping instructional plans to address learning loss and/or improve instruction in a remote/hybrid model.

Academic supports may also include: Standards-aligned Enrichment Programming – For example, STEM programs that are aligned to local, state, and national standards, including the Next Generation Science Standards (NGSS) that uses the most up-to-date research and vendor's scientifically-based instructional approach to provide students with an integrated curriculum in science, technology, engineering, arts, and mathematics that also appropriately integrates instruction in literacy, writing, and speaking skills. Other standards aligned programming may also be introduced, depending on school and student needs.

2. Social and Emotional Support

Vendor's Social Emotional Support will include student exercises that support CASEL's five Social-Emotional competencies – Self-Awareness, Self-Management, Relationship Skills, Social Awareness, and Responsible Decision Making. The program will combine classroom learning with targeted support for families through outreach programming, counseling, and coaching and PD for school staff.

- Counseling – Vendor's counselors and social workers will provide counseling, resources, case management, and consultation to help individual students or small groups overcome the academic, behavioral, and emotional challenges. Services may incorporate 1:1 counseling, small-group counseling, family counseling, workshops or other research-based means of supporting students and their families.
- Mentoring – Program will provide adult mentors to support students' personal development aligned to increasing academic achievement. Vendor's program will focus on social cognitive skills which include self-awareness, goal setting, perseverance, and nurturing a growth mindset. Services can be structured as: 1:1 mentoring. Small-group mentoring or other research-based means of mentoring students. Adult mentors will be appropriately screened and monitored.
- Family Outreach – Program will include regular and targeted family outreach to support the whole child, both in school and at home, and promote the importance of social and emotional development for students.

3. Professional Development

Vendor's PD solutions will feature best practices directly informed by research and vendor's experience with schools and districts. Vendor's services will be delivered virtually, onsite, or in a hybrid model to support school communities in critical areas with a focus on creating equitable, rigorous, safe, and supportive learning environments to meet the needs of all learners.

These may occur in the formats below, or in other research-based models:

- Workshops – The vendor will offer engaging professional learning content in leadership, pedagogy and curriculum, assessment for learning, learning environment, student and family support, disinfection and disease preventions, and other approved topics.
- Teacher Coaching – Job-embedded coaching provides teachers direct support in building their instructional practice. Coaches support pedagogy in the following areas: academic planning, teacher modeling, observation, consultation, resource curation/creation
- School Leader Coaching – This level of support provides school leaders group and individual coaching opportunities to strengthen the instructional performance of their teachers. Models of support include: 1:1 coaching, strategic planning
- Professional Learning Communities (PLC)

Technical Proposal

Please clearly and comprehensively address the following, in this order, in your Technical Proposal. Do not provide any additional information that is not requested here:

- Describe, in detail, your plan to address the project. Include in your narrative:
 - the steps you will take to identify the need(s) at each school
 - a base-level staffing plan to ensure appropriate project support and capacity to hire and place additional staff as needed
 - what qualitative and/or quantitative data will be collected to show effectiveness and impact in the schools and how such data will be collected
 - evaluative measures to ensure best use of the service
 - a tentative annual calendar of major planning, deliverables, and meeting dates
- Describe your company's experience with projects of similar scale and scope, and the qualifications of your staff to deliver these services
- Describe how you will ensure that your staff are respectful of the diverse religious and ethnic communities within the nonpublic school population of New York

Criteria for Evaluating Bids

All eligible proposals received by the deadline will be reviewed using the same criteria. NYSED will review each proposal to determine responsiveness to requirements described in this advertisement. NYSED retains the right to determine whether any deviation from the requirements is substantial in nature and may reject in whole or in part any and all proposals, waive minor irregularities and conduct discussions with all responsible bidders.

Technical Criteria (70 Points)

Financial Criteria (30 Points)

The Financial Criteria will be scored based upon the grand total in the Cost Proposal, pursuant to a formula that awards the highest score of 30 points to the Cost Proposal that reflects the lowest overall cost. The remaining Cost Proposals will be awarded points based on a calculation that computes the relative difference of each proposal against the lowest cost submitted. The resulting percentage is then applied to the maximum point value of 30 points.

NYSED reserves the right to request best and final offers. In the event NYSED exercises this right, all responsive bidders will be asked to provide a best and final offer.

Method of Award

The aggregate score of all the criteria listed will be calculated for each proposal received.

The contracts issued pursuant to this advertisement will be awarded to the vendors whose aggregate technical and cost score are the highest among all the proposals rated within their respective regions. If NYSED exercises the right to request best and final offers, the contract must be issued to the vendor with the highest aggregate technical and financial score that results from the best and final offer.

If more than one proposal obtains the highest aggregate score, the contract will be awarded to the vendor in that group of highest aggregate scores whose budget component reflects the lowest overall cost.

Minority and Women-Owned Business Enterprise (M/WBE) Participation Goals Pursuant to Article 15-A of the New York State Executive Law:

For purposes of this procurement, NYS Education Department hereby establishes an overall goal of 30% of the total contract amount for M/WBE participation, 17% for Minority-Owned Business Enterprises (“MBE”) participation and 13% for Women-Owned Business Enterprises (“WBE”) participation based on the current availability of qualified MBEs and WBEs. All bidders must document good faith efforts to provide meaningful participation by MWBEs as subcontractors or suppliers in the performance of this Contract. Minority and Women-Owned Business Enterprise (M/WBE) participation includes any and all services, materials or supplies purchased from New York State certified minority and women-owned

firms. Utilization of certified Minority and Women-Owned firms will be applied toward the goals. Bidders can achieve compliance with NYSED's Minority and Women-Owned Business Enterprise goals as described below.

Achieve Full Compliance with Participation Goals (Preferred)

Bidders should submit subcontracting/supplier forms that meet or exceed NYSED's participation goals for this procurement. All subcontracting/supplier forms must be submitted with the bid proposal. In addition, bidders must complete and submit M/WBE 100: Utilization Plan, M/WBE 102: Notice of Intent to Participate and EEO 100: Staffing Plan. Instructions and copies of these forms are located in the Submission Documents. All firms utilized must be certified with the NYS Division of Minority and Women Business Development before beginning any work on this contract. For additional information and a listing of currently certified M/WBEs, see the [NYS Directory of Certified Minority and Women-Owned Business Enterprises](#).

The contact person on M/WBE matters is available throughout the application and procurement process to assist bidders in meeting the M/WBE goals. NYSED reserves the right to approve the addition or deletion of subcontractors or suppliers to enable bidders to comply with the M/WBE goals, provided such addition or deletion does not impact the technical proposal and/or increase the total cost of the bid proposal.

Request a Partial Waiver of Participation Goals

In order to request a partial waiver of the participation goals for this procurement, Bidders must provide documentation of their good faith efforts to obtain the use of certified M/WBE enterprises along with their bid proposal forms. The subcontracting forms must include the participation percentage(s) for which they seek approval. Bidders will be required to certify and attest to their good faith efforts. Bidders should submit a request for a partial waiver (Form M/WBE 101) and document their Good Faith Efforts (Form M/WBE 105) at the same time as the bid is submitted. Bidders must also complete and submit M/WBE 100: Utilization Plan, M/WBE 102: Notice of Intent to Participate and EEO 100: Staffing Plan. The M/WBE Coordinator is available throughout the procurement process to assist in all areas of M/WBE compliance.

Request a Complete Waiver of Participation Goals

In order to request a complete waiver of the participation goals for this procurement, Bidders must provide documentation of their Good Faith Efforts to obtain the use of certified M/WBE enterprises along with their bid proposal forms. Bidders will be required to certify and attest to their good faith efforts. Bidders should submit a request for a complete waiver on Form M/WBE 101 and document their Good Faith Efforts (Form M/WBE 105) at the same time as they submit their bid. The M/WBE Coordinator is available throughout the procurement process to assist in all areas of M/WBE compliance.

Bidders must undertake a good faith effort to solicit NYS Certified M/WBE firms as subcontractors and/or suppliers in fulfillment of this procurement. Means of solicitation may include but are not limited to: advertisements in minority centered publications; solicitation of vendors found in the [NYS Directory of Certified Minority and Women-Owned Business Enterprises](#); and the solicitation of minority and women-oriented

trade and labor organizations. Bidders will be required to certify and attest to their good faith efforts by completing NYSED's Certification of Good Faith Efforts (Form M/WBE 105). See the M/WBE Submission Documents for detailed examples of and required forms to document good faith efforts.

NYSED reserves the right to reject any bid for failure to document "good faith efforts" to comply with the stated M/WBE goals. All payments to Minority and Women-Owned Business Enterprise subcontractor(s) must be reported to NYSED M/WBE Program Unit using M/WBE 103 Quarterly M/WBE Compliance Report. This report must be submitted on a quarterly basis and can be found at NYSED's [M/WBE Forms and Compliance Forms webpage](#).

Security and Privacy Mandates

The contractor agrees to comply with security and privacy mandates under this contract. The contractor must complete the following or provide a plan that materially addresses its requirements, including alignment with the NIST Cybersecurity Framework, which is the standard for educational agency data privacy and security policies in New York state.

The New York State Education Department's Data Privacy Appendix (Appendix R) is annexed to this advertisement, the terms of which are incorporated herein by reference, and shall also be part of the Contract.

Bidders should use the templates and instructions in Appendix R to submit the required DPA EXHIBIT 1 - Contractor's Data Privacy and Security Plan and return it with their proposal for review.

Vendor Responsibility

State law requires that the award of state contracts be made to responsible vendors. Before an award is made to a not-for-profit entity, a for-profit entity, a private college or university or a public entity not exempted by the Office of the State Comptroller, NYSED must make an affirmative responsibility determination. The factors to be considered include legal authority to do business in New York State; integrity; capacity – both organizational and financial; and previous performance. Before an award of \$100,000 or greater can be made to a covered entity, the entity will be required to complete and submit a [Vendor Responsibility Questionnaire](#). School districts, Charter Schools, BOCES, public colleges and universities, public libraries, and the Research Foundation for SUNY and CUNY are some of the exempt entities. A [complete list of exempt entities](#) can be viewed at the Office of the State Comptroller's website.

NYSED recommends that vendors file the required Vendor Responsibility Questionnaire online via the New York State VendRep System. To enroll in and use the New York State VendRep System, see the [VendRep System Instructions](#) or go directly to the [VendRep System on the Office of the State Comptroller's website](#).

Vendors must provide their New York State Vendor Identification Number when enrolling. To request assignment of a Vendor ID or for VendRep System assistance, contact the [Office of the State Comptroller's Help Desk](#) at 866-370-4672 or 518-408-4672 or by email at ITServiceDesk@osc.ny.gov.

Vendors opting to complete and submit a paper questionnaire can obtain the appropriate questionnaire from the [VendRep website](#) or may contact NYSED or the Office of the State Comptroller's Help Desk for a copy of the paper form.

Subcontractors:

For vendors using subcontractors, a Vendor Responsibility Questionnaire and a NYSED vendor responsibility review are required for a subcontractor where:

- the subcontractor is known at the time of the contract award;
- the subcontractor is not an entity that is exempt from reporting by OSC; and
- the subcontract will equal or exceed \$100,000 over the life of the contract.