

**Request for Information
005-RFI-0293-2023
Educational Savings Accounts**

Notice to Respondents

Date of Issuance: January 11, 2023
Responses Due: January 25, 2023 at 3:00 PM (Central Time)

For information regarding this notice and throughout this process, interested service providers shall contact only the issuing officer:

Karl Wendt
Iowa Department of Administrative Services
Hoover State Office Building – Level 3
1305 East Walnut Street
Des Moines, Iowa 50319-0105
Phone: 515-281-7073
E-mail: karl.wendt@iowa.gov

Section I - Introduction, Background, and Objectives

1.1 Introduction

The Iowa Department of Administrative Services – Central Procurement is seeking information from Respondents who are interested in providing services to administer an Educational Savings Account Program for the State of Iowa. Information received from Respondents in response to this RFI will be used to provide background information for the preparation of a possible Request for Proposals (RFP). The intended purpose of this RFI is to allow all interested Respondents to present statements of interest, qualifications and suggest strategies for addressing the needs of the State in this area.

This Request for Information (RFI) does not create any representation, either express or implied, that:

- Any procurement process will proceed; or
- procurement process does proceed, that the participant's response (if any) will be given any preference or special consideration.

This RFI does not indicate a commitment to any particular course of action.

1.2 Background Information Concerning This Request for Information

The Governor of the State of Iowa has proposed a school choice initiative to provide funds for educational assistance to qualifying families for expenses relating to attending accredited private schools. The State of Iowa is interested in learning more about the implementation and administration of an Educational Savings Account (ESA) program. In the event the legislature passes a bill to support the Governor's proposal, we intend to be postured to perform a timely solicitation of the necessary services to initiate the program within the constraints identified in an enacted bill.

1.3 Request for Information Procedures

This request requires any Respondent wishing to submit information to respond to this Request for Information (RFI) by 3:00 p.m., Central Time, on January 25, 2023. Invitations for presentations may be scheduled after the evaluation of received responses is completed.

1.4 Schedule of Events

Issue RFI	January 11, 2023
Questions regarding RFI Due	January 18, 2023
RFI Responses Due	January 25, 2023 at 3:00 PM

1.5 Contact Information

The contact at the Iowa Department of Administrative Services – Central Procurement for inquiries, comments, clarification questions, and scheduling will be:

Karl Wendt, Procurement Manager
Department of Administrative Services
Hoover Building, Level 3
Des Moines, Iowa 50319-0105
karl.wendt@iowa.gov
Telephone 515-281-7073

1.6 Clarification Questions

Clarification questions about this RFI are to be submitted to the Issuing Officer by the date and time noted in paragraph 1.4 and to the attention of the contact noted in paragraph 1.5.

1.7 Submission of Responses

The response shall be e-mailed the Issuing Officer at karl.wendt@iowa.gov any time prior to January 25, 2023 at 3:00 PM.

1.8 Review and Rejection of RFI Responses

Issuance of the RFI in no way constitutes a commitment by the State to award any contract. This RFI is designed to provide Respondents with the information necessary for the preparation of informative response proposals and demonstrations of product. This RFI process is for the States' benefit and is intended to provide the State with information to assist in the development of possible RFP. The RFI is not intended to be comprehensive and each Respondent is responsible for determining all factors necessary for submission of a comprehensive response and a complete product capability demonstration. The RFI response and demonstration will not be subject to an RFI type evaluation but only to a review of suggested service performance, cost (*cost may be estimated by Respondent, if an estimate, Respondent shall state that it is an estimated or approximate cost*) of processes offered and of abilities to perform services that may be of use to the State.

An RFI response may not be reviewed if not received by the date identified in section 1.4.

1.9 Public Records and Requests for Confidential Treatment

The Agency's release of public records is governed by Iowa Code Chapter 22. Contractors are encouraged to familiarize themselves with Chapter 22 before submitting a Response. The Agency will copy and produce public records upon request as required to comply with Chapter 22 and will treat all information submitted by a Contractor as non-confidential records unless Contractor requests specific parts of the Response be treated as confidential at the time of the submission as set forth herein **AND the information is confidential under Iowa or other applicable law.**

1.9.1 Form 22 Request for Confidentiality

FORM 22 MUST BE COMPLETED AND INCLUDED WITH CONTRACTOR'S RESPONSE. COMPLETION AND SUBMITTAL OF FORM 22 IS REQUIRED WHETHER THE RESPONSE DOES OR DOES NOT CONTAIN INFORMATION FOR WHICH CONFIDENTIAL TREATMENT WILL BE REQUESTED. FAILURE TO SUBMIT A COMPLETED FORM 22 WILL RESULT IN THE RESPONSE CONSIDERED NON-RESPONSIVE AND NOT EVALUATED.

1.9.2 Confidential Treatment Is Not Requested

A Contractor not requesting confidential treatment of information contained in its Response shall complete Section I of Form 22 and submit Form 22 with the Response.

1.9.3 Confidential Treatment of Information is Requested

A Contractor requesting confidential treatment of specific information shall: (1) fully complete Section II of Form 22, (2) conspicuously mark the outside of its Response as containing confidential information, (3) mark each page upon which the Contractor believes confidential information appears **and CLEARLY IDENTIFY EACH ITEM for which**

confidential treatment is requested; MARKING A PAGE IN THE PAGE MARGIN IS NOT SUFFICIENT IDENTIFICATION, and (4) submit a “Public Copy” from which the confidential information has been excised.

Form 22 will not be considered fully complete unless, for each confidentiality request, the Contractor: (1) enumerates the specific grounds in Iowa Code Chapter 22 or other applicable law that supports treatment of the material as confidential, (2) justifies why the material should be maintained in confidence, (3) explains why disclosure of the material would not be in the best interest of the public, and (4) sets forth the name, address, telephone, and e-mail for the person authorized by Contractor to respond to inquiries by the Agency concerning the confidential status of such material.

The confidential material must be excised in such a way as to allow the public to determine the general nature of the material removed and to retain as much of the Response as possible.

Failure to request information be treated as confidential as specified herein shall relieve Agency and State personnel from any responsibility for maintaining the information in confidence. Contractors may not request confidential treatment with respect to pricing information and transmittal letters. A contractor’s request for confidentiality that does not comply with this section or a contractor’s request for confidentiality on information or material that cannot be held in confidence as set forth herein are grounds for rejecting contractor’s Response as non-responsive. Requests to maintain an entire Response as confidential will be rejected as non-responsive.

If Agency receives a request for information that Contractor has marked as confidential and if a judicial or administrative proceeding is initiated to compel the release of such material, Contractor shall, at its sole expense, appear in such action and defend its request for confidentiality. If Contractor fails to do so, Agency may release the information or material with or without providing advance notice to Contractor and with or without affording Contractor the opportunity to obtain an order restraining its release from a court possessing competent jurisdiction. Additionally, if Contractor fails to comply with the request process set forth herein, if Contractor’s request for confidentiality is unreasonable, or if Contractor rescinds its request for confidential treatment, Agency may release such information or material with or without providing advance notice to Contractor and with or without affording Contractor the opportunity to obtain an order restraining its release from a court possessing competent jurisdiction.

1.10 Copyrights

By submitting a response, the Respondent agrees that the state may copy the response for purposes of facilitating the evaluation or to respond to requests for public records. The Respondent represents that such copying will not violate any copyrights in the materials submitted.

1.11 Restrictions on Gifts and Activities

Iowa Code Chapter 68B contains laws which restrict gifts which may be given or received by State employees and requires certain individuals to disclose information concerning their

activities with State government. Respondents are responsible for determining the applicability of this chapter to their activities and for complying with these requirements. In addition, Iowa Code chapter 722.1 provides that it is a felony offense to bribe a public official.

1.12 Content of the RFI

1.12.1 The State reserves the right to modify this RFI at any time.

1.12.2 Responses should be based on the material contained in this RFI or any other relevant information the Respondent thinks is appropriate.

1.12.3 By submitting a response each Respondent agrees that it will not bring any claim or have any cause of action against the State of Iowa, or any employee of the State, based on any misunderstanding concerning the information provided or concerning the States' failure, negligent or otherwise, to provide the Respondent with pertinent information as intended by this RFI.

1.13 Cost to Respondents

The State is not responsible for any costs incurred by a Respondent, which are related to the preparation or delivery of the response, any on-site inspection that may be required, or any other activities related to this RFI.

1.14 Responses Property of the State

All printed information used to demonstrate a Respondent's product becomes the property of the State. The State will have the right to use ideas or adaptations of ideas that are presented in the responses.

1.15 Sources of Information Used by the State in Addition to the Responses

The State reserves the right to contact Respondents after the submission of responses for the purpose of clarification and to ensure mutual understanding.

1.16 No Obligation to Issue RFP

The issuance of this RFI does not obligate the State in any way to issue an RFP for the services described in this RFI.

Section II - Submittal Requirements

2.1 Respondent Identifying Information

Please provide the following information about your organization.

- State the name and principal place of business of the Respondent.
- Identify the Respondent's type of business entity such as a corporation or partnership.
- State the Respondent's place of incorporation, if applicable. At the respondent's discretion, provide an organization chart for the Respondent. Include any parent, subsidiary and affiliate companies you feel may be relevant to this presentation.
- State the name, address, email address, and telephone number of the Respondent representative to contact regarding all technical matters concerning this RFI.

2.2 Experience with Providing ESAs

Please provide narrative describing your experience with ESAs. Include information about who you provided the service for to include any public entities.

- List all jurisdictions or customers for which the Respondent has provided similar products.
- Indicate the dates on which each contract began and ended or is expected to end.

2.3 ESA Model

Describe the approach your organization takes to providing ESAs. Include perspectives of the families, the school, and the Agency.

- What information is needed for development of a program in a state?
- Are you capable of providing an online marketplace of approved items for participants in this program?
- Are you capable of validating appropriate expenses and reimbursing funds directly to families if required?
- Are you capable of distributing funds directly to approved participating schools if required?
- Do you have an experience-based recommendation on whether to distribute funds directly as a reimbursement to families, or directly to the approved participating schools?
- Can the services be customized if needed over time?
- What is your process for validating participant eligibility?
- Are you capable of integrating with government information systems in order to validate program eligibility?
- What industry standards apply to ESA services?

2.4 Accountability

Describe your organization's approach to accountability and prevention of fraud.

- What method(s) of distributing funds does your organization recommend?
- What frequency of funds distribution do you recommend to limit misuse or loss of funds?
- What types and amounts of insurance coverage are industry standard for an ESA provider?

2.5 Architecture and Security

Describe your organization's approach to transactional security.

- What security standards typically apply to this type of transaction?
- Describe your system architecture and provide an architecture diagram. Specifically describe if your system is COTS, LCAP, or a hybrid.
- What industry standards for security apply to ESA providers?

- What are the industry standards for incident response procedures in the event of a security breach?
- What are the industry standards for security design and architectural features incorporated into ESA services?
- What are the industry standards for ESA document storage?
- What are the industry standards for data of different classifications (public versus confidential) and regulatory requirements (CJIS, FTI, HIPAA, etc.) as it relates to ESA services?
- What other industry standards apply to security of ESA services?

2.6 Reporting

Describe available reporting that demonstrates success of the ESA program.

2.7 Implementation

Provide expected delivery time for the implementation of system upon receipt of award.

2.8 Program Costs

Describe the pricing model (specific pricing isn't required) for the costs the overseeing Agency would incur and if there are costs for any other party involved in the program.

2.9 Additional Information

Provide any other additional information you feel an agency should know or should be asking for in an RFP related to ESAs to differentiate the Respondents.

Attachment 1
Form 22 – Request for Confidentiality

CONTRACTOR NOTE: SUBMISSION OF THIS FORM 22 IS REQUIRED

THIS FORM 22 (FORM) MUST BE COMPLETED AND INCLUDED WITH YOUR RESPONSE TO THE REQUEST FOR INFORMATION (RFI). THE FORM IS REQUIRED WHETHER THE RESPONSE DOES OR DOES NOT CONTAIN INFORMATION FOR WHICH CONFIDENTIAL TREATMENT WILL BE REQUESTED.

FAILURE TO SUBMIT A COMPLETED FORM WILL RESULT IN THE RESPONSE CONSIDERED NON-RESPONSIVE AND ELIMINATED FROM EVALUATION.

I. Confidential Treatment Is Not Requested

A request for confidential treatment of information contained in our Response is not submitted.

_____ Company	_____ RFI Number	_____ RFI Title
_____ Signature	_____ Title	_____ Date

II. Confidential Treatment Is Requested

The below information is to be completed and signed ONLY if Contractor is requesting confidential treatment of any information submitted in its Response.

Per the paragraph labeled as Public Records and Requests for Confidential Treatment in section 2 of the Request for Information (RFI), a Contractor requesting portions of its Response be maintained in confidence must complete this form and submit it with its Response. Contractors should read and familiarize themselves with chapter 22 of the Iowa Code regarding release of public records before completing this Form. Contractor shall refer to the paragraph labeled as Public Records and Requests for Confidential Treatment in section 2 of the RFI for instructions regarding how to request confidential treatment of portions of its Response.

NOTE:

- 1 Completion of this Form is the sole means of requesting confidential treatment.**
- 2 A CONTRACTOR MAY NOT REQUEST PRICING PROPOSALS BE HELD IN CONFIDENCE.**

Completion of the Form and Agency's acceptance of Contractor's submission does not guarantee the agency will grant Contractor's request for confidentiality. The Agency may reject Contractor's Response entirely in the event Contractor requests confidentiality and does submit a fully completed Form or requests confidentiality for portions of its Response that are improper under the RFI.

To request confidentiality, Contractor must provide the following information:

- 1 ☐ Contractor must conspicuously mark confidential material in its Response in accordance with the section titled Public Records and Requests for Confidential Treatment. **Check box when completed.**

- 2 Contractor must specifically identify and list the Response section(s) for which it seeks confidentiality and answer the following questions for each section listed:
 - Explain the specific grounds in *Iowa Code Chapter 22* or other applicable law which support treatment of the material as confidential.
 - Justify why the material should be kept in confidence.
 - Explain why disclosure of the material would not be in the best interest of the public.
 - Provide the name, address, telephone, and email for the Contractor's person authorized to respond to inquiries by the Agency concerning the status of confidential materials.

Please provide the information in the table below. Contractor may add additional lines if necessary or add additional pages using the same format as the table below.

RFI Section:	Contractor must cite the specific grounds in <i>Iowa Code Chapter 22</i> or other applicable law which supports treatment of the material as confidential.	Contractor must justify why the material should be kept in confidence.	Contractor must explain why disclosure of the material would not be in the best interest of the public.	Contractor must provide the name, address, telephone, and email for the person at Contractor's organization authorized to respond to inquiries by the Agency concerning the status of confidential materials.

- 3 ☐ Contractor must submit a Public Copy of its Response from which the confidential information has been excised. The confidential material must be excised in such a way as to allow the public to determine the general nature of the material removed and to retain as much of the Response as possible. **Check box when completed.**

This Form must be signed by the individual who signed the Contractor's Response. The Contractor shall place this Form completed and signed in its Response immediately following the transmittal letter. A copy of this document shall be placed in all Responses submitted including the Public Copy.

****Failure to provide the information required on this Form may result in rejection of Contractor's submittal to request confidentiality or rejection of the Response as being non-responsive.***

****Please note that this Form is to be completed and signed only if you are submitting a request for confidential treatment of any information submitted in your Response.***

_____ Company	_____ RFI Number	_____ RFI Title
_____ Signature	_____ Title	_____ Date