

STATE OF IOWA



Formal Competitive Bid REQUEST FOR PROPOSAL RFP# ED-MH172-02

Title School Meal Programs Web-based Tutorial Maintenance and Hosting

On Behalf of the Iowa Department of Education

Proposal Due Date: July 11, 2017, by 3:30 p.m. Central Standard Time

Submit Proposal to:

Michelle O'Hollearn, Issuing Officer
Iowa Department of Education
Division of School Finance and Support Services
Bureau of Nutrition and Health Services
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-0146
Email: michelle.ohollearn@iowa.gov (preferred method of communication)
Fax: (515) 242-5988

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

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

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SECTION 1 - INTRODUCTION

1.1 PURPOSE OF PROCUREMENT

This Request for Proposal (RFP) is issued by the Iowa Department of Education (Department). The purpose of this RFP is to seek the services and solicit Proposals from qualified Vendors to host and maintain web-based instructional tutorials for School Food Authorities (SFA) participating in the United States Department of Agriculture (USDA) School Meal Programs.

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

The contract will be for one (1) year, with the option to renew the contract for up to five (5) additional one-year renewals. Renewals will be at the sole discretion of the Department, and will be based on availability of funding.

1.2 DEFINITIONS

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

Department means the Iowa Department of Education.

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

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

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

Responsible Vendor means a Vendor that has the capability in all respects to perform the requirements of the Contract. In determining whether a Vendor is a Responsible Vendor, the Department may consider various factors including, but not limited to, the Vendor's competence and qualifications to provide the goods or services requested, the Vendor's integrity and reliability, the past performance of the Vendor and the best interest of the Department and the State.

Responsive Proposal means a Proposal that complies with the material provisions of this RFP.

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

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

SECTION 2 - ADMINISTRATIVE INFORMATION

2.1 ISSUING OFFICER

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

Michelle O'Hollearn, Issuing Officer
Iowa Department of Education
Division of School Finance and Support Services
Bureau of Nutrition and Health Services
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319-0146
Email: michelle.ohollearn@iowa.gov
Fax: (515) 242-5944

2.2 PROCUREMENT TIMETABLE

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

| | |
|---|----------------------|
| Issue RFP Notice to Targeted Small Business website | June 21, 2017 |
| Issue RFP | June 23, 2017 |
| Vendor's Questions Due @ 3:30 PM Central Time | June 30, 2017 |
| Responses to Vendor's Questions Issued | July 6, 2017 |
| Proposals Due @ 3:30 PM Central Time | July 11, 2017 |
| Open and Evaluate Proposals | July 12, 2017 |
| Announce Successful Vendor | July 17, 2017 |

2.3 RESTRICTION ON COMMUNICATION

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

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

2.4 SUBMISSION OF PROPOSALS

Proposals must be received by the Department no later than **3:30 PM (Central Time) on July 11, 2017**. This is a mandatory requirement and will not be waived by the Department. Any Proposals received after this deadline will be rejected and returned unopened to the Vendor. It is the Vendor's responsibility to ensure their Proposal is received by the Department prior to the deadline. Vendors mailing Proposals must allow delivery time to ensure timely receipt of the Proposal. Postmarking by the due date will not substitute for actual receipt of the Proposal. Electronic mail and faxed Proposals will **NOT** be accepted. Vendors must furnish all information necessary to evaluate the Proposal. Proposals that fail to meet the mandatory requirements of this RFP will be disqualified. Verbal information provided by the Vendor shall not be considered part of the Proposal.

2.5 DOWNLOADING THE RFP FROM THE INTERNET

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

2.6 QUESTIONS, REQUESTS FOR CLARIFICATION AND SUGGESTED CHANGES

Vendors are invited to submit written questions and requests for clarification regarding this RFP. Vendors may also submit suggestions for changes to the requirements of this RFP. The questions, requests for clarification, or suggestions must be in writing, sent via U.S. mail, electronic mail, or fax and received by the Issuing Officer no later than **3:30 PM (Central Time) on June 30, 2017**. Oral questions will NOT be permitted. If the questions, requests for clarification, or suggestions pertain to a specific section of this RFP, the page(s) and section number(s) must be referenced. Written responses to questions, requests for clarification, or suggestions will be posted on or before **July 6, 2017** on the State Bid Opportunities website <http://bidopportunities.iowa.gov/>. The Department's written responses will be considered part of this RFP. If the Department decides to adopt a suggestion, the Department will issue an amendment to this RFP. The Department assumes no responsibility for verbal representations made by its officers or employees unless such representations are confirmed in writing and incorporated into this RFP.

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

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

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

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

2.8 JOINT VENTURES

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

2.9 SUBCONTRACTORS

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

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

- Complete name of the subcontractor.

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

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

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

2.10 COSTS TO PREPARE THE PROPOSAL

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

2.11 PROPOSAL OPENING

The Department will open Proposals on **July 12, 2017**. The Proposals will remain confidential until the Evaluation Committee has reviewed all Proposals submitted in response to this RFP, and the Department has announced a Notice of Intent to Award the contract to the apparent successful Vendor.

2.12 DISQUALIFICATION

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

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

2.13 NONMATERIAL AND MATERIAL VARIANCES

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

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

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

2.14 REJECTION OF PROPOSALS

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

2.15 PUBLIC RECORDS AND REQUEST FOR CONFIDENTIAL TREATMENT

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

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

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

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

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

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

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

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

2.16 PROPOSAL CLARIFICATION PROCESS

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

2.17 VERIFICATION OF PROPOSAL CONTENT

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

2.18 REFERENCE CHECKS

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

2.19 INFORMATION FROM OTHER SOURCES

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

2.20 SECURITY, CRIMINAL HISTORY AND BACKGROUND INVESTIGATION

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

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

2.21 EVALUATION OF PROPOSALS SUBMITTED

Proposals that are submitted timely and are not subject to disqualification will be reviewed in accordance with Section 5 of this RFP. The Department will not necessarily award a contract to the Vendor offering the lowest cost to the Department or to the Vendor with the highest point total. Rather, the Department will award the contract to the

compliant Vendor whose Proposal is judged to provide the greatest benefit to the State and that has the best combination of attributes to perform the required services.

2.22 PRESENTATIONS

Selected Vendors may be required to make a presentation of their Proposal to discuss the content, scope of work, deliverables, and procedures of this RFP. The determination as to the need for presentations, and the location, order, and schedule of the presentations will be at the sole discretion of the Department. The Department shall bear no cost for the time and travel of the Vendor for attendance at the presentation. The presentation may include slides, graphics, and other media selected by the Vendor to illustrate the Vendor's Proposal. The presentation shall not materially change the information contained in the Proposal

2.23 AWARD NOTICE AND ACCEPTANCE PERIOD

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

Vendors whose Proposal has been filed in accordance with the requirements of this RFP may appeal the decision by filing a written notice of appeal (in accordance with Chapter 281-7.5(290,17A, Iowa Administrative Code) to:

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

A copy of the appeal shall also be submitted to the Issuing Officer. The notice of appeal must be filed within ten (10) calendar days of the date of the Notice of Intent to Award, exclusive of Saturdays, Sundays, and legal State holidays. The written appeal may be mailed, faxed, or delivered. The notice of appeal must clearly and fully identify all issues being contested by referencing the page(s), section(s), line number(s) and/or the Notice of Intent to Award. A notice of appeal may not stay the negotiations with the apparent successful Vendor.

2.24 DEFINITION OF CONTRACT

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

2.25 DISPOSITION OF PROPOSALS

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

2.26 COPYRIGHTS

By submitting a Proposal, the Vendor agrees that the Department may copy the Proposal for purposes of facilitating the evaluation of the Proposal or to respond to requests for public records. The Vendor consents to such copying by

submitting a Proposal and warrants that such copying will not violate the rights of any third party. The Department shall have the right to use ideas or adaptations of ideas that are presented in the Proposal.

2.27 RELEASE OF CLAIMS

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

2.28 RESTRICTIONS ON GIFTS AND ACTIVITIES

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

2.29 CHOICE OF LAW AND FORUM

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

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

2.30 NO MINIMUM GUARANTEE

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

2.31 CONTRACT TERMS AND CONDITIONS

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

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

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

SECTION 3 - SERVICE REQUIREMENTS

3.1 INTRODUCTION TO THE PROGRAM

The Bureau of Nutrition and Health Services (BNHS) provides oversight of USDA School Meal Programs in Iowa. The BNHS procured the development of web-based instructional tutorials to provide training to School Food Service personnel in School Food Authorities (SFA) participating in USDA School Meal Programs.

The tutorials provide an on-demand, reliable and timely resource to these personnel to support and ensure compliance as they operate USDA School Meal Programs. These tutorials also enhance the learner's experience, utilizing interactive topic-specific activities to reinforce learning concepts. Ultimately, these tutorials offer year round training to all School Food Service personnel participating in USDA School Meal Programs, with focused participation for new managers, and required completion as a component of Corrective Action Plans.

The tutorials are deployed within an independent Learning Management System, Moodle, hosted by the Iowa Office of the Chief Information Officer (OCIO) and administered by Iowa Public Television (IPTV). The courses are offered via the Moodle instance "Iowa Learning Online Professional Development" (ILOPD) within the Course "Iowa School Meal Programs Tutorials". Each tutorial has an accompanying text reference document providing a web accessible alternative to the interactive tutorial.

This Request for Proposals is intended to procure hosting and maintenance services for the developed web-based instructional tutorials and accompanying reference documents, including but not limited to, changing course content, fixing bugs, hosting tutorial files, deploying updated content, supporting volume of site traffic and providing technical assistance to the Department BHNS as needed.

All Intellectual Property Rights to materials, documents and data or any other tangible/intangible material designed and/or developed for this project shall be the sole property of the Department. All finished materials must be delivered in formats fully compatible with modern web browsers.

3.2 SCOPE OF WORK

The web-based instructional tutorials are a comprehensive resource, available via the web, addressing all areas related to the management of viable USDA School Meal Programs. There are a total of 17 tutorials, ranging from 30 minutes to 2.5 hours in length. The tutorials are HTML, JavaScript and Flash 7.0 or higher. The large majority of the tutorial content is interactive text. Video, animation and audio are utilized intermittently throughout tutorials, however due to the frequency by which regulations and policies change, it is imperative that they majority of the tutorial content be easily updated. Total video/animation/audio production development will be determined based on discussion between the Department and the awarded Vendor on an as-needed basis. The tutorials also include a variety of topic-specific interactive learning activities to reinforce learning concepts.

Each tutorial has an accompanying text reference document providing a web accessible alternative to the interactive tutorials, specifically, meeting WCAG 2.0 Levels A and AA. All tutorial text, video, animation and audio, including interactive activities, must be captured within the text document, meet the referenced guidelines, and be shared with the Department in both MS Word and PDF formats. All changes to tutorial content must be reflected in the accompanying text reference document at the time of deployment.

Each tutorial is accessed via an individualized link within the Moodle platform. All tutorials, documents and related materials must remain compatible with the ILOPD Moodle platform. The Department currently has an agreement with IPTV for services related to the web design and administration of the ILOPD Moodle platform, and will assist the

Department and awarded Vendor with site implementation. The OCIO hosts the Moodle platform servers. The awarded Vendor must work with IPTV, OCIO, The Department and other identified stakeholders for the successful implementation of tutorial content. The awarded Vendor, in coordination with IPTV and OCIO, is responsible for product testing, staff training, and technical assistance related to the hosting, maintenance, support and deployment of the tutorials.

Hosting of the tutorials and reference documents includes but is not limited to, version control; integration of related resources and links; load balancing and an expected server uptime of 99.9%.

The awarded Vendor must agree to provide the following services:

- Hosting/maintaining the live, production tutorial installation/environment on the Vendor's servers.
- Hosting/maintaining a replica of the production tutorial installation/environment on the Vendor's servers. In the event that the Department, IPTV or OCIO has a system crash, or lost files, the Vendor will be equipped to quickly reinstall the software.
- Hosting/maintaining a staging installation/environment on the Vendor's servers. Software updates can be tested by the Department prior to deployment.

Maintenance of the tutorials and reference documents includes but is not limited to, the development, update or change to the preparation or organization of content material, tutorial design, integration of related resources and links, video/animation/audio production, learning activities, and reference documents; bug fixes and deployment in coordination with IPTV.

The awarded Vendor must agree to provide the following services:

- Seventy (70) hours of development time per contract year to include corrections of all software anomalies and updates to tutorial/reference document content.
- Unlimited support calls/emails during normal business hours.
- Technical assistance and support for tutorial/reference document installation via the internet using the appropriate networking option.
- Dedicated personnel with a minimum of five (5) years' experience working on web-based tutorial development and/or instructional consulting.
- Opportunity to procure contracted work for the tutorial development extending beyond the seventy hours of development included in this project.

The awarded Vendor must have systems in place to handle a volume of users potentially as high as 12,000 (up to 400 districts, up to 30 users per district).

The awarded Vendor must provide an Instructional Design Consultant to consult with BNHS to maintain tutorial content delivery methods and comprehension measurement tools effective for adult web-based instruction.

All Intellectual Property Rights to materials, documents and data or any other tangible/intangible material designed and/or developed for this project shall be the sole property of the Department. All finished materials must be delivered in formats fully compatible with modern web browsers.

SECTION 4 - FORMAT AND CONTENT OF PROPOSALS

4.1 INSTRUCTIONS

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

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

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

RFP Number

RFP Title

Issuing Officer's Name

Department's Address

Vendor's Name and Address

4.1.3 One (1) original and three (3) copies of the Proposal shall be submitted timely to the Issuing Officer. Each envelope containing the original Proposal shall be labeled "Original" and each envelope containing a copy of the Proposal shall be labeled "copy." Each copy shall contain all attachments and be an exact copy of the original.

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

4.1.5 Proposals shall not contain promotional or display materials.

4.1.6 Attachments shall be referenced in the Proposal.

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

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

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

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

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

4.2 TECHNICAL PROPOSAL

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

4.2.1 Transmittal/Cover Letter

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

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

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

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

4.2.2 Table of Contents

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

4.2.3 Executive Summary

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

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

4.2.4 Service Requirements

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

4.2.5 Background Information

The Vendor shall provide the following general background information:

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

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

4.2.6 Experience

The Vendor must provide the following information regarding its experience:

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

4.2.7 Personnel

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

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

4.2.8 Financial Information

The Vendor shall provide the following financial information:

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

4.2.9 Terminations, Litigation, Debarment

The Vendor must provide the following information:

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

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

3. During the last five (5) years, describe any order, judgment or decree of any Federal or State authority barring, suspending or otherwise limiting the right of the Vendor to engage in any business, practice or activity.

4. During the last five (5) years, list and summarize pending or threatened litigation, administrative or regulatory proceedings, or similar matters that could affect the ability of the Vendor to perform the required services. The Vendor must also state whether it or any owners, officers, or primary partners have ever been convicted of a felony. Failure to disclose these matters may result in rejection of the Proposal or termination of any subsequent contract. This is a continuing disclosure requirement. Any such matter commencing after submission of a Proposal, and with respect to the successful Vendor after the execution of a contract, must be disclosed in a timely manner in a written statement to the Department.

5. During the last five (5) years, have any irregularities been discovered in any of the accounts maintained by the Vendor on behalf of others? If so, describe the circumstances of irregularities or variances and disposition of resolving the irregularities or variances.

4.2.10 Proposal Certification

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

4.2.11 Acceptance of Terms and Conditions

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

4.2.12 Certification of Independence and No Conflict of Interest

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

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

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

4.2.14 Authorization to Release Information

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

4.2.15 Certification Regarding Sales and Use Tax

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

4.2.16 Firm Proposal Terms

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

4.3 COST PROPOSAL

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

The Cost Proposal should include individual costs to complete each of the following:

1. Web-based Reference Library
2. Web-based Tutorial Design (Submit separate costs for the three priority levels)-Tutorials are listed under Scope of Work Section 3.2
 - A. First Priority, include the following:
 - 1 hour (60 minutes) of total video production
 - 40 minutes of total animation production
 - 3.3 hours (200 minutes) of total audio production
 - B. Second Priority, include the following:
 - 1 hour (60 minutes) of total video production
 - 40 minutes of total animation production
 - 3.3 hours (200 minutes) of total audio production
 - C. Third Priority, include the following:
 - 1 hour (60 minutes) of total video production
 - 40 minutes of total animation production
 - 3.3 hours (200 minutes) of total audio production
3. Additional video/animation/audio production
 - Video Production Cost per Minute
 - Animation Production Cost per Minute
 - Audio Production Cost per Minute

The Vendor may also submit alternative Cost Proposals, in addition to the required Cost documentation as stated above. The Department recognizes there may be more advantageous methods for pricing related work.

SECTION 5 - EVALUATION OF PROPOSALS

5.1 INTRODUCTION

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

5.2 EVALUATION COMMITTEE

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

5.3 EVALUATION CRITERIA

The Evaluation Committee will review and evaluate all Proposals and make an award using the following criteria, which are listed in no particular order:

- USDA Child Nutrition Program Experience

- Instructional Material Development

 - Written Text

 - Audio Production

 - Video Production

 - Animation Production

- Online Learning Experience:

 - Content Development

 - Tutorial Design

 - Site Management

 - Site Design/Programming

5.4 RECOMMENDATION OF THE EVALUATION COMMITTEE

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

Attachment #1

Date:

Michelle O'Hollearn, Issuing Officer
Iowa Department of Education
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-0146

Re: Request for Proposal Number ED-MH172-02
PROPOSAL CERTIFICATION

Dear Ms. O'Hollearn,

I certify that the contents of the Proposal submitted on behalf of _____ (Vendor) in response to the Iowa Department of Education Request for Proposal Number ED-MH172-02 are true and accurate. I also certify that _____ (Vendor) has not made any knowingly false statements in its proposal.

Furthermore, I acknowledge my understanding of the following:

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

Sincerely,

Name:

Title:

Attachment #2

Date:

Michelle O'Hollearn, Issuing Officer
Iowa Department of Education
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-0146

Re: Request for Proposal Number ED-MH172-02
CERTIFICATION OF INDEPENDENCE AND NO CONFLICT OF INTEREST

Dear Ms. O'Hollearn,

By submitting a Proposal in response to the Iowa Department of Education Request for Proposal (RFP) Number ED-MH172-02 for the services described in this RFP, the undersigned certifies the following:

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

Sincerely,

Name:

Title:

Attachment #3

Date:

Michelle O'Hollearn, Issuing Officer
Iowa Department of Education
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-0146

Re: Request for Proposal Number ED-MH172-02

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND ELIGIBILITY, AND VOLUNTARY EXCLUSION

Dear Ms. O'Hollearn,

By submitting a Proposal in response to the Iowa Department of Education Request for Proposal (RFP) Number ED-MH172-02 for the services described in this RFP, the undersigned certifies the following:

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

Sincerely,

Name:

Title:

Attachment #4

Date:

Michelle O'Hollearn, Issuing Officer
Iowa Department of Education
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-0146

Re: Request for Proposal Number ED-MH172-02
AUTHORIZATION TO RELEASE INFORMATION

Dear Ms. O'Hollearn,

(Vendor) hereby authorizes the Iowa Department of Education to obtain information regarding its performance on other contracts, agreements or other business arrangements, its business reputation, and any other matter pertinent to evaluation and the selection of a successful Vendor in response to Request for Proposal Number ED-MH172-02.

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

The Vendor hereby releases, acquits and forever discharges the State of Iowa, the Department, their officers, directors, employees and agents from any and all liability whatsoever, including all claims, demands and causes of action of every nature and kind affecting the undersigned that it may have or ever claim to have relating to information, data, opinions, and references obtained by the Department in the evaluation and selection of a successful Vendor in response to Request for Proposal Number ED-MH172-02.

The Vendor authorizes representatives of the Department to contact any and all of the persons, entities, and references which are, directly or indirectly, listed, submitted, or referenced in the undersigned's Proposal submitted in response to Request for Proposal Number ED-MH172-02.

The Vendor further authorizes any and all persons and entities to provide information, data, and opinions with regard to the undersigned's performance under any contract, agreement, or other business arrangement, the undersigned's ability to perform, the undersigned's business reputation, and any other matter pertinent to the evaluation of the undersigned. The undersigned hereby releases, acquits and forever discharges any such person or entity and their officers, directors, employees and agents from any and all liability whatsoever, including all claims, demands and causes of action of every nature and kind affecting the undersigned that it may have or ever claim to have relating to information, data, opinions, and references supplied to the Department in the evaluation and selection of a successful Vendor in response to Request for Proposal Number ED-MH172-02.

Sincerely,

Printed Name of Vendor Organization

Name of Authorized Representative

Title

Date

Attachment #5

Date:

Michelle O'Hollearn, Issuing Officer
Iowa Department of Education
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-0146

Re: Request for Proposal Number ED-MH172-02

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

Dear Ms. O'Hollearn,

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

By submitting a Proposal in response to the Iowa Department of Education Request for Proposal (RFP) Number ED-MH172-02 for the services described in this RFP, the undersigned certifies the following:

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

Sincerely,

Name:

Title: