EI00254~2023RFP TITLE IX SERVICES

SCOPE DOCUMENT

RESPONSE DUE DATE – WEDNESDAY, AUGUST 23, 2023 (1 PM ET)
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1. General Overview

1.1 Project Overview and Objectives

E&I Cooperative Services, Inc. (“E&I”) is requesting proposals for Title IX Services to result in a contracting solution for use by its Members. E&I is committed to utilizing purchasing and business practices in accordance with the National Association of Educational Procurement Code of Ethics.

The primary goals and objectives of E&I are to:

1. assist our Members to obtain the best value that exceeds other public sector consortia agreements,
2. establish a strategic sourcing partnership with any selected manufacturer(s) and authorized dealers, and
3. enhance our position as the premier Procurement Cooperative for Education.


2.1 RFP Deadline

E&I will accept proposals submitted in response to this RFP only on the Jaggaer tool until 1:00 PM EST, on August 23, 2023 (the “Submittal Deadline”). The timeline for the RFP can be found in Section 2.2.

2.2 Tentative Schedule of Key Events

The following is a tentative schedule of events for this RFP:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Planned Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Request for Proposal issued (“Open Date”)</td>
<td>07/24/2023</td>
</tr>
<tr>
<td>5 PM ET Deadline for submission of RFP-related written questions (“Q&amp;A Submission Close Date”)</td>
<td>08/14/2023</td>
</tr>
<tr>
<td>E&amp;I Response to RFP-related questions</td>
<td>08/15/2023</td>
</tr>
<tr>
<td>1 PM ET Deadline for Receipt of Proposals (“Close Date”)</td>
<td>08/23/2023</td>
</tr>
<tr>
<td>Evaluation and Supplier Clarifications Begin</td>
<td>08/24/2023</td>
</tr>
<tr>
<td>Negotiations Begin with Shortlisted Suppliers</td>
<td>09/26/2023</td>
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<tr>
<td>Anticipated Award(s)</td>
<td>10/18/2023</td>
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<tr>
<td>Acceptance and Execution of Agreement</td>
<td>11/01/2023</td>
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<tr>
<td>Implementation</td>
<td>11/08/2023</td>
</tr>
</tbody>
</table>

2.3 Evaluation Process and Criteria

Any contract(s) resulting from this Request for Proposal will be awarded in writing to responsive and responsible Respondents whose proposal, in the opinion of the evaluation team, offers the greatest benefit to our members when considering the total value including the quality, service levels, customer service and total cost (including any trade, prompt payment discounts, and other miscellaneous charges).

All proposals should be complete to be considered responsive. If the proposal fails to conform to the requirements of the RFP, E&I and/or the RFP evaluation team will determine whether the variance is significant enough to consider the proposal.

As part of the evaluation process, E&I may require a demonstration/presentation before the award is made and the demonstration/presentation may be considered as an additional factor in the award. In addition, E&I may decide to make site visits, as needed, during the evaluation process which shall be coordinated with the respective Respondent(s).

The RFP evaluation team will review and evaluate RFP responses according to the following weighted criteria based on a total of 100 points.
<table>
<thead>
<tr>
<th>No.</th>
<th>Criteria</th>
<th>Criteria Overview</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Contract Alignment &amp; Connection</td>
<td>• Contract connection process to Member</td>
<td>10</td>
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<tr>
<td></td>
<td></td>
<td>• Contract channeling to E&amp;I (direct, net new, etc.)</td>
<td></td>
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<tr>
<td>2</td>
<td>Supplier Diversity</td>
<td>• Certifications and Designations</td>
<td>10</td>
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<tr>
<td></td>
<td></td>
<td>• Company Program and Overall Commitment to Supplier Diversity</td>
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<tr>
<td></td>
<td></td>
<td>• Reporting, Metrics, &amp; KPI's</td>
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<tr>
<td>3</td>
<td>Supplier Capability</td>
<td>• Company Experience</td>
<td>25</td>
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<tr>
<td></td>
<td></td>
<td>• Service Capability</td>
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<td></td>
<td></td>
<td>• Performance Tracking &amp; Reporting</td>
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<td></td>
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<td>• Quality Management</td>
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<td></td>
<td></td>
<td>• Training, Support &amp; Account Management</td>
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<td></td>
<td>• Compliance</td>
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<tr>
<td>4</td>
<td>Economic Value and Financial Overview</td>
<td>• Contract Administrative and Marketing Fee (CAF)</td>
<td>15</td>
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<tr>
<td></td>
<td></td>
<td>• Financial Offer Requirements &amp; Proposal</td>
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<td></td>
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<td>• Financial Reporting Capabilities</td>
<td></td>
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<tr>
<td>5</td>
<td>RFP Exceptions</td>
<td>• Compliance with RFP specifications</td>
<td>10</td>
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<tr>
<td>6</td>
<td>E&amp;I Risk Profile</td>
<td>• RFP response quality</td>
<td>10</td>
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<tr>
<td></td>
<td></td>
<td>• Litigation</td>
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<td></td>
<td></td>
<td>• Financial Health</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• GSA, State or GPO existing contracts</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Scope Questions – Title IX Services</td>
<td>• Questions related to the scope of the RFP</td>
<td>20</td>
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</tbody>
</table>

2.4 Sole Point of Contact for the RFP

Billie Jean Posey  
Sourcing Manager  
Educational and Institutional Cooperative Services, Inc.  
2 Jericho Plaza, Suite 309  
Jericho, New York, 11753-1671

Nidhi Agarwal  
Educational and Institutional Cooperative Services, Inc.  
2 Jericho Plaza, Suite 309  
Jericho, New York, 11753-1671  
E-Mail: nagarwal@eandi.org

Respondents to this RFP or persons acting on their behalf shall not contact any E&I employee, officer, or agent; any E&I Board of Directors; or any E&I Member concerning any aspect of this RFP, except in writing to the Sole Point of Contact, from the date of release of this RFP through the official award date. Violation of this provision may be grounds for rejecting a proposal response. See Section 2.7 in the Cover Letter on how to submit questions.
3. Scope of Products and Services

E&I is seeking proposals from qualified, experienced, financially sound, and responsible Title IX service providers for the delivery of services for its K-12 and higher education members, including, but not limited to, Training Services, Case Management/Adjudication Services, and Compliance. E&I desires the broadest possible selection of services being offered over the largest possible geographic area and to the largest possible cross-section of E&I’s current and future Members. The intent of this solicitation is to provide E&I Members with a comprehensive offering of services to meet their various needs. However, the Supplier must not submit a response for services that they are not qualified or licensed to provide.

Respondents are not expected to provide responses for all scope areas outlined in this RFP. They may choose to respond to one or more of the following scope areas at their discretion:

3.1 Training Services

3.1.1 Online modules and toolkits

- Deliver interactive online modules that cover essential topics related to Title IX compliance, reporting procedures, and prevention strategies
- Deliver comprehensive self-help toolkit with access to forms, required notices and model reports; templates to use in documenting compliance with an institution’s policies and procedures

3.1.2 Workshops, seminars, or orientation programs

- Conduct workshops, seminars, or orientation programs designed to engage participants in active learning and facilitate discussions around Title IX requirements, rights, and responsibilities
- Customize the content and delivery of these sessions to meet the specific needs and demographics of the target audience (e.g., students, faculty, staff)

3.1.3 In-person or virtual training sessions

- Offer in-person training sessions at designated locations
- Provide virtual training sessions using video conferencing platforms or other suitable online tools

3.1.4 Policy review and implementation

- Offer support and guidance on Title IX regulations, compliance obligations, and policy implementation
- Assist in the development, review, and refinement of institutional policies and procedures to align with current Title IX guidelines and ensure effective implementation

3.2 Case Management/Adjudication Services

3.2.1 Investigation services

- Conduct reliable, impartial, and thorough investigations into complaints or reports of alleged Title IX violations, ensuring compliance with legal requirements and institutional/school policies
- Interview relevant parties, gather and review evidence, and document findings in a comprehensive and objective manner
- Prepare detailed investigation reports that outline the facts, information and evidence gathered, statements from parties and witnesses, and a summary of the same, pursuant to the investigative process

3.2.2 Decisionmakers & Appellate Officers

- Serve as a trained, unbiased decisionmaker/decisional official, which could include serving as a neutral chair or part of a hearing panel and facilitating a fair and equitable hearing process, or serving as a decisionmaker/decisional official in instances where there is no hearing (including if a single-investigator model is permitted pursuant to Title IX updates)
- Ensure adherence to procedural fairness and due process principles, in accordance with Title IX requirements and institutional/school policy
• Manage the scheduling and/or coordination of hearing proceedings, including the selection of panel members, if applicable
• Serve as an appellate officer and conduct a fair and full review of the decisionmaker’s determination; communicate decision in a clear and concise manner, consistent with any Title IX and institutional/school requirements

3.2.3 Title IX Coordinator
• Provide expert guidance and support to educational institutions or schools in the implementation and enforcement of Title IX policies and procedures
• Serve as a pivotal point of contact for Title IX-related matters, including receiving and processing complaints, coordinating investigations, and overseeing case management
• Collaborate with relevant stakeholders to develop and maintain a robust Title IX compliance framework

3.2.4 Title IX hearing advisors
• Review the investigation file and investigation report ahead of the hearing
• Be present during the hearing to conduct questioning of other party(ies) on behalf of the party you are advising, in addition to any other institutional or school-specific requirements

3.2.5 Outcome and decision letters
• Prepare clear and comprehensive outcome letters that articulate the findings and decisions reached during the adjudication process
• Communicate the rationale behind decisions, sanctions (if applicable), and any remedial or interim measures that may be implemented, in accordance with Title IX and institution/school policies
• Ensure timely delivery of outcome letters to all relevant parties, maintaining confidentiality and privacy as required pursuant to law and the institution/school’s policies

3.2.6 Informal or Alternative Resolution Facilitation
• Facilitate informal or alternative resolution processes for Title IX cases, consistent with Title IX and institutional/school policies. Communicate with those necessary related to the facilitation and final approval of an informal or alternative resolution, consistent with the institution/school’s policies

3.3 Compliance Audit

3.3.1 Comprehensive policy, procedure, and practice review
• Review existing Title IX policies, procedures, and practices to assess their alignment with current legal requirements and industry standards
• Analyze the clarity, effectiveness, and comprehensiveness of policies and procedures in addressing Title IX-related issues
• Evaluate the institution/school’s practices and implementation of policies to identify potential gaps, areas of risk, and/or areas for improvement

3.3.2 Compliance/audit review and feedback
• Conduct a thorough audit of Title IX compliance within the institution/school, examining key areas such as reporting mechanisms, investigations, adjudication processes, support services, and prevention initiatives
• Assess the institution/school’s compliance with Title IX regulations, including the identification of any potential non-compliance issues or areas of concern
• Provide comprehensive feedback on the institution/school’s current compliance status, highlighting strengths, weaknesses, and areas for improvement
3.3.3 Recommendations for improvement

- Deliver actionable recommendations based on the compliance audit findings, tailored to the specific needs and context of the institution/school
- Suggest enhancements to policies, procedures, and practices to ensure alignment with legal requirements and best practices in Title IX implementation
- Provide guidance on implementing recommended improvements, including strategies for training, awareness campaigns, and ongoing monitoring of compliance efforts

3.4 Title IX Athletics

3.4.1 Policy and Program Review

- Evaluate the existing athletics policies and procedures to ensure compliance with Title IX regulations and guidelines
- Assess the institution/school’s athletics programs, including the allocation of resources, scholarships, coaching staff, proportionality and opportunities for male and female athletes, and the full and effective accommodation of athletic interests
- Identify any potential areas of non-compliance and make recommendations for improvement

3.4.2 Gender Equity Analysis

- Conduct a gender equity analysis of the athletics program to assess the institution/school’s commitment to providing equal opportunities for male and female athletes
- Review participation rates, athletic scholarships, access to facilities and resources, and coaching support for male and female athletes
- Identify disparities or imbalances and provide recommendations for achieving gender equity within the athletics program

3.4.3 Title IX Compliance Training

- Develop and deliver targeted training programs for athletics administrators, coaches, and staff members to enhance their understanding of Title IX regulations and compliance requirements
- Provide training on gender equity, prevention of sexual harassment and discrimination, reporting procedures, and promoting a respectful and inclusive athletics environment

3.4.4 Compliance Monitoring and Reporting

- Establish a system for ongoing monitoring and assessment of athletics compliance with Title IX requirements
- Regularly review participation data, funding allocations, and program evaluations to ensure ongoing compliance
- Prepare comprehensive compliance reports that highlight achievements, areas of improvement, and recommendations for sustained compliance

3.4.5 Remediation and Support

- Offer guidance and support to institutions/schools in addressing any identified areas of non-compliance
- Assist in developing corrective action plans to rectify issues and ensure long-term compliance with Title IX regulations
- Provide ongoing support and consultation to help institutions implement recommended changes effectively

3.5 Value Added Services

We welcome any additional value-added services you may provide, including but not limited to: Clery Act compliance or trainings, behavioral intervention and threat assessment models or tools, collegiate athletics NCAA compliance, etc.
4. Pricing

Supplier must complete the ‘Pricing Sheet’ and upload it on the Jaggaer tool. The first tab ‘Instructions’ in the ‘Pricing Sheet’ lists out the different sections and pricing requested by E&I. Please review the ‘Instructions’ tab before you start filling in the pricing.

5. Appendix

5.1 Definitions

The following are the definitions of general terms used in this RFP.

**DAYS:** All days specified are based on calendar days unless otherwise noted.

**EDUCATION:** The combination of Higher Education and K-12.

**GO TO MARKET:** Strategy or action plan specifying how the Respondent will utilize its inside and outside resources (e.g. sales force and distributors, marketing initiatives, etc.) to deliver its products and/or services to the Education market through an E&I contract.

<table>
<thead>
<tr>
<th>Contract Region Key</th>
<th>States</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northeast</td>
<td>CT, MA, ME, NH, NY, RI, VT</td>
</tr>
<tr>
<td>Mid-Atlantic</td>
<td>DC, DE, MD, NJ, PA, VA, WV</td>
</tr>
<tr>
<td>Southeast</td>
<td>AL, FL, GA, KY, MS, NC, SC, TN</td>
</tr>
<tr>
<td>Central</td>
<td>AR, IA, KS, LA, MN, MO, ND, NE, OK, SD, TX</td>
</tr>
<tr>
<td>Great Lakes</td>
<td>IL, IN, MI, OH, WI</td>
</tr>
<tr>
<td>Western</td>
<td>AK, AZ, CA, CO, HI, ID, MT, NM, NV, OR, UT, WA, WY</td>
</tr>
</tbody>
</table>

**GREATEST BENEFIT:** The decision for award will be based on an overall combination of variables such as quality, price and various elements of required service that in total are optimal relative to the needs of the E&I Membership.

**HIGHER EDUCATION:** All Universities, Colleges, Healthcare Facilities (private and public), i.e., Associate, Bachelor, Master, and/or PhD in the United States, that provide for advanced learning and/or grant degrees. These Universities, Colleges and Healthcare Facilities may or may not be members of E&I.

**HUBS:** Historically Underutilized Businesses e.g., minority, women-owned businesses (for the State of Texas, Certified HUBS within the State of Texas).

**K-12:** All School Systems and Districts (private and public) in the United States that provide education for students in Kindergarten through 12th Grade. These School Systems and Districts may or may not be members of E&I.

**MANUFACTURER:** Indicates an entity that makes the products from raw materials outlined in this RFP, all of its agents, and employees.

**MAY:** Indicates something that is not mandatory but permissible/desirable.

**MEMBERS:** Includes Institutions, Universities, Colleges (private and public) and K-12 schools that are listed in the E&I record.

**MONTH END:** Shall mean the last calendar day of each month.

**MOST RESPONSIBLE:** A Respondent whose reputation, past performance, and business and financial capabilities are such that the Respondent would be deemed most capable of satisfying Member needs for a specific contract.

**MUST, SHALL, WILL:** The words “shall,” “must,” or “will” are equivalent and indicate mandatory requirements or conditions. E&I will not waive Responder’s material deviation from any of the mandatory requirements.

**MWBE:** Minority, Woman-owned Business Enterprises.

**NATIONAL AGREEMENT:** E&I awards an Agreement which is available throughout the United States (including Alaska and Hawaii).

**REGIONAL AGREEMENT:** E&I may elect to award an Agreement by Geographical Areas of the United States. See table below for geographic breakdown:

**RESPONDENT:** Entity who submits a proposal to an RFP.

**RESPONSIBLE:** A Respondent is responsible if they are capable or qualified to perform the work.

**RESPONSIVE:** A proposal is responsive if it meets all of the requirements of the RFP.
**SHALL, MUST, WILL:** Indicates a mandatory requirement(s) that must be addressed. Failure to address these mandatory requirements will result in rejection of your proposal as non-responsive. E&I reserves the right to request additional information, though it is not required to do so.

**SHOULD:** Indicates something that is recommended but not mandatory. If the Respondent fails to provide recommended information, E&I may, at its sole option, ask the Respondent to provide the information or evaluate the proposal without the information.

**SOLE POINT OF CONTACT:** The Sourcing Manager or designee to whom Respondents shall address any questions regarding the solicitation or award process.

**SUCCESSFUL RESPONDENT:** The Respondent(s) or individual(s) who are the recommended recipient(s) of the award of a contract under this RFP (also synonymous with “Payee,” “Offeror,” “Contractor,” “Vendor,” and “Supplier”). If a Respondent is a manufacturer, its certified dealers and resellers may also furnish products under the Contract; in choosing to do so, the dealers and resellers agree to honor the Contract and the term “contractor” shall be deemed to refer to them. Unless awarded the Contract as a direct Respondent, however, dealers and resellers are not parties to the Contract, and the Respondent that certifies them shall be responsible for their actions and omissions.

**SUPPLIER:** Indicates an entity that distributes/furnishes the products and or services of a company, all of its agents, and employees. For the purposes of this RFP, the terms Supplier and Respondent may be used interchangeably.