



**SOFTWARE & INFORMATION  
INDUSTRY ASSOCIATION**

***Guidelines for Improving the Request for Proposal (RFP)  
and Competitive Bidding Process  
for Educational Technology Products and Services***

**A Guide for Educational Agencies and Educational Technology Vendors**

**Published  
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## **About SIIA**

The Software & Information Industry Association is the principal trade association for the software and digital content industry. SIIA provides global services in government relations, business development, corporate education and intellectual property protection to the leading companies that are setting the pace for the digital age.

### **PRINCIPAL MISSION:**

- **Promote the Industry:** SIIA promotes the common interests of the software and digital content industry as a whole, as well as its component parts.
- **Protect the Industry:** SIIA protects the intellectual property of member companies, and advocates a legal and regulatory environment that benefits the entire industry.
- **Inform the Industry:** SIIA informs the industry and the broader public by serving as a resource on trends, technologies, policies and related issues that affect member firms and demonstrate the contribution of the industry to the broader economy.

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## **About SIIA's Education Division**

SIIA's Education Division represents more than 180 companies that provide education software, digital curriculum, online learning, computer-based assessments and other technology tools to the nation's educational agencies and institutions.

Our companies include market leaders as well as small and medium-sized companies that are driving innovation in this competitive environment. With the leadership of the Education Division Board, this division considers issues and projects that are of special interest to members in the education technology market.

The SIIA Education Division Board highlighted the Request for Proposal (RFP) process as a high priority issue to address in 2004-2005. An SIIA working group was established to help put together guidelines to address this issue. In addition to bringing together private sector industry representatives, this SIIA initiative also included representatives from education districts, service agencies, and professional organizations.

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SIIA acknowledges the contributions of the SIIA member authors, SIIA member reviewers, contributing agencies and educators in the development of this document.

SIIA is publishing this document in cooperation with education agencies and professional associations.

To obtain additional copies of this document, go to: <http://www.sii.net/education/>

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### Introduction

Educational agencies use the competitive bidding process to purchase goods and services for schools: textbooks, desks, lunch program supplies, school buses, bleachers, and even the design of school buildings.

For the past twenty-five years this list has come to include computers and other digital technologies. These products have added new complications to the bidding process for the following reasons:

- *Technology changes at such a rapid pace;*
- *Technology's complexity demands extensive implementation planning often calling for the integration of multiple systems;*
- *Technology requires expertise that is often in short supply in educational agencies;*
- *Because of technology's infinite flexibility agencies often demand solutions customized to their specific needs.*

As a result, traditional bidding processes using Requests for Proposal (RFP) and like mechanisms are not always a comfortable fit for the procurement of technology products and services. As this market has become more competitive, technology providers have expressed a growing concern that the process has become unwieldy and inhibits them from offering their best solutions to agencies. This ultimately drives up costs and therefore prices.

SIIA is an industry organization supporting the efforts of its member companies, many of whom market technology products and services to education. The Education Division of SIIA believes that by communicating concerns about the bidding process from both the vendor and education agency point of view, the process can be improved to the benefit of all parties. Addressing the issues raised in this publication should help companies respond to RFPs more efficiently and agencies increase the probability that they will obtain the solutions they need at competitive prices.

The goal of this project is to identify the "best" elements of RFP's and, hopefully, help both the districts that design them and the vendors who attempt to respond, have a better experience!

## **1. What's the Problem from the Vendor's Point of View?**

Imagine: You are a general homebuilding contractor invited to bid on building a house for an important potential client. Getting the job would really help your business this year.

Here are the specifications as provided in the Request for Proposals mailed to you:

1. must be big enough for the client's family
2. should feel comfortable to live in
3. should have nice views
4. must have enough closet space
5. must include a garage with enough space for the vehicles the client might purchase some day
6. should allow the client to control the appliances in the house with her thought waves

To bid on the job you must submit full detailed blueprints for the house, including the parts to be done by sub-contractors for electrical, plumbing, AC/heating, and landscaping.

You must bid a best and final fixed price.

Your bid is due in five weeks.

The client will answer any questions you may have at only one special meeting, on a Wednesday three weeks from now.

Feeling a little uncomfortable? Why? You might be thinking about the following:

- the specifications list was a little short and doesn't give you much to go on
- the specifications aren't very "specific": how big is "big"; what defines "comfortable"; just how many vehicles will the client eventually purchase?
- the client wants something (mental control of appliances) that hasn't been invented yet
- you are going to need to strike deals with a number of sub-contractors in a very short time
- without much specificity to go on, you must determine your bid with no chance to negotiate
- you have a long list of questions but the only chance to get answers leaves you with a mere two weeks to complete your bid before the deadline.

You know that you could go to all the effort to produce a comprehensive bid response that meets the deadline, only to find that the client has decided to delay the job until later.

And by the way, you have the nagging feeling that the client may have already settled on a contractor for the job, but is running a competitive process to promote his or her image as a fair person.

This is the dilemma that educational technology companies (vendors) large and small continually sometimes find themselves in when receiving some Requests for Proposals (RFPs) from school district and state clients (agencies). The good news: everybody wants the business. The bad news: the process is frustrating and costly, and the competing company often feels that it could have given the client a much better solution to its needs if only provided more information and more time.

*Please note that this example is an exaggeration to open the discussion. SIIA members believe that most school districts and education agencies produce excellent RFP's and greatly appreciate the well-written RFP. It is the hope of the authors of this document that, by following these guidelines, the number of excellent RFP's will be increased.*

## **2. How Does a High Quality RFP Document Raise the Quality of Vendor Proposals?**

Agencies issuing RFPs for technology-based products and services want to improve student performance and school productivity while getting the most for their money. The issuing agencies are faced with tough decisions about which product features they require and finding the funding to pay for the project. There is confusion in the marketplace over which technology solutions will best meet agency goals, especially that of improved student performance.

Good planning and research into technology solutions can enhance critical communication and understanding of what to present in the RFP.

- Schools need to gather as much information possible about vendor(s) solutions prior to starting the RFP process.
- Issuing agencies need to involve assessment, curriculum, finance, legal and technology personnel in the planning and evaluation of the RFP. This cross-divisional approach will ensure that all critical elements are addressed within the RFP.
- Planning and timing is critical for creating a quality RFP process. Too often compressed deadlines create unnecessary havoc with the vendors. Well thought out time lines allow for vendors to put adequate planning and analysis into their proposal.
- In most circumstances the vendor is responding with an off-the-shelf application. Customization of solutions is an expensive process that most vendors will not commit to undertaking without a solid return on investment of development resources.

A high-quality RFP raises the probability that a vendor can meet the objectives of the RFP for the following reasons:

- If the requirements are fully understood, the proposed solutions will be on target and give the customer agency what it wants.
- If the requirements are fully understood, the vendor will not waste time in preparing a response trying to get clarification of what the agency wants to accomplish.
- Time wasted in preparing responses increases the costs of that activity, which the vendor will pass on to the agency.
- If adequate time is given for preparing vendor responses, the proposed solutions will be thought out and well presented. Adequate due diligence can be given to forming the partnerships needed to provide a complete solution, building stronger relationships between implementing vendors.
- Clear requirements will decrease the effort needed after the bid award for the winning vendor to plan the development and/or implementation. This can decrease costs and shorten the project schedule.

### **3. What Are the Characteristics of a High Quality RFP Document and Process?**

#### *From the Vendor's Point of View*

High quality Requests for Proposals are written to clearly explain the potential complexities of the problems the issuing agency is attempting to solve, the solution attributes valued by the agency, and the process by which vendor proposals will be evaluated. Following are characteristics that distinguish high quality RFP documents and processes.

The education technology vendor community has considerable experience in responding to RFP's and has gained practical knowledge of what is successful. We are sharing some of the quality elements that have been acknowledged by vendors.

1. A set of required and/or desired attributes to be provided by the vendor that are specifically described.
2. Specifications that are not ambiguous or conflicting, and that ask for products and services that can reasonably be provided within the project's timeline and cost constraints.
3. Clear priorities for the specifications, including which ones are mandatory, desirable and/or optional.
4. A proposal evaluation method that is clear and fair, including a method for valuing the specifications for reaching a bid award decision, and an indication of who will be involved in making that judgment.
5. A clear indication of the items that must be covered by the vendor's bid price.
6. A clear indication of how a final price for the selected solution will be determined.
7. A clear description of the format in which proposals must be submitted.
8. A clear timeline covering all aspects of the RFP process.
9. Adequate time for vendors to prepare responses, taking into account the size of the project, the number of specifications to be responded to, the likelihood of desired solutions requiring products and services not commonly offered in the market, and the likelihood that vendors will have to partner to provide complete solutions.
10. Adequate opportunities for vendors to seek clarifications regarding the specifications and the process, and a fair method of informing all bidders of the agency's responses to any individual bidder.
11. A method of allowing vendors to take exception to certain requirements, or suggest alternative solutions to solving the agency's problem, as a way of raising issues without jeopardizing a vendor's opportunity to bid.
12. Adequate and equal opportunity for the vendors submitting the highest evaluated proposals to make in-person presentations to the evaluators before the final award is made.
13. A provision that allows the vendor to change a staff assignment to the program to accommodate reasonable turnover in the vendor's company.
14. A stated commitment from the agency as to how it will meet certain responsibilities to help insure the successful implementation of the solution. The finest products and services can still fail if the agency does not commit its cooperation and resources to a proper implementation.

#### **4. How Are Quality RFPs and Competitive Bids Developed by Education Agencies?**

Generally, the following individuals of a large education agency are involved in the process of developing a bid/RFP. In smaller districts, fewer people are involved.

- Chief Information Officer (Executive Director of Technology)
  - CIO's main responsibility is to develop the bid/RFP requirements and to work with district or agency level purchasing to create the final proposal documents, to advertise the final proposal and is involved in approving the final contract.
- Chief Financial Officer (Director of Business)
  - The CFO is involved to ensure that state laws, pertaining to business, are followed.
- Curriculum & Instruction Director (if the bid involves specific curriculum specifications)
  - The curriculum/instructional director is involved in determining curriculum/instructional specifications to be included in the product/services requirements
- Department Director specific to the RFP
  - If the RFP/bid has to do with networking, Student Information Systems or special education, etc., then the director of that department would be involved in writing/reviewing the specifications needed.
- Director of Purchasing/Procurement
  - The Director of Purchasing/Procurement will work with technology department and to ensure that the RFP/bid has the necessary contractual terms wrapped around the specifications and that advertisement and vendor notification procedures are followed.
- External Consultant
  - If RFP is particularly large, complex or unique, an external consultant may be hired to help draft the vendor qualifications and requirements to ensure that the RFP is reasonable in its request for specific products or services.
- Vendors
  - At times, vendors are informally contacted to discuss reasonable specifications for the RFP.

#### **Process**

In most school districts and large education agencies, the overall process to determine the product-related requirements and specifications for RFP's is coordinated by the purchasing/procurement division or the division's designee. However, the need for the product or service is usually recommended by the education technology division to the Superintendent's office, which gives approval for the RFP and the necessary funding to move the process forward.

Once approval is given, the following steps take place:

1. The procurement designee meets with the end users, which may include agency administrators, technologist/network administrators, instructional staff and other users of the final delivered products and services. The purpose of the meeting is to determine needs, expectations and overall goals to be met by the procurement. In addition, the meeting should also address the duration of time the procurement is expected to last – 2 years, 5 years, etc.
2. Many times agencies/districts will meet informally with various vendors to discuss the product/services, conditions and operational environment necessary to move the RFP forward. The purpose of meeting with vendors is two-fold: (1) To ask and receive feedback on the proposal as it relates to scope and feasibility of the project and (2) To determine that requirements are reasonable and that vendors do have the capability of meeting the expectations set forth in the RFP.
3. The technology division, in conjunction with procurement and other end users, prepares the solicitation document after proper feedback performed in steps one and two.



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4. The solicitation is published via several mechanisms – press release, advertisement, email to approved vendor lists and posting on the district/agency web site. Generally, if the RFP is complex or large in scope, the district/agency will announce at the time of posting a pre-bid conference to allow potential bidders to meet with the agency to ascertain the nature of the work, condition and environment as well as ask for clarification in any areas that may be confusing or deemed problematic by the vendor.
  - If a conference is not held, questions may arise during the bidding period and it is important that these be directed to a central point of contact for the RFP.
5. Bid/proposal Opening and Evaluation –
  - If the proposal is a bid, then key staff members as determined by the district/agency, will be present to assist in determining the respondent who meets the requirements of the bid and is the lowest bidder.
  - If the proposal is an RFP, then responders to the RFP are publicly announced. An evaluation committee is brought together, made up of staff members from steps one and two, and sometimes independent consultants with knowledge of the RFP and desired product/service. The evaluation committee follows an established evaluation timeline (made public). Sometimes, vendors are narrowed down and then asked to make a presentation regarding their product/service proposal. After the evaluation process is fully complete, the RFP is awarded.
6. Negotiation and award of a contract involves the procurement officer and, depending on the required negotiations, other key staff members. The objective is to award the contract to the vendor with the highest rated proposal.

To keep current on technology capabilities and offerings in the market, district/agency personnel in education agencies generally:

- Attend conferences such as NSBA T+L, FETC, NECC, CoSN, etc.
- Subscribe to and read trade journals
- Attend professional development/continuing education classes
- Join and attend professional organization meetings, such as CoSN, ISTE, CGCS, etc.
- Meet with and establish relationship with education technology/technology vendors
- Participate in workshops and seminars at the local, state and national level when vendor demonstrations are given.

### **Successful technology procurement through the RFP process**

Estimating the range for person hours needed to implement the entire RFP process from start to finish and a resulting range for the cost is not easy.

Depending on the scope of the bid/RFP, it can range from a few days to 6 months. Depending on the scope of the project, the number of agency sites involved and the number of meetings required, bids/RFPs can range from 20 to 80 hours, just in procurement and 20 to 60 hours of clerical time. Obviously, if it is a large RFP and unique, it can take even longer.

There are many responsibilities of the educational agency in producing a successful RFP:

1. Find a consensus within the district/agency about the need for the procurement, especially as it relates to student achievement and the learning process, the goals and objectives for the procurement and the amount of funding necessary to implement the procurement.
2. Carefully plan the process, with specific details, deadlines, etc.
3. Be as specific as possible in the RFP as to the purpose of the RFP, again, especially as it relates to student achievement and the learning process. Specificity as it relates to requirements for the product/service, vendor timelines, vendor staff required, implementation expectations, etc.
4. Periodically, brief all stakeholders on the progress of the RFP and respond to any questions that arise about the process itself or about requirements in the RFP.
5. Clearly explain the evaluation process and scoring metrics for vendor proposals.
6. Establish RFP due dates which give vendors enough time to produce a high quality response.
7. Negotiate the final contract with a vendor who clearly understands the agency's expectation and who has been forthright in explaining their ability to implement the work described in the RFP.

A successful RFP should result in a mutually agreed to partnership.

There are also key responsibilities of educational vendors in insuring a successful RFP process:

1. If consulted during or before the writing of the RFP, vendors need to assist agencies/districts in making reasonable requirements in the RFP.
2. If a pre-RFP/bid conference is scheduled, vendors need to make sure they have a representative there to ask any questions about the proposal.
  - o If there is not a conference, vendors need to ask questions of the district/agency in a timely manner.
3. Follow the RFP/bid format, as established by the district agency. In addition, respond to all the requirements; do not expect exemptions based on the size of the company.
4. In responding, remember that vendor responses will be reviewed by a variety of individuals, educators, school board members, tech directors, etc. Therefore, write the RFP in a way that will be understandable to a general audience, not just technical experts.
5. Submit vendor proposals on time. Try to turn in the RFP a day or two ahead of time. Do not rely on overnight delivery companies or private planes to get your RFP to the district/agency.
6. Take losses graciously. Vendors need to understand that while they may not have had the best proposal this time around, open doors are welcome and agencies/districts are much more likely to do business with them again in the future if they keep an open line of communication.
7. Building relationships within a district or agency is extremely important. Agencies/districts want to know they have a vendor that is interested in partnership, not just a one-time contract. While all districts/agencies practice fair bidding practices, they do find ways to work with those vendors who take time to understand their needs, constraints and processes.

### Lessons learned

The key factors that have contributed to lack of success in a technology RFP include:

1. **Lack of due diligence.** Include in the proposal a requirement for their financial statements. Understanding a company's financial ability is important as they need to be able to have the working capital to complete a project. (Companies that go bankrupt do not make long-term partners) Also, research companies to make sure that what they are saying they do, they actually do and are not outsourcing to some third-party vendor, who has no contractual obligation to the district or agency.
2. **Unrealistic specifications.** When specifications are too restrictive, there will be no respondents.
3. **Lack of clear Vendor qualifications.** If vendor qualifications are not clearly stated, vendors will respond who can't provide the level of service necessary in a large project. When expectations for vendors are not clearly defined, it can result in a deterioration of the relationship when the vendor cannot produce what the district had envisioned.
4. **Unclear timelines and scope of work.** Projects can fail when timelines and scope of work have not been clearly defined.

## **5. What Effort is Required by Ed Tech Vendors to Respond to RFPs?**

The ideal situation for an ed tech vendor responding to a RFP is for the vendor to have worked with the school, district, and/or state over time and provided input on the bid specifications. Developing a bid proposal, especially in response to a multi-million dollar RFP, requires major work by a vendor.

The entire process, especially for a proposal in the \$5 million range or above, could require 1-2 months of work by 10-20 people, at a cost to the vendor of \$50-100,000. For this reason no company wants to expend the time and money on a proposal unless an excellent one can be produced that has a reasonable chance of receiving the award.

Schools, districts, and states issue RFPs for a variety of reasons including:

- Required by law in order to purchase; may have a specific product in mind
- Identify what is available; more of an exploration
- Compilation of multiple requirements; recognizing that no one company can meet them all

Vendors, while ideally wanting to only respond to RFPs that they have a reasonable chance of winning, recognize that other factors may influence the decision, including:

- Perceived to be THE opportunity to detail vendor's products and services
- Vendor wants to be considered for future RFPs in school, district, state
- Vendor wants to establish themselves as a provider of desired products and services

The effort that is required of vendors to respond to a RFP is described in 3 phases:

- Pre-work
- Decision and response
- Follow-up

Generally most of the attention and work is spent on the response itself but without paying significant if not equal time to the other phases, the RFP response can be a waste of time potentially resulting in a loss of award and nothing learned in the process.

### **Pre-work**

Since responding to a RFP is a major effort for a vendor, it is imperative that as much information as possible is known about the school, district, and state. This is the responsibility of the field personnel, typically the sales representative. A vendor greatly enhances the quality of their response and a chance of securing the award, where:

- There is an existing relationship with the account;
- There is a solid understanding of the customer needs
- The development of the RFP included the vendor;
- And all stakeholders were supportive of the vendor.

When a vendor can respond to an RFP they have not been involved in developing, the more knowledgeable the vendor is the more targeted the response will be in addressing the specific needs of the school, district, and/or state. Throughout the RFP process there is opportunity to attend a pre-bid meeting, ask questions, and monitor the web site for addendums and changes-which can be significant. The field sales representative is the appropriate person to handle these communications and report to the response team.

### **Decision and response**

Vendors, regardless of their size, need to establish a process for deciding to submit a RFP or no-bid the RFP. The decision should be made by a team made up of field and corporate representatives potentially including sales, product marketing, finance, and development. Sometimes the decision to no-bid is the most appropriate

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response and vendors can use that opportunity to highlight their company's products and services in a well crafted letter. If a decision is made to respond to the RFP the following process is implemented:

- A proposal team, led by a Proposal Manager, is formed with representation from the various departments that must contribute their expertise: curriculum, graphic arts, research, assessment, technology development, quality assurance, professional development, customer service, finance, and sales. Except for the Manager, these team members generally participate on top of their regular duties.
- A thorough examination of the RFP is conducted, isolating all the specifications requiring a response. In addition, all requirements for the proposal process, such as including company information, staff resumes, bid bonds, verification of company business health, and compliance with state and federal regulations, must be assigned to staff.
- An overall solution for the agency must be designed that integrates all the products and services to be proposed.
- Any new work that will cost the vendor money must be specified in detail so that accurate cost estimates can be made that will determine the proposal bid price. This requires that the departmental team members determine exactly what must be developed, using what process, for how long a time, requiring which staff resources.
- If the vendor cannot provide all the required products and services alone, partnerships with other companies may be required. This entails a business contract being negotiated between the two (or more) parties, which usually takes time.
- When the initial version of the proposal has been completed, it must be reviewed in meticulous detail to ensure that a) it will prove attractive to the agency, b) it meets all RFP requirements, and c) the vendor can actually provide everything bid within the specified timeline. It is recommended that one person, perhaps the Proposal Manager, review the entire document to ensure that it flows and that all the requirements of the RFP have been addressed.
- A pricing evaluation group will then meet to confirm that the cost estimates to provide the products and services are accurate, and to determine the price to be bid such that the vendor can realize a reasonable profit.
- The final step is to produce the required materials for the proposal, which might entail publishing 20-40 copies of a 100-page document, packaged with various company publications. These materials must then be shipped to the designated agency address, where a member of the vendor staff will ensure that they are officially received and registered prior to the proposal submission deadline.

Often a response is needed to be made in a shorter period of time than desired or considered to be optimal. Sometimes a short timeframe can also be indicative of a RFP where the vendor of choice has been identified and should be considered in the decision to respond or no-bid. And how a vendor structures the response team is varied; usually depending on the size of the company and the volume of RFPs to which they respond. The typical structures include:

- Creating the team to respond to a specific RFP; this is usually on top of what these people are already doing and they can concentrate for a set period of time on the completion of the RFP
- Creating a function either centralized or decentralized to focus on RFP response; this usually means there is the capacity to collect, refine answers, share information either in a vendor created database system or a commercial program.

The advantages of creating the function over creating a one-time team includes consistency, quality, and efficiency in completing a RFP response.

### **Follow up**

The typical process that is followed by vendors is to focus on the response and await the award decision. Often the award decision includes presentations, additional questions that should all be handled with the same diligence of the original submittal. Sometimes RFPs are cancelled, postponed, or just nothing happens which can be frustrating to the vendor, in addition to hearing that someone else received the award.

But all of these scenarios are opportunities for the vendor to continue to work with the account and learn more about the customer needs, the decision making process, and build on the relationship. And while losing a RFP is not the desired outcome, there is a valuable learning experience in following up afterwards. Most schools, districts, and/or states will provide vendors with feedback including evaluation documents and a copy of the winning proposal, which can be extremely beneficial to future response submissions as well as company direction.

## **6. What Vendor Practices Could Improve the RFP Process ?**

Education agencies list the following attributes that make vendors difficult or easy to work:

It is difficult to work with vendors who

- Develop RFP's that are designed to "make a sale" regardless of the requirements in the RFP. It is a waste of time to review those RFPs and demonstrates a lack of understanding about the needs of the district/agency.
- Do not understand state or district purchasing laws (therefore, the constraints under which the district/agency are held to account.)
- Do not meet timelines and make the process much more cumbersome.
- Send in disjointed submissions: Many times RFPs submissions are disjointed – either they were written by several different people in the company, none of whom read the entire RFP or they were done by several different vendors. Regardless, many times they become disjointed and don't make sense.

*Advice to vendors:*

- *It would help greatly if one person were assigned to go back and read through the entire response and tweak it to make it flow better, to make sure there are no redundancies and to ensure that all the specifications in the RFP were addressed.*

It is easy to work with vendors who

- Understand the K-12 market.
- Are willing to meet with district staff to understand the RFP process and requirements ultimately make the entire process easier.
- Ask good questions – they want to know where the district/agency is growing. What are the next steps? Are they (the vendor) addressing all of your needs? Asking these questions sometimes helps direct the district staff to areas they may not have thought about when they started the RFP process.

*Advice to vendors:*

- *Review the RFP's prior to submission to ensure that all items requested in the RFP are addressed.*
- *Follow instructions: Small, but important steps, like following the format required in the RFP, including detailed staff resumes, etc.*
- *Communicate that you understand the needs addressed in the RFP. You must be able to demonstrate, in writing, that you understand the district's needs. You don't have to have the lowest price, but rather, you need to understand the district's business and have a technical solution that addresses those needs. Many times, this requires you to have visited the district several times so that you have an informed understanding of the district's position and how this new system will integrate with other systems already in place.*

Sometimes there are real constraints, but most of the time it seems to be about attitude of the vendor representatives. When it is about attitude, the assumption is that the vendor or vendor representative does not understand the governmental RFP process. Often, the vendors feel that they can present their information in a better way and circumvent the process. Unfortunately, the process just doesn't work that way.

*Advice to vendors*

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- *Don't forget the customer is the one paying the bills.*
- *Some Technology Directors do not have time to build personal relationships with vendors. However, once a bid is awarded, meaningful business relationships have developed as a result and proved themselves to be beneficial on future projects.*
- *The way you comply with RFP requirements is important. You need to make sure all aspects are covered and you need to remember that you must live by the specifications as defined in the RFP. Occasionally, good products/services are not selected due to non-compliance issues.*
- *The format and clarity of your responses to RFPs: Even though the RFP specifically gives you a format to follow, many vendors will provide us an RFP in the company standard format.*
- *Take into account that in most cases the RFPs are being read by former teachers, who are now administrators. Although the format and clarity should not be the determining factor, it does play a role in the selection process.*

Here are some things that vendors could do to improve their relationship with the education agencies during those periods between RFPs:

- When a vendor loses out on an RFP, take the response or reasons why and not insist on a face to face with the agency for more detailed reasons. Vendors who insist on a face to face meeting often come across as pushy and turn off a district/agency.
- Become partners in education and recognized as an organization that supports public education.
- Take time to get to know the district and understand both the district's need and the constraints placed on it by school boards or local laws. This will enable them to better serve the district and find products or services that integrate with the projects the district/agency already has in place.



## **7. What Agency Practices Could Improve the RFP Process?**

Vendors want new business and are prepared to make a significant effort to obtain that business. But there are certain agency practices not uncommon to the RFP process that cause vendors to question their commitment, as described below.

- Soliciting proposals for a major program and then only funding a pilot.
- Soliciting proposals for a major program and then making no award. It is reasonable that there are times when an agency wants to find out what the market has to offer before actually initiating a bidding process. However, issuing a “false” RFP is not the way to collect that information. Vendors are willing to respond to a Request For Information (RFI) in which they describe their products without revealing their pricing. With this process, vendors do not waste time unnecessarily figuring a financial case for a bid that will not be evaluated.
- Soliciting proposals for a major program as if it were competitive, when one vendor is actually favored.
- Stating in the RFP how the vendor’s final bid amount should be stated, and then moving the apparent winner into a negotiation process. The RFP should make clear how the final contract amount will be established. Should the bid amount be “best and final” and non-negotiable, or will a negotiation follow the initial award during which the contract amount will be settled?
- Allowing inadequate time for vendor responses. When an award will exceed \$100,000, a response period of four or more weeks should be allowed. At over \$1,000,000 six or more weeks should be allowed.
- Handling the bidder’s conference in a rushed or undocumented manner. This is an important event in the RFP process. Following are some suggested practices:
  - As it is important to share answers given to bidder’s questions in a fair manner to all bidders, it might be necessary to establish the communications roster in advance. The RFP could require that a documented “intent to bid” be submitted by a deadline that then forms the official communications roster. (Vendors missing the deadline could still bid but would not be included in Question & Answer communications.)
  - Invite vendors to submit written questions in advance of the bidder’s conference, as well as verbally at the conference itself. Respond to all questions at the conference, and then publish a written record of all questions and answers. At least two weeks following the publication of the proceedings of the conference should be allowed to give vendors time to modify their proposals in light of the new information disclosed.
  - Ensure, that at the conference, all participating vendors identify themselves at the start (name and company), and again as they ask verbal questions. Questions should only be accepted from those companies submitting an intent to bid as described above.
- Inadequately describing the bid evaluation process. The process, the manner in which responses will be weighted and scored, and the types of people who will participate in the evaluation should be included in the RFP.
- Not giving innovative bidders the latitude to suggest new solutions. Sometimes an agency will include RFP requirements that do not anticipate new technologies that might be available from a bidder. The bidder could meet the requirements to the letter by proposing a solution that is less than optimal, but would prefer to bid a more elegant solution that obsoletes some of the RFP requirements. A mechanism should be included in the RFP that allows the bidder to propose such a solution without being penalized.

## **Guidelines for Improving the Request for Proposal (RFP) and Competitive Bidding Process**

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For example, the RFP could invite bidders to include alternative solutions that meet the customer's intent even as they alter the requirements.

- Using low price as the sole criterion for awarding the contract. A response to is intended to provide the best overall solution to issues raised, and a heavy reliance upon cost as an evaluation factor could prevent the agency from obtaining the best solution. When cost must be the major factor, the agency should issue a Request for Quotations (RFQ) rather than a Request for Proposals.
- Not requiring bidders to bid a reasonable amount, at least enough to cover their costs even if they are willing to forego profit. Beware of the following:
  - A bid clearly below cost indicates that the bidder is trying to “buy the business” and is likely to provide bare minimum service levels to reduce losses if awarded the contract.
  - A bid of “zero” might seem like a magnanimous gesture, a contribution to the school system, but it means that the bidder is putting no “skin in the game.” If the product does not meet the buyer's needs nothing is lost for the vendor who expected no revenue anyway.
- Requiring that Minority Business Enterprises (MBE) be used as sub-contractors without providing a list of eligible MBEs in the agency's vicinity. Adequate time should be allowed in the RFP process for a vendor to establish a sub-contractor relationship with a company with whom it has never before partnered.
- Filling the RFP with requirements for the bidder without establishing the agency's commitment to making the implementation of the product(s) a success. The agency cannot expect effective results from a product that affects student learning if it is not willing to make a commitment to the following:
  - Adequate staff time reserved for planning;
  - Adequate staff time reserved for training and follow-up adjustments;
  - Adequate use of time by students of the product/service's bid;
  - Adequate teacher efforts to integrate the use of the new products with existing classroom activities;
  - Adequate staff efforts to use information produced by the new products to effect improvement in student learning and/or the school program.
- Failing to get a “technology reality check” on the RFP requirements. RFPs often ask for too much too soon. Agencies or districts should consider hiring a consultant to advise on the RFP. Spending \$3,000 in fees to protect the integrity of a \$500,000 procurement is a wise investment. (Also, agencies may want to consider using technology industry talent from the local community to review the RFP, which can perhaps be done in a volunteer fashion.) An unrealistic RFP will cause good companies to pass on bidding and an unreliable company to potentially win a contract on which it cannot deliver.

## **8. Suggested Format and Contents of a High Quality Request for Proposals**

The following sample RFP Table of Contents is meant to suggest how the important points in the preceding sections could be ordered in a document.

### **SECTION 1 - REQUEST FOR PROPOSAL OVERVIEW**

This section clearly states the purpose of the RFP, the objective sought by the Agency and the measurement instrument(s) against which performance objective(s) will be measured.

- 1.1 Definitions - ensures common understanding of both vendor and customer
- 1.2 Project Description/Background
- 1.3 Project Scope - one year, multi-year, all schools, etc.
- 1.4 Reports Required - explain the manner in which vendors are expected to demonstrate performance against contract/project milestones
- 1.5 Qualifications - how/why are vendors qualified to do business with the Agency. What are the requirements for the vendor (e.g., years in business, solid financial performance, etc)?
- 1.6 Historically Underutilized Business (HUB) Requirements - this requirement will vary from State to State, District to District
- 1.7 About the Agency - a narrative describing the size, demographic makeup, financial condition of the Agency and other details which help vendors assimilate the customer requirements and prepare appropriate responses
- 1.8 Funds Allocated to the Project - this section describes the amount of funding (or fiscal constraints) allocated for the Project and provides assurance to vendors who participate in the bidding process that the Agency has serious intent to award a contract to the vendor that most nearly meets, or exceeds, the requirements delineated in Section II of the proposal

### **SECTION 2 - REQUIREMENTS**

Based on the Agency conducting a thorough needs analysis, specifications (or requirements) have been developed and are now incorporated in this section of proposal. The needs analysis should encompass the audience to be addressed/served by the product/service offered by vendors. If the Agency seeks a new product not generally available as 'off the shelf,' the requirements should be divided into a multi-phased project plan with reasonable milestones.

- 2.1 Phase I
- 2.2 Phase II
- 2.3 etc.

### **SECTION 3 - INSTRUCTIONS TO VENDOR**

- 3.1 Contacts - lists the customer personnel who are assigned to manage the RFP process along with the personnel assigned to oversee and provide project management/oversight during the vendor performance of the product delivery/installation/training or services rendered
- 3.2 General Instructions
- 3.3 How to Respond
- 3.4 Eligibility of Vendors
- 3.5 Joint Proposals - Is collaboration sought among multiple vendors? Is the scope of the RFP beyond the capacity of a single vendor to respond? If so, under what conditions will the Agency accept joint proposals? Is a prime contractor sought with subordinate contractors? Agencies should also be aware that preparing joint responses requires teaming agreements, and orchestration of vendor relationships that often require additional time to arrange in order to prepare the bid response documents.
- 3.6 Withdrawal of Proposals
- 3.7 Rejection of Proposals
- 3.8 Confidentiality
- 3.9 Vendor Conduct
- 3.10 Conflict of Interest

- 3.11 Calendar of Events
- 3.12 Appeal of Award
- 3.13 Term of Agreement
- 3.14 RFP Review Procedures
- 3.15 Evaluation Criteria
- 3.16 Method of Award

**SECTION 4 - GUIDELINES AND SPECIFICATIONS FOR PROGRAM NARRATIVE**

- 4.1 Qualifications
- 4.2 Recommended Approach/Workplans and Estimate of Hours Required
- 4.3 Cost Estimate
- 4.4 Reimbursable Expenses
- 4.5 Acknowledgement

**SECTION 5 - PREPARING AND SUBMITTING A PROPOSAL**

- 5.1 General Instructions
- 5.2 Incurring Costs
- 5.3 Submitting the Proposal
- 5.4 Proposal Organization, Format and Contents

**SECTION 6 - GENERAL TERMS AND CONDITIONS**

- 6.1 Designation of Subcontractors
- 6.2 Headings
- 6.3 Consent to Breach Not a Wavier
- 6.4 Governing Law
- 6.5 Indemnification and Insurance
- 6.6 Bid/Performance Bond Requirements

implementation or plan project schedule

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Inspiration Software, Inc.  
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Kaplan K12 Learning Services  
Larson Learning, Inc.  
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CTB/McGraw-Hill	Reviews.com
Glencoe/McGraw-Hill	Ripple Effects, Inc.
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Pearson Professional &Supplemental	Thomson Prometric
Pearson School Systems	Thomson Scientific
Pearson Scott Foresman	Thomson Wadsworth
Peter Li Education Group	Time for Kids (Time Warner)
PILOT Training Systems	Tutor.com
PLATO Learning, Inc	Turner Learning (Time Warner)
CyberEd, Inc.	VALEO IP
PowerSchool	WILL Interactive, Inc.
ProQuest Info & Learning	Winter Group
Voyager Expanded Learning	Wireless Generation
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