

State of Oregon



APA PPS Process Improvement and TPF Alternatives

Intermediate Request for Proposal

HECC Reference # 24-105

OregonBuys # S-52500-00012430

Closing Date: January 22, 2025 at 3:00 PM Pacific Time

Single Point of Contact (SPC): Angie Duncan Angela.Duncan@hecc.oregon.gov

1. INTRODUCTION

The State of Oregon, acting by and through the Higher Education Coordinating Commission (HECC), is issuing this Request for Proposals (RFP) for an expert consultant to advise HECC regarding two essential components: i) process improvement for its Office of Degree Authorization (ODA) and the Private Career School Licensing Unit (PCS) in the Private Postsecondary School (PPS) program in its Office of Academic Policy & Authorization (APA) and ii) for financial strategic advice, including, but not limited to: fees to be collected for services.

HECC anticipates the award of one Contract from this RFP. The initial term of the Contract is anticipated to expire July 2025. HECC reserves the right to extend the contract up to one additional year and to award more than one Contract if it is HECC's best interest. HECC reserves the right to amend the resulting Contract(s) for related services and time as HECC determines necessary.

HECC is conducting this intermediate solicitation under the authority of OAR 125-246-0170(2)(c)(C).

The estimated budget for this work is under \$100,000; this program is funded 100% with state funds.

2. BACKGROUND

HECC's Office of Academic Policy & Authorization is responsible for private postsecondary licensing and authorization and for public university coordination. As part of its work, APA approves private degree-granting institutions, private career schools, and distance education providers to operate in Oregon. Without HECC approval or explicit exemption from regulation, a school cannot legally operate in our state or offer valid degrees or certificates or college credit to Oregonians. Institutions must meet rigorous authorizing standards in Oregon and comply with the necessary laws and regulations that protect consumers. As a regulatory, licensing, and authorizing state office, HECC supports student and consumer protection, provides educational leadership and technical assistance to schools and colleges, convenes private institutions and partners, and authorizes distance education offerings in Oregon.

The Private Postsecondary Schools Program includes both the Office of Degree Authorization (ODA) and the Private Career Schools (PCS) Licensing Unit. It is responsible for policy and regulation that affects private institutions serving Oregonians, with a focus on student and consumer protection.

The Tuition Protection Fund (TPF) is a fund collected by fees from private career schools and is for students from those private career schools who qualify for a refund due to the school's closure if they were not properly refunded by the school.

3. SCOPE OF WORK

The Successful Proposer will provide HECC with facilitation and training on process improvement for APA's workflow processes, as well as strategic financial advice related to the assessment and continued monitoring of the financial health of postsecondary educational institutions, fees, and the TPF.

For the process improvement portion, the Successful Proposer will:

- 1.) Evaluate current application process (both initial and renewal) and provide recommendations to streamline and simplify.
- 2.) Review current Oregon Administrative Rules (OARs) and provide recommendations on updates (or removal).
- 3.) Review current rules and processes related to transcripts and provide recommendations for changes.

For the Financial Strategy portion, the Successful Proposer will:

- 1.) Evaluate what financial information to request from institutions as part of both the initial and renewal licensure applications and provide recommendations for cutoff points (when to approve, when to monitor, when to reject institutions for licensure or authorization).
- 2.) Evaluate options to replace the TPF for Private Career Schools, inclusive of all the requirements to implement an alternative option (e.g., revise statutes, rules, etc.).
- 3.) Evaluate current fee schedule and provide recommendations on updates.

For all of the above, HECC would like to understand the national landscape (what other states are doing) and best practice recommendations.

4. PROPOSED STATEMENT OF WORK

The below proposed Statement of Work is an example of what HECC thinks it may want. Proposer should use their experience and expertise to propose how the work shall progress, including the number, frequency, and content of the meetings.

Information Gathering

The Successful Proposer will first host a kick-off meeting with HECC's staff to better understand the existing processes and needs. This meeting with HECC staff can be in-person or virtual, as the parties mutually agree.

The Successful Proposer will then gather additional information from conducting interviews with key partners (PPS Team, PCS Advisory Committee, ODA Committee, etc.) as well as completing background research on both HECC (review of relevant laws and OARs) and national trends for postsecondary and private career school licensure. HECC prefers the Successful Proposer identify equivalent processes and TPFs (or equivalent processes) of not less than five other states be evaluated.

Process Improvement

The Successful Proposer will facilitate trainings in process improvement methodologies. These meetings with HECC staff can be in-person or virtual, as the parties mutually agree.

TPF Replacement

The Successful Proposer will use the gathered information collected and apply its own expertise to make interim suggestions to HECC for options for replacement of the TPF for HECC's review. After receiving feedback from HECC and incorporating any HECC recommendations, the

Successful Proposer may need to conduct further research to incorporate into final recommendations and presentation as described below.

Final Report and Presentation

Final recommendations will be delivered both as a written report (Final Report) and a presentation to both staff and management (Final Presentation). The Final Presentation will be virtual or in-person as HECC determines in its sole discretion.

All deliverables shall be completed no later than June 31, 2025.

5. PROPOSAL SUBMISSION

Proposals **must** be submitted through the state’s procurement system, OregonBuys—HECC cannot accept proposals by any other means. **Proposals are due no later than 3:00 PM Pacific Time on January 22, 2025.** You must be registered in OregonBuys to submit a proposal, so do not wait until the last minute to submit a proposal! OregonBuys registration is free by clicking the blue “Register” button on the top right corner of the following webpage: <https://oregonbuys.gov/bsa/>. All attachments to proposals uploaded and submitted through OregonBuys must be Microsoft Word compatible or searchable Adobe format.

6. PROPOSAL CONTENT REQUIREMENTS

Proposal must address each of the items listed in this section and all other requirements set forth in this RFP. Proposer shall describe the Goods to be provided or the Services to be performed or both. A Proposal that merely offers to provide the Goods or Services as stated in this RFP will be considered non-Responsive to this RFP and will not be considered further.

A. Proposal Certification Sheet

The Proposer shall complete and submit the Proposer Information and Certification Sheet (Attachment A).

B. Introduction to Proposer and Proposer’s Relevant Experience

Describe Proposer. Describe the firm. How long has it been in business? From which locations will the services be performed? How does Proposer support diversity, equity, and inclusion in general and/or for this Project specifically?

The Proposal must contain information that clearly demonstrates that Proposer has a minimum of three years of professional experience within the past five years, successfully providing services that are comparable to those described in this RFP.

Proposals must contain a discussion that describes the experience Proposer has working with a government entity.

Proposals should contain a discussion on Proposer’s ability to successfully complete the Project

on time and within budget.

C. **Proposer's Implementation Plan**

The Proposer shall describe how they intend to do the work. The description should include:

- Proposer's knowledge and understanding of the Project.
- The approach that Proposer will take in performing the work described in this solicitation document; must include a sample timeline and proposed schedule.

D. **Key Person Experience and Resumes**

The Proposer should include the resumes of all key staff to perform the Services.

E. **Cost Proposal**

For each activity described in the Statement of Work, the cost proposal must include identifiable costs, time estimates for completing each activity, and a summary of all proposed costs pertaining to each deliverable listed in accordance with the itemized activity. Cost proposals should be stated on a fixed fee, per-task basis.

7. **EVALUATION**

Proposals shall be evaluated on the following criteria:

Experience (30% of total points)

- How well has the Proposer demonstrated experience and capability to provide this type of consultant work?
- Do the key staff Proposer intends to use for this Project have sufficient and relevant experience to complete the Project?

Resources (30% of total points)

- How well does the Proposer demonstrate they have the resources to successfully provide the Services described in this solicitation document in the timeframe required by HECC?

Project Approach (20% of total points)

- How well does the Proposer clearly and concisely describe their intended approach to performing the work described in this solicitation?
- How well does the Project Approach demonstrate an understanding of the project requirements?
- Does the Proposer offer any new or enhanced ideas to add value to the work described in this solicitation?

Cost Proposal (10% of total points)

- How clearly and concisely does the Proposer convey the cost per task and deliverable?

- How well do the proposed costs align with the Proposer's Project Approach?
- What is the overall cost?

Public Information/Past Performance (10% of total points)

- Publicly available information may be used to evaluate Proposers.
- Past performance may be used to evaluate Proposers.

After an initial evaluation session, HECC may ask leading Proposers for interviews.

8. SUCCESSFUL PROPOSER REQUIREMENTS

A. Insurance

Prior to execution of the Contract, the apparent successful Proposer shall secure and demonstrate to HECC proof of commercial general liability insurance coverage in the amounts of \$1,000,000 per occurrence and \$2,000,000 annual aggregate, unless otherwise negotiated. Policies can usually be obtained for short-term durations for relatively low cost—please consult an insurance broker if you do not already carry the above-described insurance.

B. Taxpayer Identification Number

The apparent successful Proposer shall provide its Taxpayer Identification Number on a completed W-9 form (which can be found here: <https://www.irs.gov/pub/irs-pdf/fw9.pdf>). The apparent successful Proposer must provide its backup withholding status on the W-9 form if either of the following applies:

- When requested by HECC (normally in an intent to award notice), or
- When the backup withholding status or any other information of Proposer has changed since the last submitted W-9 form, if any.

HECC will not make any payment until HECC has a properly completed W-9.

C. Business Registry

If selected for award, Proposer shall be duly authorized by the State of Oregon to transact business in the State of Oregon before executing the Contract. The selected Proposer shall submit a current Oregon Secretary of State Business Registry number, or an explanation if not applicable.

All Corporations and other business entities (domestic and foreign) must have a Registered Agent in Oregon. See requirements and exceptions regarding Registered Agents. For more information, see Oregon Business Guide, How to Start a Business in Oregon and Laws and Rules. The titles in this subsection are available at the following Internet site:

<http://www.filinginoregon.com/index.htm>.

9. ADDITIONAL INFORMATION

A. Governing Laws

This RFP is governed by the laws of the State of Oregon. Venue for any administrative or

judicial action relating to this RFP, evaluation and award is the Circuit Court of Marion County for the State of Oregon; provided, however, if a proceeding must be brought in a federal forum, then it must be brought and conducted solely and exclusively within the United States District Court for the District of Oregon. In no event shall this Section be construed as a waiver by the State of Oregon of any form of defense or immunity, whether sovereign immunity, governmental immunity, immunity based on the Eleventh Amendment to the Constitution of the United States or otherwise, to or from any Claim or from the jurisdiction of any court.

B. Ownership

All Proposals submitted in response to this RFP become the Property of HECC. By submitting a Proposal in response to this RFP, Proposer grants the State a non-exclusive, perpetual, irrevocable, royalty-free, fully paid-up, worldwide license for the rights to copy, distribute, display, prepare derivative works of and transmit the Proposal solely for the purpose of evaluating the Proposal, negotiating an Agreement, if awarded to Proposer, or as otherwise needed to administer the RFP process, and to fulfill obligations under Oregon Public Records Law (ORS 192.311 through 192.478). Proposals, including supporting materials, will not be returned to Proposer unless the Proposal is submitted late.

C. Cost of Submitting Material

Proposer shall pay all the costs in submitting its Proposal, including, but not limited to, the costs to prepare and submit the Proposal, costs of samples and other supporting materials, or costs to participate in demonstrations.

D. Statewide E-waste

If applicable, Proposer shall include information in its Proposal that demonstrates compliance with the Statewide E-Waste/Recovery Procedure 107-011-050_PR. Download the procedure by visiting www.oregon.gov/DAS, then enter the procedure number into the search bar, and find the procedure in the search results window.

E. Recyclable Products

Proposer shall use recyclable products to the maximum extent economically feasible in the performance of the Services or Work set forth in this document and the subsequent Contract. (ORS 279B.025)

F. Printing, Binding Work

Except as provided in ORS 282.210(2), all printing, binding and stationery work, including the manufacture of motor vehicle registration plates and plates required to be affixed to motor carriers, for the State or any county, city, town, port district, school district, or other political subdivision, must be performed within the State of Oregon.

ATTACHMENT A — PROPOSAL CERTIFICATION SHEET

Legal Name of Proposer: _____

Address: _____ City, State, Zip: _____

State of Incorporation: _____ Entity Type: _____

Contact Name: _____ Telephone: _____ Email: _____

Any individual signing below hereby certifies they are an authorized representative of Proposer and that:

1. If awarded a Contract, Proposer agrees to perform the scope of work and meet the performance standards set forth in the final negotiated scope of work of the resulting Contract.
2. I have knowledge regarding Proposer’s payment of taxes and by signing below I hereby certify that, to the best of my knowledge, Proposer is not in violation of any tax laws of the state or a political subdivision of the state, including, without limitation, ORS 305.620 and ORS chapters 316, 317 and 318.
3. Proposer does not discriminate in its employment practices with regard to race, creed, age, religious affiliation, gender, disability, sexual orientation, national origin. When awarding subcontracts, Proposer does not discriminate against any business certified under ORS 200.055 as a disadvantaged business enterprise, a minority-owned business, a woman-owned business, a business that a service-disabled veteran owns or an emerging small business. If applicable, Proposer has, or will have prior to contract execution, a written policy and practice, that meets the requirements described in ORS 279A.112, of preventing sexual harassment, sexual assault and discrimination against employees who are members of a protected class. HECC may not enter into a contract with an anticipated contract price of \$150,000 or more with a Proposer that does not certify it has such a policy and practice. See <https://www.oregon.gov/DAS/Procurement/Pages/hb3060.aspx> for additional information and sample policy template.
4. Proposer and Proposer’s employees, agents, and subcontractors are not included on:
 - A. the “Specially Designated Nationals and Blocked Persons” list maintained by the Office of Foreign Assets Control of the United States Department of the Treasury found at: <https://www.treasury.gov/ofac/downloads/sdnlist.pdf>., or
 - B. the government-wide exclusions lists in the System for Award Management found at: <https://www.sam.gov/SAM>
5. Proposer certifies that, to the best of its knowledge, there exists no actual or potential conflict between the business or economic interests of Proposer, its employees, or its agents, on the one hand, and the business or economic interests of the State, on the other hand, arising out of, or relating in any way to, the subject matter of the RFP. If any changes occur with respect to Proposer’s status regarding conflict of interest, Proposer shall promptly notify the State in writing.
6. Proposer certifies that all contents of the Proposal (including any other forms or documentation, if required under this RFP) and this Proposal Certification Sheet are truthful and accurate and have been prepared independently from all other Proposers, and without collusion, fraud, or other dishonesty.
7. Proposer understands that any statement or representation it makes, in response to this RFP, if determined to be false or fraudulent, a misrepresentation, or inaccurate because of the omission of

material information could result in a "claim" (as defined by the Oregon False Claims Act, ORS 180.750(1)), made under Contract being a "false claim" (ORS 180.750(2)) subject to the Oregon False Claims Act, ORS 180.750 to 180.785, and to any liabilities or penalties associated with the making of a false claim under that Act.

8. Proposer certifies it will comply with the Pay Equity law, ORS 652.220, if applicable.
9. Proposer is registered in the State's electronic procurement system, OregonBuys, found here: <https://oregonbuys.gov/bsa/>. (Registration is free by clicking the blue "Register" button on the top right corner of the webpage.)

Authorized Signature

Date

(Printed Name and Title)