

**RFP #23-005 Provider of Student Growth Measures for Use in Institutional Accountability, Educator Evaluation, and to Determine Equitable Access to Effective Educators
Q & A Document**

Questions submitted to the Growth RFP email address were placed into the following categories:

- Program Matters
- Fiscal/Contractual Matters
- M/WBE Matters

Program Matters

1. **Can NYS Education Department share who is the current incumbent?**

The incumbent is Education Analytics.

2. **Would NYSED be open to a model that incorporates equity indicators that extend beyond test scores?**

In the future, the Department may consider changes to the model to incorporate equity indicators. If the Department chooses to pursue revisions to the growth model, such changes will require review of and revision of Commissioner's Regulations §§100.19 and 100.21 by the Board of Regents.

3. **Does NYSED currently use the same approach for accounting for error in the predictor variables for the ELA and Algebra I Regents growth scores as they do for the grades 4 to 8 growth scores (as described in Appendix E of the "Growth Model for Educator Evaluation 2018/19 Technical Report"?). Or would this beta analysis be the first of looking at measurement error adjustments for predictors for these growth scores? Is there interest in investigating different approaches for accounting for measurement error for the grades 4 to 8 growth scores as well?**

The Grades 4-8 growth scores and the ELA and Algebra I Regents growth scores both use the error-in-variables approach to account for measurement error in pretest scores. The beta analysis will investigate alternative approaches to account for measurement error in predictor variables for the ELA and Algebra I Regents growth score model, which may also be applied to the grades 4-8 growth scores.

4. **On page 12 of the RFP, NYSED mentions that the chosen vendor will be provided detailed business rules and programming to implement production methodologies, etc. Can NYSED share which programming language the State will be providing business rules/code in, and whether any proprietary software will be required for this project?**

The current model is programmed in R with a modification to use SAS rounding rules. The Department is not opposed to the vendor using a different statistical software package. If the vendor chooses to use a different software package, NYSED expects the vendor to directly translate the 2020-21 programming into the different software language and provide evidence that the results have impact/sensitivity statistics that are comparable to prior years' results. The vendor should include in the project narrative of the technical proposal a clear articulation of how the software will meet all required deliverables for Services 1.2.1 and 1.2.2, including the technical approach to the data analysis and beta modeling, and why this approach will best meet NYSED's needs.

5. **Page 13 states that the vendor must present an overview of the results to NYSED for review and approval. There is a list of topics to be covered by this presentation; however, the criteria for approval/non-approval does not seem to be explained. Can more information regarding this approval process be given?**

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As part of the process, both the vendor and NYSED will conduct extensive quality control checks on the results prior to the presentation. Approval is contingent upon the results following expected patterns. While it is not expected to occur, if an unanticipated issue with one or more of the source files arises, the results may not be approved until further review is completed.

6. **Page 13 mentions that vendor results will need to be subset for each individual local education agency. Is the data subset by individual education agency when it is initially provided to the vendor?**

No. NYSED will provide the winning vendor source files that are inclusive of statewide records.

Fiscal/Contractual Matters

1. **One thing that would be helpful in shaping an approach that meets your needs is understanding the resources available for the work. Are you able to provide a budget range or budget maximum to inform our planning?**

NYSED is not providing a maximum budget figure for this work. Please keep in mind that the total project budget will be scored on a “best value” basis, meaning the budget that represents the overall lowest cost will receive the highest cost score, which represents 30% of total points available.

2. **For the research beta analysis, is it the state’s expectation that it will be billed as a fixed-price deliverable or as time and materials?**

The beta analysis component of the contract will be billed as a fixed-price deliverable.

3. **Pages 21-22 of the RFP list liquidated damages upon various error events in the amount of 1% or 5% or 10% for the various reasons listed. We have two related questions.**

- a. **Can the state clarify that the difference between error event (a) and (b) on page 22 of the RFP is that for (a), 5% is charged if any error in reporting a teacher, principal, or school occurs and then for (b) 10% is charged only if an error occurs for more than 10% of a group? For example, for (a), even only 1 teacher in the state has an incorrect score, then liquidated damages of 5% would be levied? For (b), the vendor would pay 10% only if 10% or more of teachers in the state have incorrect scores. Is our understanding correct?**

Yes, that understanding is correct.

- b. **If event (b) occurs, then that means event (a) also must have occurred. Does that imply the vendor would pay 15% in damages or would the state cap those damages at 10%?**

In the event that (b) occurs, the vendor will pay a total amount of 10% of the annual contract budget for the Calculation and Delivery of Production Model Growth Scores (1.a-c).

4. **Would the state consider capping the liquidated damages not to exceed 10% of the annual contract budget for all errors?**

No. We would apply all damage provisions appropriate, without limitation.

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M/WBE Matters

- 1. Please clarify how/if the M/WBE subcontracting requirements apply in cases where the applicant does not intend to use subcontractors in the performance of the work.**

All applicants are required to comply with NYSED's Minority and Women-Owned Business Enterprises (M/WBE) policy and therefore responsible for identifying areas in their budget where an M/WBE can be utilized. In addition to subcontracting M/WBE participation can include materials or supplies purchased from minority and women-owned firms certified with the NYS Division of Minority and Women Business Development.

- 2. May we propose a subcontractor M/WBE whose application is in process or must we propose an M/WBE already on the approved list?**

M/WBE vendors must have current New York State Certification from the NYS Division of Minority and Women Business Development to count towards the M/WBE goal. M/WBE businesses who have applied and/or are seeking certification will not be able to count towards the goal.