

# State of Oregon



## **Postsecondary Finance and Capital (PFC) Community College Formula Fund Facilitation**

Intermediate Request for Proposal

HECC #: 21-182

OregonBuys #: S-52500-00002770

Closing Date: 04/16/2022 at 3:00 PM

Single Point of Contact (SPC): Jim Pinkard     [Jim.Pinkard@hecc.oregon.gov](mailto:Jim.Pinkard@hecc.oregon.gov)

## 1. INTRODUCTION

The State of Oregon, acting by and through the Higher Education Coordinating Commission (HECC), is issuing this intermediate Request for Proposals (RFP) for a meeting facilitator specialized expertise, as described in this RFP.

HECC anticipates the award of one Contract from this RFP. The initial term of the Contract is anticipated to expire approximately February 28, 2023. HECC reserves the right to extend the contract up to one year and to award more than one Contract if it is HECC's best interest. HECC reserves the right to amend the resulting Contract for related services and time as HECC determines necessary.

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

HECC will fund the resulting contract with state general funds.

## 2. BACKGROUND

Pursuant to Oregon Revised Statutes (ORS) 350.075 (3)(f), HECC is charged with the responsibility to adopt rules governing the distribution of appropriations from the Oregon Legislative Assembly to community colleges and public universities. These rules must be based on allocation formulas developed in consultation with the state's community colleges and public universities, as appropriate. The administrative rules associated with the college funding formula are included in Oregon Administrative Rules, Chapter 589, Division 2.

ORS 341.626 states the rules adopted by the HECC shall provide:

- No state aid for hobby and recreation classes.
- Procedures for proper and accurate record keeping.
- Procedures that will ensure reasonable year-to-year stability in the delivery of appropriated moneys to the colleges.
- Procedures to ensure that the full state appropriation is distributed to the colleges.

In general, a funding formula is an expression of that which the state values. Ultimately, the formula should support the state's higher education goals by supporting institutions for activity that aligns with state goals. A formula should be dynamic enough to respond to changing circumstances but stable enough to allow institutions a reasonable expectation of future distributions. To achieve this balance, formulas are periodically reviewed for their alignment with the state's goals and to identify unintended consequences.

The community college funding distribution model (Community College Support Formula (CCSF)) has remained largely unchanged for the past decade. It provides each college with an operational base funding amount plus enrollment funding determined by the number of reimbursable, full-time student equivalents (FTE). This occurs after funding is taken off the top to serve four set-aside programs including corrections, contracts out of district, distance learning, and the strategic fund.

The CCSF's intent is to focus on access, equity, and stability. Equal public resource support per FTE, regardless of institution and exclusive of base funding, is provided. Stability is achieved by using a three-year weighted average of FTEs and a base payment. In 2010, the State Board of Education (which was responsible for the formula prior to HECC) added a growth management

component to protect against an erosion of funding per FTE among the colleges. The current formula does not consider student demographics, program costs, or efficiency.

Recently, some commissioners and other interested parties have expressed an interest in reviewing the formula. This may be due to a number of factors, including recent changes to the public university funding model, changes to the way many colleges are delivering developmental education, and an increased desire to ensure the formula supports institutions in achieving that which all interested parties want to accomplish.

Therefore, an effort is being made to gather interested parties' input via a workgroup comprised of stakeholder representatives. The workgroup will be tasked with considering specific elements of the existing formula. It will be asked to consider if there are changes, improvements, or technical corrections that can be implemented to improve the formula in the pursuit of the state's strategic priorities.

The HECC has identified the following principles to guide its review and examination of the community college funding formula.

- The full participation of institution and other key stakeholders in the review process is vital to achieving sound, equitable, student-focused policy.
- The CCSF Formula should distribute state funding in support of student access and completion, the state's higher education goals, and the HECC's Strategic Roadmap.
- Recommendations should be informed by clearly defined and currently available data.
- The CCSF Formula should apply objectively to all institutions with an emphasis on underrepresented populations.

The formula workgroup process will be conducted in two phases. The first phase, lasting from March 2022 through approximately June 2022, will focus on the HECC's agency budget request and how any new investments in the community colleges might be handled. Whether those investments would flow through the formula or outside the formula and what those investments would focus on producing or serving. The second phase, lasting from June 2022 through approximately January 2023, will focus on the formula itself including the broad, underlying structure of the formula and its components.

### **3. SCOPE OF WORK**

The successful proposer will guide the workgroup's deliberations through the formula review process. The overall goal is to locate a consultant to facilitate the second phase of the review process ultimately leading to a set of recommendations the workgroup can endorse. Successful proposals will include identifying methods and strategies to:

- Engage workgroup members and facilitate meetings related to the review of the underlying, broader structure of the community college funding formula;
- Identify and promote workgroup consensus around potential technical improvements or policy changes; and,
- Summarize discussions and potential workgroup recommendations to support the drafting of a report authored by the workgroup that reflects consensus achieved.

#### **4. PROPOSED STATEMENT OF WORK**

The following is a description of HECC's need.

##### **A. PROJECT DESCRIPTION**

###### **i. Meeting Facilitation and Workgroup Engagement**

The successful proposer will facilitate multiple meetings by a workgroup established by HECC. The successful proposer will facilitate the discussions to identify and promote workgroup consensus around potential technical improvements or policy changes as appropriate. Throughout the process, the successful proposer will need to identify and promote consensus. The desired outcome of the process is a set of recommendations the workgroup can support, even if the workgroup proposes no changes to the existing formula.

The following inquiry areas have been identified for consideration through the process:

- What are successful and equitable outcomes for community college students? What data is collected to measure progress toward achieving those outcomes? How does the formula currently support successful student outcomes?
- What more can the formula do to promote and support equitable outcomes for traditionally underserved populations?
- Are there ways the CCSF could support student success outcomes while recognizing the wide range of services colleges provide, especially for traditionally underserved populations?
- How might potential changes in the formula be funded or implemented to meet the identified outcomes?
- Should the CCSF continue to fund developmental education? Or should funding be allocated to support successful evidence-based models?
- What role if any, should certificate and degree pathways play in relation to the CCSF formula? Should there be different funding elements related to programs within the formula?
- What role if any, should transfer of students play in the CCSF formula?
- What role do the current elements play in the CCSF formula and should the current elements of the funding formula remain in place? Should any be adjusted?
- Other topics/outcomes that the workgroup or HECC identifies.

###### **ii. Documenting discussions and consensus achieved**

Following the conclusion of each workgroup session, the successful proposer will prepare a summary of the major discussion topics, competing ideas/concepts suggested, proposals made during group discussion, decisions reached, information requested, and consensus achieved to support the drafting of a report authored by the workgroup that reflects a set of potential recommendations the entire workgroup can endorse.

##### **B. Meeting Details and Deliverables Schedule**

###### **i. Meeting Facilitation and Reports**

Facilitate up to eight meetings that are tentatively scheduled as listed below to review the existing CCSF and develop related recommendations for technical improvements or policy changes. These meetings will include the twenty-five appointed workgroup members, invited guests, and HECC staff. Meetings will likely be held via videoconference (Microsoft TEAMS) but may also be hybrid with some participants meeting in-person at 3225 25<sup>th</sup> Ave, Salem, Oregon. HECC will determine in its sole discretion if the successful proposer should attend virtually or in-person.

The tentative meeting times already scheduled include the following (noted in Pacific Time):

April 22	9:00 am – 12:00 pm
May 16	12:00 pm – 3:00 pm
June 2	1:00 pm – 4:00 pm
July 13	12:00 pm – 3:00 pm
Sept 14, 2022	1:00 pm – 4:00 pm
Oct 6, 2022	1:00 pm – 4:00 pm
Nov 8, 2022	1:00 pm – 4:00 pm
Dec 15, 2022	2:00 pm – 5:00 pm
January 2023	Time to be determined

**ii. Deliverables Schedule**

1-2 Planning phone calls with PFC Director (up to one-hour each)	April – August 2022
Facilitate up to 8 workgroup meetings	April 2022 – January 2023
Summary of discussions and consensus after each meeting	April 2022 – January 2023
Monthly status calls—prep for workgroup meetings (up to one-hour each)	As needed by either party, April 2022 – January 2023

**5. PROPOSAL SUBMISSION**

Proposals should be submitted via e-mail to [Jim.Pickard@hecc.oregon.gov](mailto:Jim.Pickard@hecc.oregon.gov), with a copy to [HECC.Procurement@hecc.oregon.gov](mailto:HECC.Procurement@hecc.oregon.gov) by 3:00 PM Pacific Time on April 16, 2022. The subject line of the e-mail should have HECC #: 21-182 / OregonBuys #: S-52500-00002770.

**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 Services to be performed. A Proposal that merely offers to provide the 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?

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. The Proposal must contain a detailed narrative describing two previous projects similar to the Project described in this RFP that were completed within the last three years and for which the Key Persons described in Section 6.D. below provided the services.

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 RFP including how it intends to engage workgroup members in general. This description must confirm it can meet HECC's timeline and schedule.
- How Proposer plans to help achieve HECC's charge of furthering diversity, equity, and inclusion through this Project.

## **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. HECC prefers a fixed fee cost proposal rather than a variable hours rate proposal. If HECC elects for the successful proposer to attend one or all meetings described in Section 4 in-person, the successful proposer will be compensated separately for travel expenses to the extent allow under Oregon's per diem rates.

## **F. References**

Proposer should include three references from recent similar projects, including:

- Client name, telephone number, and address

- Name of the Project Manager, their telephone number and email address
- Description of the services provided including dates
- Proposer's staff that were assigned to the projects for these references, including their project roles and worked performed

## 7. EVALUATION

Proposals will be evaluated on the responses to Section 6. B-E.

## 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 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](http://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.

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Authorized Signature

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Date

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(Printed Name and Title)