State of Nebraska (Nebraska Department of Education)
REQUEST FOR PROPOSAL FOR CONTRACTUAL SERVICES

REQUEST FOR PROPOSAL NUMBER	RELEASE DATE
NDERFP240325	June 5, 2024
OPENING DATE AND TIME	**PROCUREMENT CONTACT**
July 3, 2024 2:00 p.m. Central Time	Trudy Clark

PLEASE READ CAREFULLY!

SCOPE OF SERVICE

The State of Nebraska (State), Nebraska Department of Education, Office of Teaching, Learning, and Assessment NDERFP240325 for the purpose of selecting a qualified Contractor to provide and operate an innovative, balanced assessment system whose primary objective is to benefit the students of Nebraska. The NDE envisions an assessment that will meet all federal requirements regarding assessment and accountability. A more detailed description can be found in Section V. The resulting contract may not be an exclusive contract as the State reserves the right to contract for the same or similar services from other sources now or in the future.

The term of the contract will be one (1) year commencing upon execution of the contract by the State and the Contractor (Parties)/notice to proceed. The Contract includes the option to renew for four (4) additional one (1) Year periods upon mutual agreement of the Parties. The State reserves the right to extend the period of this contract beyond the termination date when mutually agreeable to the Parties.

Questions regarding the content of this Request for Proposals are due no later than June 12, 2024, and should be submitted via e-mail to nde.procurement@nebraska.gov. Email is to be titled: NDERFP240325 RFP Questions.

Bidders should electronically submit one (1) original copy of the entire proposal (in PDF format) to nde.procurement@nebraska.gov. Proposals must be submitted by the proposal's due date and time.

In the event that a contract with the awarded bidder(s) is cancelled or in the event that the State needs additional contractors to supply the solicited services, this RFP may be used to procure the solicited services for up to eighteen (18) months from the date the Intent to Award is posted, provided that 1) the solicited goods or services will be provided by a bidder (or a successive owner) who submitted a bid pursuant to this RFP, 2) the bidder's proposal was evaluated, and 3) the bidder will honor the bidder's original proposal, including the proposed cost, allowing for any price increases that would have otherwise been allowed if the bidder would have received the initial award.

ALL INFORMATION PERTINENT TO THIS REQUEST FOR PROPOSAL CAN BE FOUND ON THE INTERNET AT: https://das.nebraska.gov/materiel/bidopps.html.

IMPORTANT NOTICE: Pursuant to Neb. Rev. Stat. § 84-602.04, State contracts in effect as of January 1, 2014, and contracts entered into thereafter, must be posted to a public website. The resulting contract, the Request for Proposal, and the awarded bidder's proposal and response will be posted to a public website managed by DAS, which can be found at http://statecontracts.nebraska.gov And https://www.nebraska.gov/das/materiel/purchasing/contract_search/index.php**.**

In addition and in furtherance of the State's public records Statute (Neb. Rev. Stat. § 84-712 et seq.), all proposals or responses received regarding this Request for Proposal will be posted to the State Purchasing Bureau public website.

These postings will include the entire proposal or response. Bidder must request that proprietary information be excluded from the posting. The bidder must identify the proprietary information, mark the proprietary information according to state law, and submit the proprietary information in a separate file named conspicuously as "PROPRIETARY INFORMATION". The bidder should submit a detailed written document showing that the release of the proprietary information would give a business advantage to named business competitor(s) and explain how the named business competitor(s) will gain an actual business advantage by disclosure of information. The mere assertion that information is proprietary or that a speculative business advantage might be gained is not sufficient. (See Attorney General Opinion No. 92068, April 27, 1992). THE BIDDER MAY NOT ASSERT THAT THE ENTIRE PROPOSAL IS PROPRIETARY. COST PROPOSALS WILL NOT BE CONSIDERED PROPRIETARY AND ARE A PUBLIC RECORD IN THE STATE OF NEBRASKA. The State will determine, in its sole discretion, if the disclosure of the information designated by the Bidder as proprietary would 1) give advantage to business competitors and 2) serve no public purpose. The Bidder will be notified of the State's decision. Absent a determination by the State that the information may be withheld pursuant to Neb. Rev. Stat. § 84-712.05, the State will consider all information a public record subject to disclosure.

If the State determines it is required to release withheld proprietary information, the bidder will be informed. It will be the bidder's responsibility to defend the bidder's asserted interest in non-disclosure.

To facilitate such public postings, with the exception of proprietary information, the State of Nebraska reserves a royalty-free, nonexclusive, and irrevocable right to copy, reproduce, publish, post to a website, or otherwise use any contract, proposal, or response to this Request for Proposal for any purpose, and to authorize others to use the documents. Any individual or entity awarded a contract, or who submits a proposal or response to this Request for Proposal, specifically waives any copyright or

other protection the contract, proposal, or response to the Request for Proposal may have; and acknowledges that they have the ability and authority to enter into such waiver. This reservation and waiver is a prerequisite for submitting a proposal or response to this Request for Proposal, and award of a contract. Failure to agree to the reservation and waiver will result in the proposal or response to the Request for Proposal being found non-responsive and rejected.

Any entity awarded a contract or submitting a proposal or response to the Request for Proposal agrees not to sue, file a claim, or make a demand of any kind, and will indemnify and hold harmless the State and its employees, volunteers, agents, and its elected and appointed officials from and against any and all claims, liens, demands, damages, liability, actions, causes of action, losses, judgments, costs, and expenses of every nature, including investigation costs and expenses, settlement costs, and attorney fees and expenses, sustained or asserted against the State, arising out of, resulting from, or attributable to the posting of the contract or the proposals and responses to the Request for Proposal, awards, and other documents.

Table of Contents

GLOSSARY OF TERMS

Addendum: Something to be added or deleted to an existing document; a supplement.

ADVISER: Advanced Data Views Informing Students Educational Response (ADVISER) is the data system built on the Ed-Fi® standard and using royalty free, open-source technologies in collecting, storing, and using data for educational purposes. It is an umbrella term for the district data collection systems, run by the Nebraska Department of Education and the Education Service Unit Coordinating Council.

Agency: Any state agency, board, or commission other than the University of Nebraska, the Nebraska State colleges, the courts, the Legislature, or any other office or agency established by the Constitution of Nebraska.

Agent/Representative: A person authorized to act on behalf of another.

Amend: To alter or change by adding, subtracting, or substituting.

Amendment: A written correction or alteration to a document.

Appropriation: Legislative authorization to expend public funds for a specific purpose. Money set apart for a specific use.

Automated Clearing House (ACH): Electronic network for financial transactions in the United States

Award: All purchases, leases, or contracts which are based on competitive proposals will be awarded according to the provisions in the Request for Proposal.

Balanced Assessment System: Assessments in a system are connected using specific learning targets (coherent), have multiple data sources to support instructional choices (comprehensive), and detail student progress over time (continuous).

Best and Final Offer (BAFO): In a competitive proposal, the final offer submitted contains the bidder's most favorable terms for price.

Bid Bond: An insurance agreement, accompanied by a monetary commitment, by which a third party (the surety) accepts liability and guarantees that the contractor will not withdraw the bid.

Bidder: A contractor who submits a proposal in response to a written Request for Proposal.

Breach: Violation of a contractual obligation by failing to perform or repudiation of one's own promise.

Business: Any corporation, partnership, individual, sole proprietorship, joint-stock company, joint venture, or any other private legal entity.

Business Day: Any weekday, except State-recognized holidays.

Calendar Day: Every day shown on the calendar including Saturdays, Sundays, and State/Federal holidays.

Cancellation: To call off or revoke a purchase order or contract without expectation of conducting or performing it at a later time.

Change Order: Document that provides an addendum and/or amendments to an executed purchase order or contract.

Collusion: An agreement or cooperation between two or more persons or entities to accomplish a fraudulent, deceitful, or unlawful purpose.

Confidential Information: Unless otherwise defined below, "Confidential Information" shall also mean proprietary trade secrets, academic and scientific research work which is in progress and unpublished, and other information which if released would give advantage to business competitors and serve no public purpose (see Neb. Rev. Stat. § 84-712.05(3)). In accordance with Nebraska Attorney General Opinions 92068 and 97033, proof that information is proprietary requires identification of specific, named competitor(s) who would be advantaged by release of the information and the specific advantage the competitor(s) would receive.

Contract: An agreement between two or more parties creating obligations that are enforceable or otherwise recognizable at law; the writing that sets forth such an agreement.

Contract Administration: The administration of the contract which includes and is not limited to; contract signing, contract amendments and any necessary legal actions.

Contract Award: Occurs upon execution of the State document titled “Service Contract Award” by the proper authority.

Contract Management: The management of day-to-day activities at the agency which includes and is not limited to ensuring deliverables are received, specifications are met, handling meetings and making payments to the Contractor.

Contract Period: The duration of the contract.

Contractor: An individual or entity lawfully conducting business in the State, or licensed to do so, who seeks to provide goods or services under the terms of a written Request for Proposal.

Copyright: A property right in an original work of authorship fixed in any tangible medium of expression, giving the holder the exclusive right to reproduce, adapt and distribute the work.

Customer Service: The process of ensuring customer satisfaction by providing assistance and advice on those products or services provided by the Contractor.

Default: The omission or failure to perform a contractual duty.

Deviation: Any proposed change(s) or alteration(s) to either the terms and conditions or deliverables within the scope of the written Request for Proposal or contract.

Ed-Fi®: A national education data standard and collection tool, created by the Ed-Fi Alliance organization, used by multiple states and software vendors.

Evaluation: The process of examining an offer after opening to determine the bidder’s responsibility, responsiveness to requirements, and to ascertain other characteristics of the offer that relate to determination of the successful award.

Evaluation Committee: Individuals selected by the requesting agency for the evaluation of proposals (offers made in response to written Request for Proposals).

Extension: Continuance of a contract for a specified duration upon the agreement of the parties beyond the original Contract Period. Not to be confused with “Renewal Period”.

Foreign Corporation: A foreign corporation that was organized and chartered under the laws of another state, government, or country.

Formative: Is a planned, ongoing process used by students and teachers during learning and teaching to produce and then use evidence of student learning to inform in-the-moment instruction.

Installation Date: The date when the procedures described in “Installation by Contractor“ and “Installation by State” as found in the Request for Proposal or contract are completed.

Interested Party: A person acting in their personal capacity, or an entity entering into a contract or other agreement creating a legal interest therein.

Interim assessment: Evaluates where students are in their learning at multiple points during the instr**u**ctional year.

Late Proposal: An offer received after the Opening Date and Time.

Mandatory/Must: Required, compulsory, or obligatory.

May: Discretionary, permitted; used to express possibility.

Must: See Mandatory/Must and Shall/Will/Must.

Non-Responsive Proposal: Any proposal that does not comply with the requirements of the Request for Proposal.

NSCAS: The statewide assessment system that embodies Nebraska’s holistic view of students and helps them prepare for success in postsecondary education, career, and civic life.

Opening Date and Time: Specified date and time for the public opening of received, labeled, and sealed formal proposals.

Performance Bond: An insurance agreement, accompanied by a monetary commitment, by which a third party (the surety) accepts liability and guarantees that the Contractor fulfills any and all obligations under the contract.

Point of Contact (POC): The person designated to receive communications and to communicate.

Pre-Proposal Conference: A meeting scheduled for the purpose of clarifying a written Request for Proposal and related expectations.

Project: The total scheme, program, or method worked out for the accomplishment of an objective, including all documentation, commodities, and services to be provided under the contract.

Proposal: Bidder's response to a written Request for Proposal.

Proposal Opening: The process of opening correctly submitted offers at the time and place specified in the written Request for Proposal and in the presence of anyone who wished to attend.

Protest/Grievance: A complaint about a governmental action or decision related to a Request for Proposal or resultant contract, brought by a bidder who has submitted a proposal response by the opening date and time in connection with the award in question, to AS Materiel Division or another designated agency with the intention of achieving a remedial result.

Release Date: The date of public release of the written Request for Proposal to seek offers.

Renewal Period: Optional contract periods subsequent to the original Contract Period for a specified duration with previously agreed to terms and conditions. Not to be confused with Extension.

Request for Proposal (RFP): A written solicitation utilized for obtaining competitive offers.

Responsible Contractor: A contractor who has the capability in all respects to perform fully and lawfully all requirements with integrity and reliability to assure good faith performance.

Responsive Bidder: A vendor who has submitted a proposal which conforms to all requirements of the Request for Proposal document.

Shall/Will/Must: An order/command; mandatory.

Should: Expected; suggested, but not necessarily mandatory.

Specifications: The detailed statement, especially of the measurements, quality, materials, and functional characteristics, or other items to be provided under a contract.

Subcontractor: Individual or entity with whom the contractor enters a contract to perform a portion of the work awarded to the contractor.

Summative assessment: Evaluates student learning and academic achievement at the end of a defined instructional period.

Termination: Occurs when either Party, pursuant to a power created by agreement or law, puts an end to the contract prior to the stated expiration date. All obligations which are still executory on both sides are discharged but any right based on prior breach or performance survives.

Third Party: Any person or entity, including but not limited to fiduciaries, shareholders, owners, officers, managers, employees, legally disinterested persons, and sub-contractors or agents, and their employees. It shall not include any entity or person who is an interested Party to the contract or agreement.

Through-year Assessment: Measures, at a minimum, the full depth and breadth of the state's grade-level content standards over the course of the year (multiple times or distributed across time) and returns a single summative score at the end of the year that may be based on an summative end of year experience that is informed by prior data, an aggregation of scores across the year, or some other method of calculating a student's grade-level proficiency that is informed by the full assessment experience. The difference between a through-year model and an interim-plus-summative model is that the summative experience or summative score is necessarily informed by the assessment events that happened earlier on in the academic year, where an interim-plus-summative system does not require this linkage to be present.

Trade Secret: Information, including, but not limited to, a drawing, formula, pattern, compilation, program, device, method, technique, code, or process that (a) derives independent economic value, actual or potential, from not being known to, and not being ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and (b) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy (see Neb. Rev. Stat. § 87-502(4)).

Trademark: A word, phrase, logo, or other graphic symbol used by a manufacturer or contractor to distinguish its product from those of others, registered with the U.S. Patent and Trademark Office.

Vendor: An individual or entity lawfully conducting business with the State.

Will: See Mandatory/Shall/Will/Must.

Work Day: See Business Day.

ACRONYM LIST

AAAC: Assessment and Accountability Advisory Committee

ACH: Automated Clearing House

ADA: Americans with Disabilities Act

AI: Artificial Intelligence

AL: Assessment Literacy

ALD: Achievement Level Descriptor

AQuESTT: Accountability for Quality Education System, Today and Tomorrow

BAFO – Best and Final Offer

CAA: College Admission Assessment

CCC: Copyright Clearance Center

CF: Certified Facilitator Program

COI – Certificate of Insurance

CSEM: Conditional Standard Error of Measurement

CTT: Classical Test Theory

DAC: District Assessment Contact

DAS – Department of Administrative Services

DOK: Depth of Knowledge

ECD: Evidence Centered Design

ELA: English Language Arts

EL: English Learner Student

ELPA: English Language Proficiency Assessment

EOC: End of Course

ESUs: Educational Service Units

ESEA: Elementary and Secondary Education Act

ESSA: Every Student Succeeds Act

FA: Formative Assessment

FASN: Formative Assessment Supports Network

FERPA: Family Educational Rights and Privacy Act

HCD: Human Centered Design

IAM: Identity and Access Management

IEP: Individualized Education Plan

IDEA: Individuals with Disabilities Act

IT: Information Technology

KPI: Key Performance Indicator

LAN: Local Area Network

LMS: Learning Management System

NACIA: Nebraska Association of Curriculum, Instruction and Assessment

NASB: Nebraska Association of School Boards

NASCD: Nebraska Association for Supervision and Curriculum Development

NASP: Nebraska Association of School Psychologists

N/A: Not Applicable

NCCRS: Nebraska College and Career Ready Standards

NCSA: Nebraska Council of School Administrators

NDE: Nebraska Department of Education

NED: Nebraska Education Directory

NETA: Nebraska Educational Technology Association

NSCAS: Nebraska Student Centered Assessment System

NSEA: Nebraska State Education Association

NTAC: NSCAS Technology Assessment Contact

PAD: Principled Assessment Design

PK: Pre-Kindergarten

PK-12: Pre-Kindergarten to grade 12

PL: Professional Learning

PLD: Performance Level Descriptor

QA/QC: Quality Assurance/Quality Control

RALD: Range Achievement Level Descriptor

RFP – Request for Proposal

SIS: Student Information System

SLDS: State Longitudinal Data System

SPB: State Purchasing Bureau

SPED: Special Education

TAC: Technical Advisory Committee

TTS: Text to Speech

UDL: Universal Design for Learning

USDE: United State Department of Education

WAN: Wide Area Networks

WBS: Work Breakdown Structure

I. PROCUREMENT PROCEDURE

A. GENERAL INFORMATION

The Request for Proposal is designed to solicit proposals from a qualified bidder who will be responsible for providing an innovative, balanced assessment system for English Language Arts (ELA), mathematics, and science inclusive of both general and alternate assessments. Terms and Conditions, Project Description and Scope of Work, Proposal instructions, and Cost Proposal Requirements may be found in Sections II through VI.

Proposals shall conform to all instructions, conditions, and requirements included in the Request for Proposal. Prospective bidders are expected to carefully examine all documents, schedules, and requirements in this Request for Proposal, and respond to each requirement in the format prescribed. Proposals may be found non-responsive if they do not conform to the Request for Proposal.

B. PROCURING OFFICE AND COMMUNICATION WITH STATE STAFF AND EVALUATORS

Procurement responsibilities related to this Request for Proposal reside with the Nebraska Department of Education. The point of contact (POC) for the procurement is as follows:

RFP Number:	NDERFP240325
Name:	Procurement Contract Officer(s)
Agency:	Nebraska Department of Education
Address:	PO Box 94987 Lincoln, NE 68509
Telephone:	402-471-2295
E-Mail:	NDE.Procurement@nebraska.gov

From the date the Request for Proposal is issued until the Intent to Award is issued, communication from the bidder is limited to the POC listed above. After the Intent to Award is issued, the bidder may communicate with individuals the State has designated as responsible for negotiating the contract on behalf of the State. No member of the State Government, employee of the State, or member of the Evaluation Committee is empowered to make binding statements regarding this Request for Proposal. The POC will issue any answers, clarifications, or amendments regarding this Request for Proposal in writing. Only the SPB or awarding agency can award a contract. Bidders shall not have any communication with or attempt to communicate or influence any evaluator involved in this Request for Proposal.

The following exceptions to these restrictions are permitted:

1. Contact made pursuant to pre-existing contracts or obligations;
2. Contact required by the schedule of events or an event scheduled later by the RFP POC; and
3. Contact required for negotiation and execution of the final contract.

The State reserves the right to reject a bidder's proposal, withdraw an Intent to Award, or terminate a contract if the State determines there has been a violation of these procurement procedures.

C. SCHEDULE OF EVENTS

The State expects to adhere to the procurement schedule shown on the following page, but all dates are approximate and subject to change.

Schedule of Events		
ACTIVITY		**DATE/TIME**
1.	Release RFP	6/5/24
2.	Last day to submit written questions Send questions to: NDE.procurement@nebraska.gov	6/12/24
3.	State responds to written questions through RFP "Addendum" and/or "Amendment" to be posted to the Internet at: https://das.nebraska.gov/materiel/purchasing/NDERFP240325/NDERFP240325.html and/or https://das.nebraska.gov/materiel/bidopps.html	6/20/24
4.	Proposal Opening & Proposal Due Date – Online Via Zoom: IT IS THE BIDDER'S RESPONSIBILITY TO UPLOAD ELECTRONIC FILES BY OPENING DATE AND TIME. EXCEPTIONS WILL NOT BE MADE FOR TECHNOLOGY ISSUES. Please submit proposals via email to: NDE.procurement@nebraska.gov Join Zoom Meeting https://educationne.zoom.us/j/97281423757	7/3/24 2:00 PM Central Time
5.	Evaluation period	7/3/24 – 7/17/24
6.	"Oral Interviews/Presentations and/or Demonstrations" (if required)	TBD 7/22/24 – 7/31/24
7.	Post "Notification of Intent to Award" to Internet at: https://das.nebraska.gov/materiel/purchasing/NDERFP240325/NDERFP240325.html and/or https://das.nebraska.gov/materiel/bidopps.html	9/6/24
8.	Contract finalization period	9/16/24 – 9/20/24
9.	Contract award	9/25/24
10.	Contractor start date	7/1/25

D. WRITTEN QUESTIONS AND ANSWERS

Questions regarding the meaning or interpretation of any Request for Proposal provision must be submitted in writing to the Nebraska Department of Education and clearly marked “NDERFP240325 Questions”. The POC is not obligated to respond to questions that are received late per the Schedule of Events.

Bidders should present, as questions, any assumptions upon which the bidder’s proposal is or might be developed. Any proposal containing assumptions may be deemed non-responsive. Non-responsive proposals may be rejected by the State. Proposals will be evaluated without consideration of any known or unknown assumptions of a bidder. The contract will not incorporate any known or unknown assumptions of a bidder.

It is recommended that bidders submit questions using the following format:

RFP Section Reference	RFP Page Number	Question

Written answers will be posted at https://das.nebraska.gov/materiel/bidopps.html per the Schedule of Events.

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E. SECRETARY OF STATE/TAX COMMISSIONER REGISTRATION REQUIREMENTS

All bidders must be authorized to transact business in the State of Nebraska and comply with all Nebraska Secretary of State Registration requirements. The bidder who is the recipient of an Intent to Award may be required to certify that it has complied and produce a true and exact copy of its current (within ninety (90) calendar days of the intent to award) Certificate or Letter of Good Standing, or in the case of a sole proprietorship, provide written documentation of sole proprietorship and complete the United States Citizenship Attestation Form, available on the Department of Administrative Services website at: https://das.nebraska.gov/materiel/docs/pdf/Individual%20or%20Sole%20Proprietor%20United%20States%20Attestation%20Form%20English%20and%20Spanish.pdf This should be accomplished prior to execution of the contract.

F. ETHICS IN PUBLIC CONTRACTING

The State reserves the right to reject proposals, withdraw an intent to award or award, or terminate a contract if an ethical violation has been committed, which includes, but is not limited to:

1. Offering or giving, directly or indirectly, a bribe, fee, commission, compensation, gift, gratuity, or anything of value to any person or entity in an attempt to influence the bidding process;
2. Utilizing the services of lobbyists, attorneys, political activists, or consultants to influence or subvert the bidding process;
3. Being considered for, presently being, or becoming debarred, suspended, ineligible, or excluded from contracting with any state or federal entity:
4. Submitting a proposal on behalf of another Party or entity; and
5. Colluding with any person or entity to influence the bidding process, submit sham proposals, preclude bidding, fix pricing or costs, create an unfair advantage, subvert the proposal, or prejudice the State.

The bidder shall include this clause in any subcontract entered into for the exclusive purpose of performing this contract.

Bidder shall have an affirmative duty to report any violations of this clause by the bidder throughout the bidding process and throughout the term of this contract for the awarded bidder and their subcontractors.

G. DEVIATIONS FROM THE REQUEST FOR PROPOSAL

The requirements contained in the Request for Proposal (Sections II thru VI) become a part of the terms and conditions of the contract resulting from this Request for Proposal. Any deviations from the Request for Proposal in Sections II thru VI must be clearly defined by the bidder in its proposal and, if accepted by the State, will become part of the contract. Any specifically defined deviations must not be in conflict with the basic nature of the Request for Proposal, requirements, or applicable state or federal laws or statutes. “Deviation”, for the purposes of this Request for Proposal, means any proposed changes or alterations to either the contractual language or deliverables within the scope of this Request for Proposal. The State discourages deviations and reserves the right to reject proposed deviations.

H. PRICES & COST CLARIFICATION

Discount and Price provisions are discussed in Sections II.E and II.F. The State reserves the right to review all aspects of cost for reasonableness and to request clarification of any proposal where the cost component indicates a significant and unsupported deviation from industry standards or in areas where detailed pricing is required.

I. SUBMISSION OF PROPOSALS

The State is only accepting electronic responses submitted in accordance with this RFP. The State will not accept proposals by mail, email, voice, or telephone, unless otherwise explicitly stated in writing by the State.

Pages may be consecutively numbered for the entire proposal or may be numbered consecutively within sections. Figures and tables should be numbered and referenced in the text by that number. They should be placed as close as possible to the referencing text. The Technical Proposal should not contain any reference to dollar amounts. However, information such as data concerning labor hours and categories, materials, subcontracts and so forth, shall be considered in the Technical Proposal so that the bidder's understanding of the scope of work may be evaluated. The Technical Proposal shall disclose the bidder's technical approach in as much detail as possible, including, but not limited to, the information required by the Technical Proposal instructions.

It is the bidder's responsibility to ensure the RFP is received electronically by the date and time indicated in the Schedule of Events. Proposals must be submitted via Email to NDE.Procurement@Nebraska.Gov by the date and time of the proposal opening per the Schedule of Events. No late proposals will be accepted.

It is the responsibility of the bidder to check the website for all information relevant to this RFP to include addenda and/or amendments issued prior to the opening date. The website can be found here: https://das.nebraska.gov/materiel/bidopps.html.

Emphasis should be concentrated on conformance to the RFP instructions, responsiveness to requirements, completeness, and clarity of content. If the bidder's proposal is presented in such a fashion that makes evaluation difficult or overly time consuming the State reserves the right to reject the proposal as non-conforming.

The "Request for Proposal for Contractual Services" form must be signed manually in ink or by DocuSign and returned by the proposal opening date and time along with the bidder's Request for Proposal and any other requirements as stated in the Request for Proposal document in order for the bidder's Request for Proposal response to be evaluated.

By signing the "Request for Proposal for Contractual Services" form, the bidder guarantees compliance with the provisions stated in this Request for Proposal.

J. PROPOSAL PREPARATION COSTS

The State shall not incur any liability for any costs incurred by bidder's in replying to this Request for Proposal, including any activity related to bidding on this Request for Proposal.

K. FAILURE TO COMPLY WITH REQUEST FOR PROPOSAL

Violation of the terms and conditions contained in this Request for Proposal or any resultant contract, at any time before or after the award, shall be grounds for action by the State which may include, but is not limited to, the following:

1. Rejection of a bidder's proposal,
2. Withdrawal of the Intent to Award,
3. Withdrawal of the Award,
4. Negative documentation regarding Vendor Performance,
5. Termination of the resulting contract,
6. Legal action; and
7. Suspension of the bidder from further bidding with the State for the period of time relative to the seriousness of the violation. Such period to be within the sole discretion of the State.

L. PROPOSAL CORRECTIONS

A bidder may correct a mistake in a proposal prior to the time of opening by uploading a revised and completed proposal if the original proposal was electronically submitted.

Changing a proposal after opening may be permitted if the change is made to correct a minor error that does not affect price, quantity, quality, delivery, or contractual conditions. In case of a mathematical error in extension of price, unit price shall govern.

M. LATE PROPOSALS

Proposals received after the time and date of the proposal opening will be considered late proposals. Late proposals will be considered non-responsive. The State is not responsible for proposals that are late or lost regardless of cause or fault.

N. PROPOSAL OPENING

The opening of proposals will be public and the bidders will be announced. Proposals **WILL NOT** be available for viewing by those present at the proposal opening. Proposals will be posted to the State Purchasing Bureau website once an Intent to Award has been posted to the website. Once proposals are opened, they become the property of the State of Nebraska and will not be returned.

O. REQUEST FOR PROPOSAL/PROPOSAL REQUIREMENTS

The proposals will first be examined to determine if all requirements listed below have been addressed and whether further evaluation is warranted. Proposals not meeting the requirements may be rejected as non-responsive. The requirements are:

1. Original Request for Proposal for Contractual Services form signed manually in ink or by DocuSign;
2. Clarity and responsiveness of the proposal;
3. Completed Corporate Overview;
4. Completed Sections II thru VI;
5. Completed Technical Approach; and
6. Completed State Cost Proposal Template.

P. EVALUATION COMMITTEE

Proposals are evaluated by members of an Evaluation Committee(s). The Evaluation Committee(s) will consist of individuals selected at the discretion of the State. Names of the members of the Evaluation Committee(s) will not be published prior to the intent to award.

Any contact, attempted contact, or attempt to influence an evaluator that is involved with this Request for Proposal may result in the rejection of this proposal and further administrative actions.

Q. EVALUATION OF PROPOSALS

All proposals that are responsive to the Request for Proposal will be evaluated. Each evaluation category will have a maximum point potential. The State will conduct a fair, impartial, and comprehensive evaluation of all proposals in accordance with the criteria set forth below. Areas that will be addressed and scored during the evaluation include:

1. Corporate Overview may include, but is not limited to:
  a. the ability, capacity, and skill of the bidder to deliver and implement the system or project that meets the requirements of the Request for Proposal;
  b. the character, integrity, reputation, judgment, experience, and efficiency of the bidder;
  c. whether the bidder can perform the contract within the specified time frame;
  d. the bidder's historical or current performance; and
  e. such other information that may be secured and that has a bearing on the decision to award the contract.

In evaluating the corporate overview, the State may consider past experiences with the vendor, references, the State's record of the vendor which may include, but is not limited to Vendor Performance Notices, Vendor Improvement Requests, vendor performance reports, and any information related to the vendor's historical or current character, integrity, reputation, capability, or performance with the State or a third-party.

2. Technical Approach; and,
3. Cost Proposal.

Neb. Rev. Stat. § 73-107 allows for a preference for a resident disabled veteran or business located in a designated enterprise zone. When a state contract is to be awarded to the lowest responsible bidder, a resident disabled veteran or a business located in a designated enterprise zone under the Enterprise Zone Act shall be allowed a preference over any other resident or nonresident bidder, if all other factors are equal.

Resident disabled veterans means any person (a) who resides in the State of Nebraska, who served in the United States Armed Forces, including any reserve component or the National Guard, who was discharged or otherwise separated with a characterization of honorable or general (under honorable conditions), and who possesses a disability rating letter issued by the United States Department of Veterans Affairs establishing a service-connected disability or a disability determination from the United States Department

of Defense and (b)(i) who owns and controls a business or, in the case of a publicly owned business, more than fifty percent of the stock is owned by one or more persons described in (a) of this paragraph and (ii) the management and daily business operations of the business are controlled by one or more persons described in (a) of this paragraph. Any contract entered into without compliance with this section shall be null and void.

Therefore, if a resident disabled veteran or business located in a designated enterprise zone submits a proposal in accordance with Neb. Rev. Stat. § 73-107 and has so indicated on the Request for Proposal cover page under "Contractor must complete the following" requesting priority/preference to be considered in the award of this contract, the following will need to be submitted by the contractor within ten (10) business days of request:

1. Documentation from the United States Armed Forces confirming service,
2. Documentation of discharge or otherwise separated characterization of honorable or general (under honorable conditions),
3. Disability rating letter issued by the United States Department of Veterans Affairs establishing a service-connected disability or a disability determination from the United States Department of Defense; and
4. Documentation which shows ownership and control of a business or, in the case of a publicly owned business, more than fifty percent of the stock is owned by one or more persons described in subdivision (a) of this subsection; and the management and daily business operations of the business are controlled by one or more persons described in subdivision (a) of this subsection.

Failure to submit the requested documentation within ten (10) business days of notice will disqualify the bidder from consideration of the preference.

R. ORAL INTERVIEWS/PRESENTATIONS AND/OR DEMONSTRATIONS

The State may determine after the completion of the Technical and Cost Proposal evaluation that oral interviews/presentations and/or demonstrations are required. Every bidder may not be given an opportunity to interview/present and/or give demonstrations; the State reserves the right, in its discretion, to select only the top scoring bidders to present/give oral interviews. The scores from the oral interviews/presentations and/or demonstrations will be added to the scores from the Technical and Cost Proposals. The presentation process will allow the bidders to demonstrate their proposal offering, explaining and/or clarifying any unusual or significant elements related to their proposals. Bidders' key personnel, identified in their proposal, may be requested to participate in a structured interview to determine their understanding of the requirements of this proposal, their authority and reporting relationships within their firm, and their management style and philosophy. Only representatives of the State and the presenting bidder will be permitted to attend the oral interviews/presentations and/or demonstrations. A written copy or summary of the presentation, and demonstrative information (such as briefing charts, et cetera) may be offered by the bidder, but the State reserves the right to refuse or not consider the offered materials. Bidders shall not be allowed to alter or amend their proposals.

Once the oral interviews/presentations and/or demonstrations have been completed, the State reserves the right to make an award without any further discussion with the bidders regarding the proposals received.

Any cost incidental to the oral interviews/presentations and/or demonstrations shall be borne entirely by the bidder and will not be compensated by the State.

S. BEST AND FINAL OFFER

Each bidder should provide its best offer with their original proposal response and should not expect the State to request a best and final offer (BAFO).

The State reserves the right to conduct more than one BAFO or to not offer every bidder an opportunity to submit a BAFO. If requested by the State, the BAFO must be submitted on the BAFO Cost Proposal form and in accordance with the State's instructions. Failure to submit a requested BAFO or failure to submit a BAFO in accordance with the State's instructions may result in rejection of the bidder's entire proposal response. BAFOs may be scored and ranked by the Evaluation Committee.

T. REFERENCE AND CREDIT CHECKS

The State reserves the right to conduct and consider reference and credit checks. The State reserves the right to use third parties to conduct reference and credit checks. By submitting a proposal in response to this Request for Proposal, the bidder grants to the State the right to contact or arrange a visit in person with any or all of the bidder's clients. Reference and credit checks may be grounds to reject a proposal, withdraw an intent to award, or rescind the award of a contract.

U. AWARD

The State reserves the right to evaluate proposals and award contracts in a manner utilizing criteria selected at the State's discretion and in the State's best interest. After evaluation of the proposals, or at any point in the Request for Proposal process, the State of Nebraska may take one or more of the following actions:

1. Amend the Request for Proposal,
2. Extend the time of or establish a new proposal opening time,
3. Waive deviations or errors in the State's Request for Proposal process and in bidder proposals that are not material, do not compromise the Request for Proposal process or a bidder's proposal, and do not improve a bidder's competitive position,
4. Accept or reject a portion of or all of a proposal,
5. Accept or reject all proposals,
6. Withdraw the Request for Proposal;
7. Elect to rebid the Request for Proposal;
8. Award single lines or multiple lines to one or more bidders; or,
9. Award one or more all-inclusive contracts.

The Request for Proposal does not commit the State to award a contract. Once intent to award decision has been determined, it will be posted to the Internet at: https://das.nebraska.gov/materiel/bidopps.html

Any protests must be filed by a bidder within ten (10) business days after the intent to award decision is posted to the Internet. Grievance and protest procedure is available on the Internet at: https://das.nebraska.gov/materiel/docs/pdf/ProtestGrievanceWithGuidance_08042021.pdf

V. LUMP SUM OR "ALL OR NONE" PROPOSALS

The State reserves the right to purchase item-by-item, by groups or as a total when the State may benefit by so doing. Bidders may submit a proposal on an "all or none" or "lump sum" basis but should also submit a proposal on an item-by-item basis. The term "all or none" means a conditional proposal which requires the purchase of all items on which proposals are offered and bidder declines to accept award on individual items; a "lump sum" proposal is one in which the bidder offers a lower price than the sum of the individual proposals if all items are purchased but agrees to deliver individual items at the prices quoted.

W. REJECTION OF PROPOSALS

The State reserves the right to reject any or all proposals, wholly or in part, in the best interest of the State.

X. RESIDENT BIDDER

Pursuant to Neb. Rev. Stat. §§ 73-101.01 & 73-101.02, a Resident Bidder shall be allowed a preference against a Non-resident Bidder from a state which gives or requires a preference to Bidders from that state. The preference shall be equal to the preference given or required by the state of the Nonresident Bidders. Where the lowest responsible bid from a resident Bidder is equal in all respects to one from a nonresident Bidder from a state which has no preference law, the resident Bidder shall be awarded the contract. The provision of this preference shall not apply to any contract for any project upon which federal funds would be withheld because of the provisions of this preference.

II. TERMS AND CONDITIONS

Bidders should complete Sections II thru VI as part of their proposal.
Bidder is expected to read the Terms and Conditions and should initial either accept, reject, or reject and provide alternative language for each clause. The bidder should also provide an explanation of why the bidder rejected the clause or rejected the

clause and provided alternate language. By signing the Request for Proposal, bidder is agreeing to be legally bound by all the accepted terms and conditions, and any proposed alternative terms and conditions submitted with the proposal. The State reserves the right to negotiate rejected or proposed alternative language. If the State and bidder fail to agree on the final Terms and Conditions, the State reserves the right to reject the proposal. The State of Nebraska is soliciting proposals in response to this Request for Proposal. The State of Nebraska reserves the right to reject proposals that attempt to substitute the bidder's commercial contracts and/or documents for this Request for Proposal.

The bidders should submit with their proposal any license, user agreement, service level agreement, or similar documents that the bidder wants incorporated in the Contract. The State will not consider incorporation of any document not submitted with the bidder's proposal as the document will not have been included in the evaluation process. These documents shall be subject to negotiation and will be incorporated as addendums if agreed to by the Parties.

If a conflict or ambiguity arises after the Addendum to Contract Award have been negotiated and agreed to, the Addendum to Contract Award shall be interpreted as follows:

1. If only one Party has a particular clause then that clause shall control,
2. If both Parties have a similar clause, but the clauses do not conflict, the clauses shall be read together,
3. If both Parties have a similar clause, but the clauses conflict, the State's clause shall control.

A. GENERAL

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

1. The contract resulting from this Request for Proposal shall incorporate the following documents:

a. Request for Proposal, including any attachments and addenda;
b. Amendments to the Request for Proposal;
c. Questions and Answers;
d. Bidder's properly submitted proposal, including any terms and conditions or agreements submitted by the bidder; and
e. Amendments and Addendums to the Contract.

These documents constitute the entirety of the contract.

Unless otherwise specifically stated in a future contract amendment, in case of any conflict between the incorporated documents, the documents shall govern in the following order of preference with number one (1) receiving preference over all other documents and with each lower numbered document having preference over any higher numbered document: 1) Amendment or Addendum to the executed Contract with the most recent dated amendment or addendum having the highest priority, 2) Amendments to the Request for Proposal, 3) Questions and Answers, 4) the original Request for Proposal document and any Addenda or attachments, and 4) the Contractor's submitted Proposal, including any terms and conditions or agreements submitted by the that are accepted by the State.

For the avoidance of doubt, unless otherwise explicitly and specifically agreed to in writing by the State, the State's standard terms and conditions, as executed by the State and, shall always control over any terms and conditions or agreements submitted or included by the Contractor.

Any ambiguity or conflict in the contract discovered after its execution, not otherwise addressed herein, shall be resolved in accordance with the rules of contract interpretation as established in the State of Nebraska.

B. NOTIFICATION

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

Bidder and State shall identify the contract manager who shall serve as the point of contact for the executed contract.

Communications regarding the executed contract shall be in writing and shall be deemed to have been given if delivered personally; electronically, return receipt requested; or mailed, return receipt requested. All notices, requests, or communications shall be deemed effective upon receipt.
Either party may change its address for notification purposes by giving notice of the change and setting forth the new address and an effective date.

C. BUYER'S REPRESENTATIVE

The State reserves the right to appoint a Buyer's Representative to manage or assist the Buyer in managing the contract on behalf of the State. The Buyer's Representative will be appointed in writing, and the appointment document will specify the extent of the Buyer's Representative authority and responsibilities. If a Buyer's Representative is appointed, the bidder will be provided a copy of the appointment document and is expected to cooperate accordingly with the Buyer's Representative. The Buyer's Representative has no authority to bind the State to a contract, amendment, addendum, or other change or addition to the contract.

D. GOVERNING LAW (Nonnegotiable)

Notwithstanding any other provision of this contract, or any amendment or addendum(s) entered into contemporaneously or at a later time, the parties understand and agree that, (1) the State of Nebraska is a sovereign state and its authority to contract is therefore subject to limitation by the State's Constitution, statutes, common law, and regulation; (2) this contract will be interpreted and enforced under the laws of the State of Nebraska; (3) any action to enforce the provisions of this agreement must be brought in the State of Nebraska per state law; (4) the person signing this contract on behalf of the State of Nebraska does not have the authority to waive the State's sovereign immunity, statutes, common law, or regulations; (5) the indemnity, limitation of liability, remedy, and other similar provisions of the final contract, if any, are entered into subject to the State's Constitution, statutes, common law, regulations, and sovereign immunity; and, (6) all terms and conditions of the final contract, including but not limited to the clauses concerning third party use, licenses, warranties, limitations of liability, governing law and venue, usage verification, indemnity, liability, remedy or other similar provisions of the final contract are entered into specifically subject to the State's Constitution, statutes, common law, regulations, and sovereign immunity.

The Parties must comply with all applicable local, state, and federal laws, ordinances, rules, orders, and regulations.

E. DISCOUNTS

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

Prices quoted shall be inclusive of ALL trade discounts. Cash discount terms of less than thirty (30) days will not be considered as part of the proposal. Cash discount periods will be computed from the date of receipt of a properly executed claim voucher or the date of completion of delivery of all items in a satisfactory condition, whichever is later.

F. PRICES

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

Prices quoted shall be net, including transportation and delivery charges fully prepaid by the bidder, F.O.B. destination named in the Request for Proposal. No additional charges will be allowed for packing, packages, or partial delivery costs. When an arithmetic error has been made in the extended total, the unit price will govern.

All prices, costs, and terms and conditions submitted in the proposal shall remain fixed and valid commencing on the opening date of the proposal until an award is made or the Request for Proposal is cancelled.

The State reserves the right to deny any requested price increase. No price increases are to be billed to any State Agencies prior to written amendment of the contract by the parties.

The State will be given full proportionate benefit of any decreases for the term of the contract.

G. BEGINNING OF WORK & SUSPENSION OF SERVICES

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

The bidder shall not commence any billable work until a valid contract has been fully executed by the State and the successful Contractor. The Contractor will be notified in writing when work may begin.

The State may, at any time and without advance notice, require the Contractor to suspend any or all performance or deliverables provided under this Contract. In the event of such suspension, the Contract Manager or POC, or their designee, will issue a written order to stop work. The written order will specify which activities are to be immediately suspended and the reason(s) for the suspension. Upon receipt of such order, the Contractor shall immediately comply with its terms and take all necessary steps to mitigate and eliminate the incurrence of costs allocable to the work affected by the order during the period of suspension. The suspended performance or deliverables may only resume when the State provides the Contractor with written notice that such performance or deliverables may resume, in whole or in part.

H. AMENDMENT

This Contract may be amended in writing, within scope, upon the agreement of both parties.

I. CHANGE ORDERS OR SUBSTITUTIONS

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

The State and the Contractor, upon the written agreement, may make changes to the contract within the general scope of the Request for Proposal. Changes may involve specifications, the quantity of work, or such other items as the State may find necessary or desirable. Corrections of any deliverable, service, or work required pursuant to the contract shall not be deemed a change. The Contractor may not claim forfeiture of the contract by reasons of such changes.

The Contractor shall prepare a written description of the work required due to the change and an itemized cost sheet for the change. Changes in work and the amount of compensation to be paid to the Contractor shall be determined in accordance with applicable unit prices if any, a pro-rated value, or through negotiations. The State shall not incur a price increase for changes that should have been included in the Contractor's proposal, were foreseeable, or result from difficulties with or failure of the Contractor's proposal or performance.

No change shall be implemented by the Contractor until approved by the State, and the Contract is amended to reflect the change and associated costs, if any. If there is a dispute regarding the cost, but both parties agree that immediate implementation is necessary, the change may be implemented, and cost negotiations may continue with both Parties retaining all remedies under the contract and law.

*****Contractor will not substitute any item that has been awarded without prior written approval of SPB*****

J. RECORD OF VENDOR PERFORMANCE

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

The State may document the vendor's performance, which may include, but is not limited to, the customer service provided by the vendor, the ability of the vendor, the skill of the vendor, and any instance(s) of products or services delivered or performed which fail to meet the terms of the purchase order, contract, and/or Request for Proposal specifications. In addition to other remedies and options available to the State, the State may issue one or more notices to the vendor outlining any issues the State has regarding the vendor's performance for a specific contract ("Vendor Performance Notice"). The State may also document the Vendor's performance in a report, which may or may not be provided to the vendor ("Vendor Improvement Request"). The Vendor shall respond to any Vendor Performance Notice or Vendor Improvement Request in accordance with such notice or request. At the sole discretion of the State, such Vendor Performance Notices and Vendor Improvement Requests may be placed in the State's records regarding the vendor and may be considered by the State and held against the vendor in any future contract or award opportunity.

K. CORRECTIVE ACTION PLAN

If Contractor is failing to meet the Scope of Work, in whole or in part, the State may require the Contractor to complete a corrective action plan ("CAP"). The State will identify issues with the Contractor's performance and will set a deadline for the CAP to be provided. The Contractor must provide a written response to each identified issue and what steps the Contractor will take to resolve each issue, including the timeline(s) for resolution. If the Contractor fails to adequately provide the CAP in accordance with this section, fails to adequately resolve the issues described in the CAP, or fails to resolve the issues described in the CAP by the relevant deadline, the State may withhold payments and exercise any legal remedy available.

L. NOTICE OF POTENTIAL CONTRACTOR BREACH

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

If Contractor breaches the contract or anticipates breaching the contract, the Contractor shall immediately give written notice to the State. The notice shall explain the breach or potential breach, a proposed cure, and may include a request for a waiver of the breach if so desired. The State may, in its discretion, temporarily or permanently waive the breach. By granting a waiver, the State does not forfeit any rights or remedies to which the State is entitled by law or equity, or pursuant to the provisions of the contract. Failure to give immediate notice, however, may be grounds for denial of any request for a waiver of a breach.

M. BREACH

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

Either Party may terminate the contract, in whole or in part, if the other Party breaches its duty to perform its obligations under the contract in a timely and proper manner. Termination requires written notice of default and a thirty (30) calendar day (or longer at the non-breaching Party's discretion considering the gravity and nature of the default) cure period. Said notice shall be delivered by email to the contractor's point of contact with acknowledgement from the contractor, Certified Mail - Return Receipt Requested, or in person with proof of delivery. Allowing time to cure a failure or breach of contract does not waive the right to immediately terminate the contract for the same or different contract breach which may occur at a different time. In case of default of the Contractor, the State may contract the service from other sources and hold the Contractor responsible for any excess cost occasioned thereby.

The State's failure to make payment shall not be a breach, and the Contractor shall retain all available statutory remedies and protections.

N. NON-WAIVER OF BREACH

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

The acceptance of late performance with or without objection or reservation by a Party shall not waive any rights of the Party nor constitute a waiver of the requirement of timely performance of any obligations remaining to be performed.

O. SEVERABILITY

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

If any term or condition of the contract is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and conditions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the contract did not contain the provision held to be invalid or illegal.

P. INDEMNIFICATION

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

1. **GENERAL**
The Contractor agrees to defend, indemnify, and hold harmless the State and its employees, volunteers, agents, and its elected and appointed officials ("the indemnified parties") from and against any and all third party claims, liens, demands, damages, liability, actions, causes of action, losses, judgments, costs, and expenses of every nature, including investigation costs and expenses, settlement costs, and attorney fees and expenses ("the claims"), sustained or asserted against the State for personal injury, death, or property loss or damage, arising out of, resulting from, or attributable to the willful misconduct, negligence, error, or omission of the Contractor, its employees, Subcontractors, consultants, representatives, and agents, resulting from this contract, except to the extent such Contractor liability is attenuated by any action of the State which directly and proximately contributed to the claims.

2. **INTELLECTUAL PROPERTY**
The Contractor agrees it will, at its sole cost and expense, defend, indemnify, and hold harmless the indemnified parties from and against any and all claims, to the extent such claims arise out of, result from, or are attributable to, the actual or alleged infringement or misappropriation of any patent, copyright, trade secret, trademark, or confidential information of any third party by the Contractor or its employees, Subcontractors, consultants, representatives, and agents; provided, however, the State gives the Contractor prompt notice in writing of the claim. The Contractor may not settle any infringement claim that will affect the State's use of the Licensed Software without the State's prior written consent, which consent may be withheld for any reason.

   If a judgment or settlement is obtained or reasonably anticipated against the State's use of any intellectual property for which the Contractor has indemnified the State, the Contractor shall, at the Contractor's sole cost and expense, promptly modify the item or items which were determined to be infringing, acquire a license or licenses on the State's behalf to provide the necessary rights to the State to eliminate the infringement, or provide the State with a non-infringing substitute that provides the State the same functionality. At the State's election, the actual or anticipated judgment may be treated as a breach of warranty by the Contractor, and the State may receive the remedies provided under this Request for Proposal.

3. **PERSONNEL**
The Contractor shall, at its expense, indemnify and hold harmless the indemnified parties from and against any claim with respect to withholding taxes, worker's compensation, employee benefits, or any other claim, demand, liability, damage, or loss of any nature relating to any of the personnel, including subcontractor's and their employees, provided by the Contractor.

4. **SELF-INSURANCE**
The State of Nebraska is self-insured for any loss and purchases excess insurance coverage pursuant to Neb. Rev. Stat. § 81-8,239.01. If there is a presumed loss under the provisions of this agreement, Contractor may file a claim with the Office of Risk Management pursuant to Neb. Rev. Stat. §§ 81-8,239.01 to 81-8,306 for review by the State Claims Board. The State retains all rights and immunities under the State Miscellaneous (Neb. Rev. Stat. § 81-8,294), Tort (Neb. Rev. Stat. § 81-8,209), and Contract Claim Acts (Neb. Rev. Stat. § 81-8,302), as outlined in state law and accepts liability under this agreement only to the extent provided by law.

5. **ALL REMEDIES AT LAW**
Nothing in this agreement shall be construed as an indemnification by one Party of the other for liabilities of a Party or third parties for property loss or damage or death or personal injury arising out of and during the performance of this contract. Any liabilities or claims for property loss or damages or for death or personal injury by a Party or its agents, employees, contractors or assigns or by third persons, shall be determined according to applicable law.

6. The Parties acknowledge that Attorney General for the State of Nebraska is required by statute to represent the legal interests of the State, and that any provision of this indemnity clause is subject to the statutory authority of the Attorney General.

Q. ATTORNEY'S FEES

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

In the event of any litigation, appeal, or other legal action to enforce any provision of the contract, the Parties agree to pay all expenses of such action, as permitted by law and if ordered by the court, including attorney's fees and costs, if the other Party prevails.

R. RETAINAGE

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

The State will withhold percent (5%) of each payment due as retainage. The entire retainage amount will be payable upon successful completion of the project. Upon completion of the project, the Contractor will invoice the State for any outstanding work and for the retainage. The State may reject the final invoice by identifying the specific reasons for such rejection in writing to the Contractor within forty-five (45) calendar days of receipt of the final invoice. Otherwise, the project will be deemed accepted and the State will release the final payment and retainage in accordance with the contract payment terms.

S. ASSIGNMENT, SALE, OR MERGER

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

Either Party may assign the contract upon mutual written agreement of the other Party. Such agreement shall not be unreasonably withheld.

The Contractor retains the right to enter into a sale, merger, acquisition, internal reorganization, or similar transaction involving Contractor’s business. Contractor agrees to cooperate with the State in executing amendments to the contract to allow for the transaction. If a third party or entity is involved in the transaction, the Contractor will remain responsible for performance of the contract until such time as the person or entity involved in the transaction agrees in writing to be contractually bound by this contract and perform all obligations of the contract.

T. CONTRACTING WITH OTHER NEBRASKA POLITICAL SUBDIVISIONS OF THE STATE OR ANOTHER STATE

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

The Contractor may, but shall not be required to, allow agencies, as defined in Neb. Rev. Stat. § 81-145(3), to use this contract. The terms and conditions, including price, of the contract may not be amended. The State shall not be contractually obligated or liable for any contract entered into pursuant to this clause. A listing of Nebraska political subdivisions may be found at the website of the Nebraska Auditor of Public Accounts.

The Contractor may, but shall not be required to, allow other states, agencies or divisions of other states, or political subdivisions of other states to use this contract. The terms and conditions, including price, of this contract shall apply to any such contract, but may be amended upon mutual consent of the Parties. The State of Nebraska shall not be contractually or otherwise obligated or liable under any contract entered into pursuant to this clause. The State shall be notified if a contract is executed based upon this contract.

U. FORCE MAJEURE

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

Neither Party shall be liable for any costs or damages, or for default resulting from its inability to perform any of its obligations under the contract due to a natural or manmade event outside the control and not the fault of the affected Party ("Force Majeure Event") that was not foreseeable at the time the Contract was executed. The Party so affected shall immediately make a written request for relief to the other Party and shall have the burden of proof to justify the request. The other Party may grant the relief requested; relief may not be unreasonably withheld. Labor disputes with the impacted Party's own employees will not be considered a Force Majeure Event.

V. CONFIDENTIALITY

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

All materials and information provided by the Parties or acquired by a Party on behalf of the other Party shall be regarded as confidential information. All materials and information provided or acquired shall be handled in accordance with federal and state law, and ethical standards. Should said confidentiality be breached by a Party, the Party shall notify the other Party immediately of said breach and take immediate corrective action.

It is incumbent upon the Parties to inform their officers and employees of the penalties for improper disclosure imposed by the Privacy Act of 1974, 5 U.S.C. 552a. Specifically, 5 U.S.C. 552a (i)(1), which is made applicable by 5 U.S.C. 552a (m)(1), provides that any officer or employee, who by virtue of his/her employment or official position has possession of or access to agency records which contain individually identifiable information, the disclosure of which is prohibited by the Privacy Act or regulations established thereunder, and who knowing that disclosure of the specific material is prohibited, willfully discloses the material in any manner to any person or agency not entitled to receive it, shall be guilty of a misdemeanor and fined not more than $5,000.

W. EARLY TERMINATION

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

The contract may be terminated as follows:

1. The State and the Contractor, by mutual written agreement, may terminate the contract, in whole or in part, at any time.

2. The State, in its sole discretion, may terminate the contract, in whole or in part, for any reason upon thirty (30) calendar day's written notice to the Contractor. Such termination shall not relieve the Contractor of warranty or other service obligations incurred under the terms of the contract. In the event of termination, the Contractor shall be entitled to payment, determined on a pro rata basis, for products or services satisfactorily performed or provided.

3. The State may terminate the contract, in whole or in part, immediately for the following reasons:

a. if directed to do so by statute,
b. Contractor has made an assignment for the benefit of creditors, has admitted in writing its inability to pay debts as they mature, or has ceased operating in the normal course of business,
c. a trustee or receiver of the Contractor or of any substantial part of the Contractor's assets has been appointed by a court,
d. fraud, misappropriation, embezzlement, malfeasance, misfeasance, or illegal conduct pertaining to performance under the contract by its Contractor, its employees, officers, directors, or shareholders,
e. an involuntary proceeding has been commenced by any Party against the Contractor under any one of the chapters of Title 11 of the United States Code and (i) the proceeding has been pending for at least sixty (60) calendar days; or (ii) the Contractor has consented, either expressly or by operation of law, to the entry of an order for relief; or (iii) the Contractor has been decreed or adjudged a debtor,
f. a voluntary petition has been filed by the Contractor under any of the chapters of Title 11 of the United States Code,
g. Contractor intentionally discloses confidential information,
h. Contractor has or announces it will discontinue support of the deliverable; and,
i. In the event funding is no longer available.

X. CONTRACT CLOSEOUT

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

Upon contract closeout for any reason the Contractor shall within 30 days, unless stated otherwise herein:

1. Transfer all completed or partially completed deliverables to the State,
2. Transfer ownership and title to all completed or partially completed deliverables to the State,
3. Return to the State all information and data, unless the Contractor is permitted to keep the information or data by contract or rule of law. Contractor may retain one copy of any information or data as required to comply with applicable work product documentation standards or as are automatically retained in the course of Contractor's routine back up procedures,
4. Cooperate with any successor Contactor, person or entity in the assumption of any or all of the obligations of this contract,

5. Cooperate with any successor Contactor, person or entity with the transfer of information or data related to this contract,

6. Return or vacate any state owned real or personal property; and,

7. Return all data in a mutually acceptable format and manner.

Nothing in this Section should be construed to require the Contractor to surrender intellectual property, real or personal property, or information or data owned by the Contractor for which the State has no legal claim.

III. CONTRACTOR DUTIES

A. INDEPENDENT CONTRACTOR / OBLIGATIONS

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

It is agreed that the Contractor is an independent contractor and that nothing contained herein is intended or should be construed as creating or establishing a relationship of employment, agency, or a partnership.

The Contractor is solely responsible for fulfilling the contract. The Contractor or the Contractor's representative shall be the sole point of contact regarding all contractual matters.

The Contractor shall secure, at its own expense, all personnel required to perform the services under the contract. The personnel the Contractor uses to fulfill the contract shall have no contractual or other legal relationship with the State; they shall not be considered employees of the State and shall not be entitled to any compensation, rights or benefits from the State, including but not limited to, tenure rights, medical and hospital care, sick and vacation leave, severance pay, or retirement benefits.

By-name personnel commitments made in the bidder's proposal shall not be changed without the prior written approval of the State. Replacement of these personnel, if approved by the State, shall be with personnel of equal or greater ability and qualifications.

All personnel assigned by the Contractor to the contract shall be employees of the Contractor or a subcontractor and shall be fully qualified to perform the work required herein. Personnel employed by the Contractor or a subcontractor to fulfill the terms of the contract shall remain under the sole direction and control of the Contractor or the subcontractor respectively.

With respect to its employees, the Contractor agrees to be solely responsible for the following:

1. Any and all pay, benefits, and employment taxes and/or other payroll withholding,
2. Any and all vehicles used by the Contractor's employees, including all insurance required by state law,
3. Damages incurred by Contractor's employees within the scope of their duties under the contract,
4. Maintaining Workers' Compensation and health insurance that complies with state and federal law and submitting any reports on such insurance to the extent required by governing law,
5. Determining the hours to be worked and the duties to be performed by the Contractor's employees; and,
6. All claims on behalf of any person arising out of employment or alleged employment (including without limit claims of discrimination alleged against the Contractor, its officers, agents, or subcontractors or subcontractor's employees).

If the Contractor intends to utilize any subcontractor, the subcontractor's level of effort, tasks, and time allocation should be clearly defined in the bidder's proposal. The Contractor shall agree that it will not utilize any subcontractors not specifically included in its proposal in the performance of the contract without the prior written authorization of the State.

The State reserves the right to require the Contractor to reassign or remove from the project any Contractor or subcontractor employee.

Contractor shall insure that the terms and conditions contained in any contract with a subcontractor does not conflict with the terms and conditions of this contract.

The Contractor shall include a similar provision, for the protection of the State, in the contract with any Subcontractor engaged to perform work on this contract.

B. EMPLOYEE WORK ELIGIBILITY STATUS

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

The Contractor is required and hereby agrees to use a federal immigration verification system to determine the work eligibility status of employees physically performing services within the State of Nebraska. A federal immigration verification system means the electronic verification of the work authorization program authorized by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C. 1324a, known as the E-Verify Program, or an equivalent federal program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work eligibility status of an employee.

If the Contractor is an individual or sole proprietorship, the following applies:

1. The Contractor must complete the United States Citizenship Attestation Form, available on the Department of Administrative Services website at https://das.nebraska.gov/materiel/docs/pdf/Individual%20or%20Sole%20Proprietor%20United%20States%20Attestation%20Form%20English%20and%20Spanish.pdf

2. The completed United States Attestation Form should be submitted with the Request for Proposal response.

3. If the Contractor indicates on such attestation form that he or she is a qualified alien, the Contractor agrees to provide the US Citizenship and Immigration Services documentation required to verify the Contractor's lawful presence in the United States using the Systematic Alien Verification for Entitlements (SAVE) Program.

4. The Contractor understands and agrees that lawful presence in the United States is required, and the Contractor may be disqualified or the contract terminated if such lawful presence cannot be verified as required by Neb. Rev. Stat. § 4-108.

C. COMPLIANCE WITH CIVIL RIGHTS LAWS AND EQUAL OPPORTUNITY EMPLOYMENT / NONDISCRIMINATION (Nonnegotiable)

The Contractor shall comply with all applicable local, state, and federal statutes and regulations regarding civil rights laws and equal opportunity employment. The Nebraska Fair Employment Practice Act prohibits Contractors of the State of Nebraska, and their Subcontractors, from discriminating against any employee or applicant for employment, with respect to hire, tenure, terms, conditions, compensation, or privileges of employment because of race, color, religion, sex, disability, marital status, or national origin (Neb. Rev. Stat. §§ 48-1101 to 48-1125). The Contractor guarantees compliance with the Nebraska Fair Employment Practice Act, and breach of this provision shall be regarded as a material breach of contract. The Contractor shall insert a similar provision in all Subcontracts for goods and services to be covered by any contract resulting from this Request for Proposal.

D. COOPERATION WITH OTHER CONTRACTORS

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

Contractor may be required to work with or in close proximity to other contractors or individuals that may be working on same or different projects. The Contractor shall agree to cooperate with such other contractors or individuals and shall not commit or permit any act which may interfere with the performance of work by any other contractor or individual. Contractor is not required to compromise Contractor's intellectual property or proprietary information unless expressly required to do so by this contract.

E. PERMITS, REGULATIONS, LAWS

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

The contract price shall include the cost of all royalties, licenses, permits, and approvals, whether arising from patents, trademarks, copyrights or otherwise, that are in any way involved in the contract. The Contractor shall obtain and pay for all royalties, licenses, and permits, and approvals necessary for the execution of the contract. The Contractor must guarantee that it has the full legal right to the materials, supplies, equipment, software, and other items used to execute this contract.

F. OWNERSHIP OF INFORMATION AND DATA / DELIVERABLES

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

The State shall have the unlimited right to publish, duplicate, use, and disclose all information and data developed or obtained by the Contractor on behalf of the State pursuant to this contract.

The State shall own and hold exclusive title to any deliverable developed as a result of this contract. Contractor shall have no ownership interest or title, and shall not patent, license, or copyright, duplicate, transfer, sell, or exchange, the design, specifications, concept, or deliverable.

G. INSURANCE REQUIREMENTS

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

The Contractor shall throughout the term of the contract maintain insurance as specified herein and provide the State a current Certificate of Insurance/Acord Form (COI) verifying the coverage. The Contractor shall not commence work on the contract until the insurance is in place. If Contractor subcontracts any portion of the Contract the Contractor must, throughout the term of the contract, either:

1. Provide equivalent insurance for each subcontractor and provide a COI verifying the coverage for the subcontractor,
2. Require each subcontractor to have equivalent insurance and provide written notice to the State that the Contractor has verified that each subcontractor has the required coverage; or,
3. Provide the State with copies of each subcontractor's Certificate of Insurance evidencing the required coverage.

The Contractor shall not allow any Subcontractor to commence work until the Subcontractor has equivalent insurance. The failure of the State to require a COI, or the failure of the Contractor to provide a COI or require subcontractor insurance shall not limit, relieve, or decrease the liability of the Contractor hereunder.

In the event that any policy written on a claims-made basis terminates or is canceled during the term of the contract or within (one) (1) year of termination or expiration of the contract, the contractor shall obtain an extended discovery or reporting period, or a new insurance policy, providing coverage required by this contract for the term of the contract and (one) (1) year following termination or expiration of the contract.

If by the terms of any insurance a mandatory deductible is required, or if the Contractor elects to increase the mandatory deductible amount, the Contractor shall be responsible for payment of the amount of the deductible in the event of a paid claim.

Notwithstanding any other clause in this Contract, the State may recover up to the liability limits of the insurance policies required herein.

1. WORKERS' COMPENSATION INSURANCE

The Contractor shall take out and maintain during the life of this contract the statutory Workers' Compensation and Employer's Liability Insurance for all of the contactors' employees to be engaged in work on the project under this contract and, in case any such work is sublet, the Contractor shall require the Subcontractor similarly to provide Worker's Compensation and Employer's Liability Insurance for all of the Subcontractor's employees to be engaged in such work. This policy shall be written to meet the statutory requirements for the state in which the work is to be performed, including Occupational Disease. **The policy shall include a waiver of subrogation in favor of the State. The COI shall contain the mandatory COI subrogation waiver language found hereinafter**. The amounts of such insurance shall not be less than the limits stated hereinafter. For employees working in the State of Nebraska, the policy must be written by an entity authorized by the State of Nebraska Department of Insurance to write Workers' Compensation and Employer's Liability Insurance for Nebraska employees.

2. COMMERCIAL GENERAL LIABILITY INSURANCE AND COMMERCIAL AUTOMOBILE LIABILITY INSURANCE

The Contractor shall take out and maintain during the life of this contract such Commercial General Liability Insurance and Commercial Automobile Liability Insurance as shall protect Contractor and any Subcontractor performing work covered by this contract from claims for damages for bodily injury, including death, as well as from claims for property damage, which may arise from operations under this contract, whether such operation be by the Contractor or by any Subcontractor or by anyone directly or indirectly employed by either of them, and the amounts of such insurance shall not be less than limits stated hereinafter.

The Commercial General Liability Insurance shall be written on an **occurrence basis**, and provide Premises/Operations, Products/Completed Operations, Independent Contractors, Personal Injury, and Contractual Liability coverage. **The policy shall include the State, and others as required by the contract documents, as Additional Insured(s). This policy shall be primary, and any insurance or self-insurance carried by the State shall be considered secondary and non-contributory**. **The COI shall contain the mandatory COI liability waiver language found hereinafter.** The Commercial Automobile Liability Insurance shall be written to cover all Owned, Non-owned, and Hired vehicles.

REQUIRED INSURANCE COVERAGE	
COMMERCIAL GENERAL LIABILITY	
General Aggregate	$2,000,000
Products/Completed Operations Aggregate	$2,000,000
Personal/Advertising Injury	$1,000,000 per occurrence
Bodily Injury/Property Damage	$1,000,000 per occurrence
Medical Payments	$10,000 any one person
Damage to Rented Premises (Fire)	$300,000 each occurrence
Contractual	Included
XCU Liability (Explosion, Collapse, and Underground Damage)	Included
Independent Contractors	Included
Abuse & Molestation	Included
If higher limits are required, the Umbrella/Excess Liability limits are allowed to satisfy the higher limit.	
WORKER'S COMPENSATION	
Employers Liability Limits	$500K/$500K/$500K
Statutory Limits- All States	Statutory - State of Nebraska
Voluntary Compensation	Statutory
COMMERCIAL AUTOMOBILE LIABILITY	
Bodily Injury/Property Damage	$1,000,000 combined single limit
Include All Owned, Hired & Non-Owned Automobile liability	Included
Motor Carrier Act Endorsement	Where Applicable
UMBRELLA/EXCESS LIABILITY	
Over Primary Insurance	$5,000,000 per occurrence
PROFESSIONAL LIABILITY	
Professional liability (Medical Malpractice)	Limits consistent with Nebraska Medical Malpractice Cap
Qualification Under Nebraska Excess Fund	
All Other Professional Liability (Errors & Omissions)	$1,000,000 Per Claim / Aggregate
COMMERCIAL CRIME	
Crime/Employee Dishonesty Including 3rd Party Fidelity	$1,000,000
CYBER LIABILITY	
Breach of Privacy, Security Breach, Denial of Service, Remediation, Fines and Penalties	$5,000,000
CONTRACTOR'S POLLUTION LIABILITY	
Each Occurrence/Aggregate Limit	$2,000,000
Includes Non-Owned Disposal Sites	
MANDATORY COI SUBROGATION WAIVER LANGUAGE	
"Workers' Compensation policy shall include a waiver of subrogation in favor of the State of Nebraska."	
MANDATORY COI LIABILITY WAIVER LANGUAGE	
"Commercial General Liability & Commercial Automobile Liability policies shall name the State of Nebraska as an Additional Insured and the policies shall be primary and any insurance or self-insurance carried by the State shall be considered secondary and non-contributory as additionally insured."	

3. EVIDENCE OF COVERAGE

The Contractor shall furnish the Contract Manager, via email, with a certificate of insurance coverage complying with the above requirements prior to beginning work at:

Nebraska Department of Education
NDERFP240325
500 S 84th Street, 1st Floor
Lincoln, NE 68510

Email to NDE.procurement@nebraska.gov

These certificates or the cover sheet shall reference the RFP number, and the certificates shall include the name of the company, policy numbers, effective dates, dates of expiration, and amounts and types of coverage afforded. If the State is damaged by the failure of the Contractor to maintain such insurance, then the Contractor shall be responsible for all reasonable costs properly attributable thereto.

Reasonable notice of cancellation of any required insurance policy must be submitted to the contract manager as listed above when issued and a new coverage binder shall be submitted immediately to ensure no break in coverage.

4. DEVIATIONS

The insurance requirements are subject to limited negotiation. Negotiation typically includes, but is not necessarily limited to, the correct type of coverage, necessity for Workers' Compensation, and the type of automobile coverage carried by the Contractor.

H. ANTITRUST

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

The Contractor hereby assigns to the State any and all claims for overcharges as to goods and/or services provided in connection with this contract resulting from antitrust violations which arise under antitrust laws of the United States and the antitrust laws of the State.

I. CONFLICT OF INTEREST

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

By submitting a proposal, bidder certifies that no relationship exists between the bidder and any person or entity which either is, or gives the appearance of, a conflict of interest related to this Request for Proposal or project.

Bidder further certifies that bidder will not employ any individual known by bidder to have a conflict of interest nor shall bidder take any action or acquire any interest, either directly or indirectly, which will conflict in any manner or degree with the performance of its contractual obligations hereunder or which creates an actual or appearance of conflict of interest.

If there is an actual or perceived conflict of interest, bidder shall provide with its proposal a full disclosure of the facts describing such actual or perceived conflict of interest and a proposed mitigation plan for consideration. The State will then consider such disclosure and proposed mitigation plan and either approve or reject as part of the overall bid evaluation.

J. STATE PROPERTY

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

The Contractor shall be responsible for the proper care and custody of any State-owned property which is furnished for the Contractor's use during the performance of the contract. The Contractor shall reimburse the State for any loss or damage of such property; normal wear and tear is expected.

K. SITE RULES AND REGULATIONS

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

The Contractor shall use its best efforts to ensure that its employees, agents, and Subcontractors comply with site rules and regulations while on State premises. If the Contractor must perform on-site work outside of the daily operational hours set forth by the State, it must make arrangements with the State to ensure access to the facility and the equipment has been arranged. No additional payment will be made by the State on the basis of lack of access, unless the State fails to provide access as agreed to in writing between the State and the Contractor.

L. ADVERTISING

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

The Contractor agrees not to refer to the contract award in advertising in such a manner as to state or imply that the company or its goods or services are endorsed or preferred by the State. Any publicity releases pertaining to the project shall not be issued without prior written approval from the State.

M. NEBRASKA TECHNOLOGY ACCESS STANDARDS (Nonnegotiable)

1. The State of Nebraska is committed to ensuring that all information and communication technology (ICT), developed, leased, or owned by the State of Nebraska, affords equivalent access to employees, program participants and members of the public with disabilities, as it affords to employees, program participants and members of the public who are not persons with disabilities.
2. By entering into this Contract, Contractor understands and agrees that if the Contractor is providing a product or service that contains ICT, as defined in subsection III.M.3 (below) and such ICT is intended to be directly interacted with by the user or is public facing, such ICT must provide equivalent access, or be modified during implementation to afford equivalent access, to employees, program participants, and members of the public who have and who do not have disabilities. The Contractor may comply with this section by complying with Section 508 of the Rehabilitation Act of 1973, as amended, and its implementing standards adopted and promulgated by the U.S. Access Board.
3. ICT means information technology and other equipment, systems, technologies, or processes, for which the principal function is the creation, manipulation, storage, display, receipt, or transmission of electronic data and information, as well as any associated content. Contractor hereby agrees ICT includes computers and peripheral equipment, information kiosks and transaction machines, telecommunications equipment, customer premises equipment, multifunction office machines, software, applications, web sites, videos, and electronic documents. For the purposes of these assurances, ICT does not include ICT that is used exclusively by a contractor.

N. DISASTER RECOVERY/BACK UP PLAN

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

The Contractor shall have a disaster recovery and back-up plan, of which a copy should be provided upon request to the State, which includes, but is not limited to equipment, personnel, facilities, and transportation, in order to continue delivery of goods and services as specified under the specifications in the contract in the event of a disaster.

O. DRUG POLICY

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

Contractor certifies it maintains a drug free workplace environment to ensure worker safety and workplace integrity. Contractor agrees to provide a copy of its drug free workplace policy at any time upon request by the State.

P. WARRANTY

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

Despite any clause to the contrary, the Contractor represents and warrants that its services hereunder shall be performed by competent personnel and shall be of professional quality consistent with generally accepted industry standards for the performance of such services and shall comply in all respects with the requirements of this Agreement. For any breach of this warranty, the Contractor shall, for a period of ninety (90) days from performance of the service, perform the services again, at no cost to the State, or if Contractor is unable to perform the services as warranted, Contractor shall reimburse the State all fees paid to Contractor for the unsatisfactory services. The rights and remedies of the parties under this warranty are in addition to any other rights and remedies of the parties provided by law or equity, including, without limitation actual damages, and, as applicable and awarded under the law, to a prevailing party, reasonable attorneys' fees and costs.

Q. TIME IS OF THE ESSENCE
Time is of the essence with respect to Contractor's performance and deliverables pursuant to this Contract.

IV. PAYMENT

A. PROHIBITION AGAINST ADVANCE PAYMENT (Nonnegotiable)

Pursuant to Neb. Rev. Stat. § 81-2403, "[n]o goods or services shall be deemed to be received by an agency until all such goods or services are completely delivered and finally accepted by the agency."

B. TAXES (Nonnegotiable)

The State is not required to pay taxes and assumes no such liability as a result of this Request for Proposal. The Contractor may request a copy of the Nebraska Department of Revenue, Nebraska Resale or Exempt Sale Certificate for Sales Tax Exemption, Form 13 for their records. Any property tax payable on the Contractor's equipment which may be installed in a state-owned facility is the responsibility of the Contractor.

C. INVOICES

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

Invoices for payments must be submitted by the Contractor to the agency requesting the services with sufficient detail to support payment. The terms and conditions included in the Contractor's invoice shall be deemed to be solely for the convenience of the parties. No terms or conditions of any such invoice shall be binding upon the State, and no action by the State, including without limitation the payment of any such invoice in whole or in part, shall be construed as binding or estopping the State with respect to any such term or condition, unless the invoice term or condition has been previously agreed to by the State as an amendment to the contract.

D. INSPECTION AND APPROVAL

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

Final inspection and approval of all work required under the contract shall be performed by the designated State officials.

The State and/or its authorized representatives shall have the right to enter any premises where the Contractor or Subcontractor duties under the contract are being performed, and to inspect, monitor or otherwise evaluate the work being performed. All inspections and evaluations shall be at reasonable times and in a manner that will not unreasonably delay work.

E. PAYMENT (Nonnegotiable)

Payment will be made by the responsible agency in compliance with the State of Nebraska Prompt Payment Act (See Neb. Rev. Stat. § 81-2403). The State may require the Contractor to accept payment by electronic means such as ACH deposit. In no event shall the State be responsible or liable to pay for any goods and services provided by the Contractor prior to the Effective Date of the contract, and the Contractor hereby waives any claim or cause of action for any such services.

F. LATE PAYMENT (Nonnegotiable)

The Contractor may charge the responsible agency interest for late payment in compliance with the State of Nebraska Prompt Payment Act (See Neb. Rev. Stat. §§ 81-2401 through 81-2408).

G. SUBJECT TO FUNDING / FUNDING OUT CLAUSE FOR LOSS OF APPROPRIATIONS (Nonnegotiable)

The State's obligation to pay amounts due on the Contract for fiscal years following the current fiscal year is contingent upon legislative appropriation of funds. Should said funds not be appropriated, the State may terminate the contract with respect to those payments for the fiscal year(s) for which such funds are not appropriated. The State will give the Contractor written notice thirty (30) calendar days prior to the effective date of termination. All obligations of the State to make payments after the termination date will cease. The Contractor shall be entitled to receive just and equitable compensation for any authorized work which has been satisfactorily completed as of the termination date. In no event shall the Contractor be paid for a loss of anticipated profit.

H. RIGHT TO AUDIT (First Paragraph is Nonnegotiable)

The State shall have the right to audit the Contractor's performance of this contract upon a thirty (30) days' written notice. Contractor shall utilize generally accepted accounting principles, and shall maintain the accounting records, and other records and information relevant to the contract (Information) to enable the State to audit the contract. (Neb. Rev. Stat. § 84-304 et seq.) The State may audit, and the Contractor shall maintain, the Information during the term of the contract and for a period of five (5) years after the completion of this contract or until all issues or litigation are resolved, whichever is later. The Contractor shall make the Information available to the State at Contractor's place of business or a location acceptable to both Parties during normal business hours. If this is not practical or the Contractor so elects, the Contractor may provide electronic or paper copies of the Information. The State reserves the right to examine, make copies of, and take notes on any Information relevant to this contract, regardless of the form or the Information, how it is stored, or who possesses the Information. Under no circumstance will the Contractor be required to create or maintain documents not kept in the ordinary course of contractor's business operations, nor will contractor be required to disclose any information, including but not limited to product cost data, which is confidential or proprietary to contractor.

Accept (Initial)	Reject (Initial)	Reject & Provide Alternative within RFP Response (Initial)	NOTES/COMMENTS:

The Parties shall pay their own costs of the audit unless the audit finds a previously undisclosed overpayment by the State. If a previously undisclosed overpayment exceeds one-half of one percent the total contract billings, or if fraud, material misrepresentations, or non-performance is discovered on the part of the Contractor, the Contractor shall reimburse the State for the total costs of the audit. Overpayments and audit costs owed to the State shall be paid within ninety (90) days of written notice of the claim. The Contractor agrees to correct any material weaknesses or condition found as a result of the audit.

V. PROJECT DESCRIPTION AND SCOPE OF WORK

The bidder should provide the following information in response to this Request for Proposal.

A. PROJECT OVERVIEW

The Nebraska Department of Education (NDE) Office of Teaching, Learning and Assessment is seeking a Contractor to provide a balanced system of English language arts (ELA), math, and science assessments for general education and alternate education students to be administered operationally beginning in Spring 2026. Test designs must align with Nebraska standards, provide information in addition to an overall score (e.g., sub-scores) in each content area to the degree possible within the purpose of the assessment, require a reasonable amount of testing time, can be delivered successfully to all schools and districts online, are valid and reliable, and are ready for administration no later than September 1, 2025. NDE is open to innovative proposals that meet the state's theory of action and claims requirements set forth later in this proposal and encourages vendors to propose systems they feel will bring value to the state.

The NDE expects to use the expertise and experience of the educators in Nebraska to participate, to the maximum extent possible, in the maintenance and improvement of the statewide assessments, including in the item writing process. The selected assessment Contractor is expected to provide professional development surrounding assessment literacy and actionable data use via the state's Certified Facilitator (CF) program.

a. Components

The balanced assessments must be aligned with Nebraska's content standards in ELA, math, and science and must meet all federal requirements for Peer Review under the Elementary and Secondary Education Act (ESEA) as reauthorized by the Every Student Succeeds Act (ESSA). Bidder is to provide a balanced assessment system that offers:

A coherent interim + summative or through-year ELA and math assessment system for general education students in grades 3–8

Summative science assessments for general education students in grades 5 and 8

Alternate ELA and math summative assessments for students with the most significant cognitive disabilities in grades 3–8 and 11

Alternate science summative assessments for students with the most significant cognitive disabilities in grades 5, 8, and 11

Professional learning and a train-the-trainer model to support the NDE's Certified Facilitator (CF) program

Bidders are encouraged to work with subcontractors to come up with a cohesive bid that addresses all areas of the state balanced assessment system and uses one cohesive platform for delivery. However, bidders may propose only those components they feel most qualified to address. While consideration will be given to proposals that address only part of the system, preference will be given to proposals addressing all required components or can use one cohesive platform. If necessary, NDE will consider a situation similar to the current contracting arrangement with one contractor providing general assessments and another providing alternate assessments.

All assessments are to be administered operationally beginning in the 2025–26 school year. Test designs must align with Nebraska standards, provide information in addition to an overall score (e.g., sub-scores) in each content area to the degree possible within the purpose of the assessment, require a reasonable amount of testing time, be delivered successfully to all schools and districts online, be valid and reliable and adhere to best practices in test development, and be ready for administration no later than September 1, 2025.

b. Content and Items

The summative assessments must be aligned with Nebraska's content standards in ELA, math, and science and must meet all federal requirements for Peer Review under the ESEA as reauthorized by the ESSA.

Alternate assessments must be aligned to the Nebraska Extended Standards.

NDE's assessments must measure the depth and breadth of Nebraska's standards, demonstrating a balance of content emphasis and cognitive complexity through all depths of knowledge levels. Summative and alternate assessments must be specific to Nebraska and developed in partnership with Nebraska educators. Assessments should use the item bank the NDE already owns, and new items developed will become part of the NDE owned item bank. Bidders may propose to begin/augment with Bidder owned items and transition to more NDE specific items over the assessment period. If such a custom or blended assessment is proposed for development, the assessment must be aligned to Nebraska's content area standards and the Contractor will be responsible for providing an independent alignment study and review in the first year of implementation.

The NDE does not intend at this time to assess the listening and speaking standards of ELA but would like to see options for inclusion of extended constructed response or performance task items in ELA, math, and science items to better measure writing, scientific reasoning and mathematical reasoning. This should be labelled "Option A" in the optional tasks included for budget determination if extended constructed response items and scoring are not part of the baseline Proposal.

If an off-the-shelf test is proposed for any part of the system (e.g. interim assessments or optional Proposal for formative assessment items), the Bidder must indicate commitment to an independent alignment study to be completed by using non-Bidder consultants or a non-Bidder organization, that includes evidence of the alignment of forms of the assessment in terms of distribution of content (i.e. knowledge and cognitive process) across the full range of Nebraska's grade-level academic content area standards.

c. Required Formats

The NDE requires administration of an item-adaptive assessment (general education summative ELA and math), with allowance for pencil-and-paper assessments for students with Individual Education Plans (IEPs), Section 504 plans, or English learner (EL) status for the general education ELA and math assessments. Science assessments and alternate assessments do not need to be item-level adaptive but must also be offered online with allowance for pencil-and-paper assessments for students needing these accommodations. Alternate assessments are currently offered as pencil-and-paper assessments and using teacher computer entry; however, the NDE is open to innovative approaches to assessing students with the most significant cognitive disabilities.

d. Accessibility

The NDE is committed to the principle that the state assessment must be accessible to all students. Therefore, the Proposal must reflect an understanding of and commitment to this principle throughout the field-testing, test form construction, administration, and reporting processes. The NDE is concerned about the accessibility of the state assessments to ELs. To meet state and federal inclusion requirements, all assessments will be administered to students with different levels of ability and English fluency. Students with limited fluency and students transitioning from EL supports to the regular classroom will be taking assessments. Bidder should address what accommodations will be available to support ELs taking the assessments, and what language supports will be available.

The NDE has provided forms in Spanish for all general assessments in the past, and at a minimum this will continue to be required; however, the NDE would also like Bidder to consider what supports they can provide for students speaking other common languages in the state including:

i. Spanish,

ii. Karen,

iii. Arabic,

iv. Chinese,

v. Ukrainian, and

vi. Somali

Bidders are encouraged to include innovative approaches that allow the assessment to increase accessibility for ELs.

The NDE is concerned about the accessibility of the statewide assessments to students with disabilities. Accommodations and supports are needed to provide access to assessments for students with disabilities, and Bidder must speak to what accommodations and supports are available in their system. Both Evidence Centered Design

(ECD) and Universal Design for Learning (UDL) principles should be used throughout the assessment development process.

Table A.1: Expected components to be included in the assessment system proposal

Component	Description	Scope
Statewide Assessments	Standardized assessments (general statewide program and alternate statewide program) administered statewide to measure student proficiency in key subject areas including English language arts (ELA), math, and science in required grades.	In Scope - Required
Interim Assessments	ELA and math assessments administered periodically throughout the academic year to monitor student progress, identify areas of strength and weakness, and inform instructional planning.	In Scope - Required* if Statewide Assessments are not a through-year model
Formative Assessments	Informal assessments conducted by educators during instruction to gauge student understanding, provide feedback, and adjust teaching strategies as needed.	In Scope - Optional
Performance-Based Assessments	Assessments that require students to demonstrate their knowledge and skills through real-world tasks, projects, extended responses, or performances.	In Scope - Optional item types
Accommodations and Supports	Special provisions provided to ensure equitable access to assessments for all students, including those with disabilities and English learners (ELs). Accommodations may include extended time, alternative settings, and assistive technology.	In Scope - Required
Test Administration	Procedures and protocols for administering assessments, including training for test administrators, test security measures and reporting, and guidelines for handling accommodations and supports.	In Scope - Required
Scoring and Reporting	Processes for scoring student responses, generating individual and aggregate reports, and disseminating results to stakeholders. Reporting may include scores, proficiency levels, growth measures, and interpretation guides.	In Scope - Required
Item Development	Creation of assessment items aligned with Nebraska content standards, including multiple-choice questions, constructed response items, and performance tasks.	In Scope - Required
Test Delivery	Modes of delivering assessments to students, including paper/pencil tests and computer-based tests.	In Scope - Required
Psychometric Analysis	Statistical analysis of assessment data to ensure validity, reliability, and fairness. This includes item analysis, equating, scaling, and standard setting.	In Scope - Required
Stakeholder Engagement	Collaboration with educators, policymakers, parents/guardians, and other stakeholders to participate in workgroups, gather feedback, provide information, and address concerns related to the assessment system.	In Scope - Required
Technology Infrastructure	Hardware, software, and network resources necessary to support assessments, including device compatibility, internet connectivity, and secure testing platforms.	In Scope - Required

Data Management	Systems and protocols for collecting, storing, and analyzing assessment data, ensuring accuracy, security, and compliance with privacy regulations.	In Scope - Required
Professional Development	Training and support for educators on assessment literacy, data interpretation, and instructional strategies informed by assessment data.	In Scope - Required
Program Evaluation	Analysis of assessment data to evaluate the effectiveness of educational programs and initiatives, inform decision-making, and drive continuous improvement.	In Scope - Present Options
Research and Development	Ongoing research to improve assessment validity, reliability, and fairness, as well as to explore innovative assessment approaches and technologies.	In Scope - Present Options
Stakeholder Communication	Communication strategies to ensure transparency, accessibility, and understanding of assessment policies, procedures, and results among stakeholders, including students, educators, policymakers, parents/guardians, and the public.	In Scope - Required
Continuous Improvement	Processes for reviewing and refining the assessment system based on feedback, data analysis, and research findings to ensure its effectiveness and relevance.	In Scope - Required
Program Management	Process for ensuring communication with the NDE is happening, and that components of the assessment system are being delivered on budget and on time.	In Scope - Required

B. PROJECT ENVIRONMENT

I. Structure of Nebraska's Educational System

a. Governance:

The Nebraska Department of Education (NDE) works closely with the Nebraska State Board of Education (the board). The board is an elected, constitutional body that sets policy and ensures that the NDE functions effectively within the framework developed by the Nebraska Legislature and the board. By law, the board and the NDE have broad leadership functions to carry out certain regulatory and service activities.

The board appoints the state commissioner, and through the commissioner provides supervision and consultation to schools, establishes rules and regulations which govern standards and procedures, institutes a statewide system of testing, publishes laws, rules and regulations, issues materials and approves teacher education programs.

The board is elected on a non-partisan ballot, with one member from each district. Board members serve four-year terms. Board members are not paid but are reimbursed for their expenses.
The 2021 Nebraska Legislature redistricted the eight board regions. A map showing the 2023 school districts by board district can be found here: https://www.education.ne.gov/wp-content/uploads/2022/02/2021-2022-School-District-State-Board-1.pdf

The current board position statement on assessment follows:
Nebraska Revised Statute 79-760.03 requires the State Board of Education to "implement a statewide system for the assessment of student learning and for reporting the performance of school districts and learning communities…" The assessment and reporting system shall measure student knowledge of the required academic content standards for reading, writing, mathematics, and science. The results of the statewide assessment are publicly reported, provide information to the public and policy makers, and provide a comparison among Nebraska public schools.
The State Board of Education recognizes the importance of assessment within quality teaching and learning systems. In addition to the requirements of law, the State Board of Education believes schools and districts should utilize a balanced assessment system that includes formative, interim, and summative assessments to inform instruction and program development, monitor progress, and evaluate student learning for all content areas and grade levels. Rule 10 highlights the important role assessment plays within the instructional process:

"Assessment procedures and results assist teachers in planning and providing appropriate instruction for all students. Assessment results also provide information for monitoring program success, and for reporting to parents/guardians, policymakers, and the community. Schools periodically review procedures to improve assessment quality and improve student learning. The information assists schools in establishing and achieving improvement goals."

As outlined in the State Board of Education and Nebraska Department of Education Strategic Vision and Direction, assessments are used to measure and help improve student achievement by informing instruction. This outcome statement should be considered when developing, adopting, and maintaining balanced assessment systems. In addition, the following principles guide the continuous improvement of balanced assessment systems utilized by districts and supported by the NDE.

Assessment should be:

- Focused on improved student learning: Measures growth to inform and guide instruction
- Purposeful: Utilizes a design that accomplishes articulated purpose(s)
- High quality: Aligns to state-approved content area standards and measures higher order thinking skills
- Time limited: Efficient while maximizing instructional time
- Fair: Free from bias and provides equitable access for all students including English Language Learners and students with disabilities
- Transparent to stakeholders: Provides information that is timely, understandable, and easily accessible to students, teachers, parents/guardians, and policy-makers.

All NDE work undertaken in the efforts to develop, adopt, or maintain a statewide assessment system or support districts in balanced assessment efforts should be informed by these guidelines. The NDE will engage with Nebraska educators to achieve balanced assessment systems for the benefit of all Nebraska students.

b. NDE Organization:

The Nebraska assessment program is housed within the NDE's Office of Teaching, Learning, and Assessment and reports up through the Academic Officer for the department. The office works closely with the other offices within the division of School Improvement and Support and Student and Client Success. Dedicated staff within the department also serve finance, technology, and data support roles, and the selected Contractor will be expected to work with staff in these areas to ensure that financial, data, and technology requirements are met in the work of implementing and delivering the assessment program. An organizational chart showing the functions and organization of the department is seen below:

II. State Context:

The Nebraska educational system is comprised of 244 schools, 18 External Program schools, and 8 Special Purpose schools. Nebraska's districts include several configurations. These configurations include:

Metropolitan areas that have multiple schools in the same community; for example, Omaha contains 65 elementary schools and 12 middle schools.

Single-site districts with one school; for example, Arthur, Nebraska, is a village of 130 that operates as a county school with 120 students in a K–8 school setting.

External Programs are special program "schools" housed in county detention homes, institutions, and juvenile emergency shelters. They are often associated with a public school system that is responsible for testing students under the statewide assessment system. In 2022–23, there were 78 of these programs located across Nebraska.

Within each district, a school superintendent is charged with the overall supervision of the education programs in their district and is expected to work with their elected school board, which often has the responsibility of selecting the superintendent to act on the board's behalf. District offices typically have a district-level assessment contact and technology contact who will work with the selected Contractor to support local schools. Districts in Nebraska serve students PK–12, typically at separate elementary, middle, and high school sites, though some smaller districts have shared buildings. Each site typically will have staff who have responsibilities for helping ensure that the technology and organizational needs of the assessment system are met. Where this is housed will differ across schools, and in many cases the school-level assessment contact will be an individual serving in another administrative or leadership role within the school.

17 Educational Service Units also support the Nebraska educational system, and often provide support to districts. This includes participating in activities such as certified facilitator programs to ensure that training and support for department initiatives are accessible across the state.

a. Student Population and Demographics:

State and District Statistics (as of 2022–23) are found here: https://nep.education.ne.gov/statedata.html

- 1005 Public Schools in 244 districts
- 62 Prekindergarten
- 541 Elementary
- 135 Middle
- 111 High School
- 156 Secondary
- 328,722 students
- 165,296 students in grades 3–8 and 11

Specific breakdowns by grade and more trends can be seen online, or in the table below.

Table B.1: 2023 Student Population

Grade	Student Population
PK	19,308
K	22,921
1	23,385
2	23,132
3	23,403
4	23,158
5	23,303
6	23,181
7	23,862
8	24,406
9	25,223
10	23,981
11	23,983
12	25,476

The breakdown of students by federal reporting subgroup in the state is seen below.

Table B.2: 2022–23 Student Representation by Federal Subgroup

Demographic Group	Percentage of Students (2022–23)
American Indian or Alaska Native	1.3%
Asian	3.0%
Black or African American	6.5%
Hispanic or Latino	21.2%
Native Hawaiian or Other Pacific Islander	0.2%
White	63.3%
Two or More Races	4.5%
Special Education	16.5%
English Learners	8.4%
Free and Reduced Lunch	49.7%

b. Key Educational Associations

State Workgroups and Associations: Nebraska has a variety of associations and workgroups in the state that support educational initiatives. Some of these will necessarily play critical roles in shaping the assessment system, and others may be places for Contractor to consider in setting stakeholder meetings and recruiting panelists for such tasks as item writing, item review, range finding, hand-scoring, and cognitive labs.

Nebraska State Board of Education: This governing body establishes policies and regulations for Nebraska's K–12 education system. The board works closely with the NDE to ensure alignment between educational standards, assessments, and curriculum. Any direct meetings between a Contractor and board stakeholders (including presentations) must always be jointly conducted with the NDE.

Assessment and Accountability Advisory Committee (AAAC): This group meets at least twice a year to advise the NDE on issues related to their assessment and accountability systems. The selected Contractor should be prepared to provide data or other information to the NDE to support these meetings but is not expected to be in attendance at these meetings.

Nebraska Association of Curriculum, Instruction and Assessment (NACIA): The NDE meets with this group at least twice a year to discuss curriculum, instruction, and assessment related topics. The selected Contractor should be prepared to provide data or other information to the NDE to support these meetings but is not expected to attend these meetings.

Technical Advisory Committee (TAC): A group of assessment experts meets with the NDE assessment staff at least twice a year to discuss the assessment system and to help the NDE plan for future assessment work. The selected Contractor should be prepared to provide data or other information to the NDE to support these meetings and will need to participate virtually in parts of these meetings to present work to the TAC and gather feedback on proposed processes.

Nebraska State Education Association (NSEA): This is the largest professional organization representing teachers and educational support personnel in Nebraska. NSEA advocates for educators' rights, provides professional development opportunities, and collaborates with policymakers on educational issues.

Nebraska Council of School Administrators (NCSA): This association represents school administrators, including superintendents, principals, and other district leaders. NCSA offers professional development, networking opportunities, and advocacy for administrative professionals in the education sector.

Nebraska Association of School Boards (NASB): This board represents the interests of school board members across the state. NASB provides training, resources, and advocacy on behalf of local school boards, ensuring they have the support they need to govern effectively.

Nebraska Association for Supervision and Curriculum Development (NASCD): This group focuses on promoting excellence in curriculum, instruction, and assessment. The NASCD provides professional development opportunities for educators and advocates for research-based practices in teaching and learning.

Nebraska Educational Service Units (ESUs): These regional agencies provide support services to school districts, including professional development, technology assistance, special education resources, and coordination of statewide assessments. They play a vital role in ensuring that schools have access to necessary resources and support.

Nebraska Association of School Psychologists (NASP): This association represents school psychologists who play critical roles in supporting students' academic, social, and emotional development. NASP provides professional development, advocates for best practices in school psychology, and collaborates with other educational stakeholders.

Nebraska Educational Technology Association (NETA): This association focuses on integrating technology into education to enhance teaching and learning. NETA provides training, resources, and advocacy for educators interested in leveraging technology to improve educational outcomes.

All engagement with external to NDE entities should be approved by NDE staff before Contractor conducts outreach for the purposes of assessment development or support. The Contractor will be responsible for scheduling all workgroups needed to carry out required assessment development and improvement activities.

c. District and Local Contacts:

District Assessment Contacts (DACs): Every district has or will identify a district assessment contact to manage logistics for training, assessment implementation, and data and results dissemination within their district. Bidder should ensure their communication, training, and dissemination plans will appropriately engage these contacts and that the material provided to these contacts is user friendly and supports district roll-out of training and support at the local school level.

NSCAS Technology Assessment Contacts (NTACs): Every district has or will identify a district technology contact with whom the Contractor should expect to work with to deploy all assessment technologies and updates. These individuals will be responsible for ensuring that all schools within their districts meet assessment system requirements. Bidder plans must ensure that there are appropriate channels for communication, training, and support for these individuals to ensure school level technology contacts are ready to support the assessment system.

School Level Assessment and Technology Contacts: Individuals will be designated within each school to take the lead on assessment and technology implementation support. DACs and NTACs will be the entities that work most closely with these individuals. Unless otherwise directed by NDE staff, or as part of a help desk call, Contractors should not be working with school level staff independently of DAC or NTAC involvement.

III. Educational System IT Infrastructure

Nebraska does not have a statewide student information system. Each district uses one of several commercially available student information systems (SIS), and state level data uses EdFi standards. PowerSchool is used in most districts; however, the two largest districts in the state use Infinite Campus or Synergy. Nebraska issues unique State Student ID numbers (Person ID) to each public education student to ensure accurate identification and matching test results. Bidder would be expected to have processes to validate the correct Person ID for each student's assessment record. The lack of a statewide student information system has two (2) important consequences for Nebraska's required statewide assessments. First, the NDE must collect student demographic information in a separate data collection that is administered in the fall and uploaded prior to the spring assessment administration. Second, there must be flexibility in the assessment Contractor's system to administer a computer-adaptive assessment to account for the manual uploading and maintenance of student data from 244 districts that can be reconciled after the fact.

It is expected that Bidder proposes a process to provide districts access to secure student-level assessment results compatible with common SIS protocols, and that it be able to do so using EdFi standards. The variety in district configurations and local SIS choice also means that there is no single standard for who or how districts need to be able to access student data and results. The Contractor system needs to be flexible enough that for non-standard cases (i.e. the need of the district to provide access to more than the DAC and NTAC or to teachers to whom a student was rostered for the assessment), the Contractor should be able to work with the NDE to provide flexible access to individuals as designated by the NDE.

83% of public K–8 programs and 97% of high school programs have moved to 1:1 technology in Nebraska, so students have regular experience using devices and are used to taking online assessments.

a. Nebraska Technology Access Standards

The Contractor will be expected to meet Nebraska Technology Access standards. Bidders can review the Nebraska Technology Access Standards at http://www.nitc.nebraska.gov/standards/2-101.html to ensure that products and/or services provided under the Contract comply with the applicable standards. In the event such standards change during the Contractor's performance, the NDE may create an amendment to the Contract to request that Contract comply with the changed standard at a cost mutually acceptable to the parties. It is not anticipated that the assessment system described in this Proposal will involve online access to the NDE by any persons other than the Contractor.

IV. Assessment System Background

a. Governing Statutes, Regulations, Rules, and Policies

State assessment systems must comply with the following federal and state statutes, regulations, rules, and/or policies that govern the NDE's statewide assessment system. All decisions regarding statewide assessment systems must be approved by the Nebraska State Board of Education.

These regulations include:

- Every Student Succeeds Act (ESSA) (https://www.ed.gov/essa?src=rn)
- Individuals with Disabilities Act (IDEA) (https://sites.ed.gov/idea/)
- Americans with Disabilities (ADA) (https://www.ada.gov/)
- Family Education Rights and Privacy Act (FERPA) (https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html)
- Nebraska Revised Statute 79-760.03 (https://nebraskalegislature.gov/laws/statutes.php?statute=79-760.03), which requires the participation of Nebraska educators in developing the statewide assessment
- State Accreditation Rule 10 (https://www.education.ne.gov/apac/accreditation-rule-10/), which requires that in addition to annual summative assessments, whole grade norm-referenced assessment using a national assessment instrument begins no earlier than grade 2 and is conducted annually in at least one grade in each of the following two levels: grades 2–5 and grades 6–8. While historically this requirement had been met individually by each district, the most recent iteration of the Nebraska Student-Centered Assessment System (NSCAS) system included an element of national assessment items that provided whole grade norm-referenced assessment within the system.

b. Purpose

The state has further developed goals and a statewide theory of action (https://www.education.ne.gov/wp-content/uploads/2024/04/Statewide-Assessment-Theory-of-Practice.pdf) to govern their assessment system as seen in the assessment theory of action.
By aligning the assessment system with the theory of action, Nebraska aims to create an educational ecosystem where assessment serves as a catalyst for continuous improvement, equity, and excellence in student achievement.

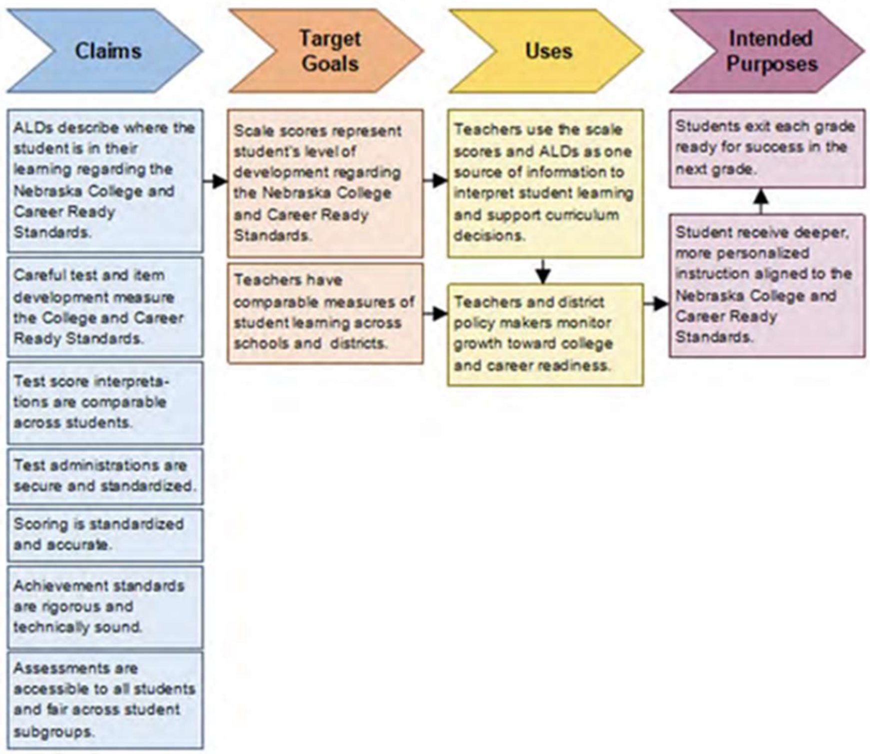
Table B.3: NSCAS Theory of Action

IF WE WANT THIS KIND OF ASSESSMENT SYSTEM…	THEN OUR SYSTEM MUST…	…WHICH WILL RESULT IN…
A flexible and effective system that recognizes the diverse needs of school districts	Embrace a choice-based approach to summative test design	Increased alignment of statewide assessment with each district's specific goals and objectives, providing actionable data for improvement
Ensures efficient and effective administration of testing, minimizes disruptions, and provides accurate and timely results	Prioritize streamlined processes, use advanced technology for test administration, provide comprehensive training for test administrators, and provide supports for teachers/ proctors	Smoother testing processes, increased reliability of results, and more positive experiences for students and educators
Prioritizes continuous improvement and enhances educator effectiveness	Center around a comprehensive and ongoing professional development framework emphasizing formative assessment practices.	Increased assessment literacy and more effective instructional practices
Recognizes that every student is unique and has a diverse set of needs	Include a variety of measures that accommodate different learning styles, abilities, and backgrounds, provide subscores per domain, and go above and below grade level	Comprehensive and cohesive measures of student performance that provide insight into next steps.
Promotes the implementation of NeMTSS	Integrate the principles of NeMTSS into the design and implementation, ensuring that assessments align with tiered intervention strategies	A seamless connection between assessment data and the implementation of targeted supports, creating coherence in the system that addresses the diverse learning needs of all students
Implements an integrated and user-friendly technology platform for rostering and ticketing	Enable schools and districts to efficiently manage student information, transfer students, assign testing sessions, and administer assessments	Centralized and streamlined process, reducing the likelihood of errors, and minimizing assessment preparation time
Communicates student performance effectively and provides meaningful insights to students, teachers, parents, schools, districts, and other stakeholders	Provide clear and accessible reporting mechanisms, ensure transparency in reporting methods, and engage stakeholders in the interpretation and use of assessment data	Stakeholders will have a clear understanding of the metrics used to evaluate student performance, resulting in increased trust and confidence in the assessment process
Utilizes growth metrics that account for individual student progress over time, including within year and year to year growth.	Provide timely and detailed feedback to educators that is clearly aligned to content area standards	More assessment-literate stakeholders capable of leveraging growth data for targeted interventions and effective teaching practices
Substantially meets peer review	Be psychometrically sound, clearly aligned to Nebraska's content area standards, and must adhere to nationally recognized guidelines and best practices in educational assessment	Valid and reliable student achievement results for all educators so they may make the appropriate decisions at the student, classroom, grade, school, and district level Valid and reliable student achievement results for the Nebraska Department of Education to use in accountability determinations

Figure B.2 presents the Principled Assessment Design Process (PAD) Nebraska uses to develop their NSCAS system. The ultimate intended purpose of NSCAS is to have students exiting each grade ready for success in the next grade. All Contractors are expected to continue to use a PAD process to develop their assessment system. Evidence to determine if the assessment system is supporting its intended purposes across time may include the following:

1. Does Nebraska have increases in percentages of students who are On Track for college and career readiness?
2. Are students who are at or above On Track in one year likely to be On Track or above the following year?
3. Are students who are at or above On Track across time likely to be identified as On Track on an assessment of college or career readiness when scores are matched?

Figure B.2: PAD Process to Support Test Score Interpretation and Use



V. Content Standards

The state content standards for English language arts (ELA), math, and science are found here, here, and here. The science standards are undergoing the revision process this year, with the expectation that they will be adopted in Fall 2024. More information about state content standards can be found at: https://www.education.ne.gov/contentareastandards/

The summative assessments must be aligned with Nebraska's content standards in ELA, math, and science and must meet all federal requirements for Peer Review under the Elementary and Secondary Education Act (ESEA) as reauthorized by the Every Student Succeeds Act (ESSA).
Grades to be assessed are:

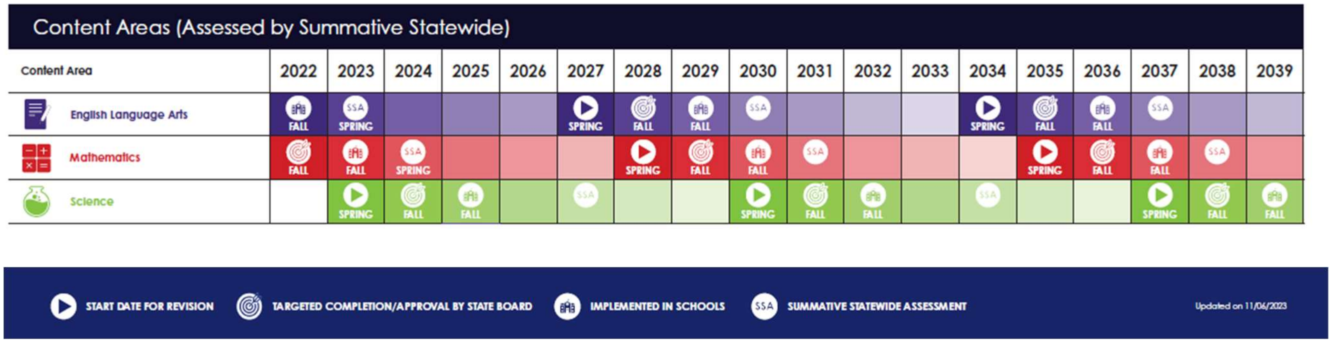
- ELA and math for grades 3–8
- Science for grades 5 and 8

Alternate assessments that are aligned to the Nebraska Extended Standards to be administered to students with the most significant cognitive disabilities must also be included for:

- ELA and math for 3–8 and 11
- Science for grades 5, 8, and 11

It is expected that the Contractor will update assessments to align with new standards as they are updated and adopted pursuant to the schedule below:
https://www.education.ne.gov/contentareastandards/

Figure B.3: Nebraska's Content Standards Adoption Timeline



VI. Components

The Nebraska assessment system consists of the major components as described in the table below. There are three assumed major uses that are not copied into the table below. They are (1) to measure student achievement on the content covered by the assessment; (2) to inform students, parents/guardians, educators, policymakers, and the public about student achievement (and potentially growth); and (3) as an outcome measure for program evaluation.

Table B.4. Components of the Current Statewide Assessment System

Component Name	In Scope of RFP?	Description & Purpose	Timing	Anticipated Yearly Volume	Major Uses	Required or Optional?	Grades	Subjects
Math and ELA Summative* (May be traditional summative or through-year)	Yes	Default grades 3–8 end-of year summative assessment or through-year standardized assessment to measure student proficiency in key subject areas. If assessment is a through-year model, must also meet interim purpose and, districts need flexibility to choose to give a full through-year or summative only assessment at the end of the year.	6 weeks	*ELA: 141,873 Math: 141,813	Across and/or within-year growth School accountability	Required	3–8 (11* Alt only)	Math ELA Science (5,8, & 11* Alt only)
Science	Yes	Default grades 5 and 8 end-of year standardized summative assessment to measure science proficiency.	6 weeks	47,541				
Alt Math and ELA	Yes	Alternate grades 3–8 and 11 end-of year standardized summative assessment for Students with Severe Cognitive Disabilities to measure student proficiency in key subject areas.	6 weeks	ELA: 1,571 Math: 1,571				
Alt Science	Yes	Alternate grades 5, 8, and 11 end-of year summative assessment for Students with Severe Cognitive Disabilities to measure science proficiency.	6 weeks	772				
Interim, Math and ELA* (required if summative is not a through-year model)	Yes	Grades 3–8 interim assessment, mini-summative version. Uses a shorter blueprint proportional to summative blueprint and measures growth and progress towards proficiency across the year. Used to monitor student progress, identify areas of strength and weakness, and inform instructional planning.	8 weeks/ window	Per window: ELA: 141,873 Math: 141,813	Within-year growth	Optional	3–8	Math ELA

Formative Math and ELA	Optional to bid	Informal assessments conducted by educators during instruction to gauge student understanding, provide feedback, and adjust teaching strategies as needed.	N/A	N/A	Instructional support and differentiation	Optional	3–8	Math ELA
CAA/ Assessment Grade 11	No	College admission assessment for the general education population (no alt assessment – addressed through EOC-Alt Assessments).	Contractor specified dates	N/A	School accountability College/technical training admission	One or the other is required	11	Math ELA Science
ELPA	No	English language proficiency assessment for English learners (ELs).	6 weeks	N/A	EL program accountability	Required for all students categorized as ELs within the last 3 years	K–12	Reading Writing Listening Speaking
ELPA-Alt	No	Alternate ELPA for ELs who are also students with severe cognitive disabilities.	6 weeks	N/A	EL program accountability	Required for all students categorized as ELs within the last 3 years	K–12	
ELPA-Screen	No	Screener for newly arrived ELs.	Year-round	N/A	Categorization as EL or non-EL	Required for newly arrived students identified as potential ELs		
Professional Learning 1	Yes	Coaching on developing formal classroom assessments and on using formal assessment results.	Year-round	3,000+ educators ~50 CFs	Improve educator assessment/data literacy and data use	Required		
Professional Learning 2	Yes	Coaching on developing and implementing high-quality formative assessment practices.	Year-round	3,000 + educators ~50 CFs	Improve educator assessment literacy and implementation	Required		

VII. Historical Review

a. History of the Nebraska Testing Program:

Nebraska Student-Centered Assessment System

The NSCAS is a statewide assessment system that embodies Nebraska's holistic view of students and helps them prepare for success in postsecondary education, career, and civic life. The ELA and math assessments use multiple measures throughout the year to provide educators and decision-makers at all levels with the insights they need to support student learning. The current NSCAS suite of assessments, developed specifically for Nebraska and aligned to state content area standards, are the assessment system's criterion-referenced measures designed for the Nebraska student population in grades 3–8. These assessments are administered online. They include a variety of item types, including multiple-choice and technology-enhanced items. Student scores are reported as composite scale scores and achievement levels.

The ELA and math assessments are administered online using an item-level adaptive design, whereas science is administered in a fixed form, online format. The ELA and math assessments are currently "through-year" in design, with districts having the flexibility to give fall and winter assessments, and the spring assessment serving to return a summative score. Student scores on prior assessments are used to place their starting point in the next assessment. These assessments have maintained a connection to prior interim assessments being given in most districts, and each returns two different scale scores, a RIT score (NWEA's proprietary scale, based on national norms) linked back to MAP Growth interim assessment scores, and a proficiency score tied to NSCAS achievement levels. Fall and winter assessments include 40 items, and spring assessments include 45 items, including a small number of field test items.

NSCAS science assessments are given only in the spring and include between 37 and 41 items, inclusive of field test items. At each grade for science assessments, 20 different forms are produced.

There is one paper/pencil form created per grade for all three subjects, and an online translation of the paper/pencil form is used to provide a Spanish version of each assessment.
Students taking the NSCAS assessments are placed into one of the following achievement levels based on their final test scores:

- Developing
- On Track
- Advanced

Items for the ELA and math tests have been aligned to the 2021 and 2022 College and Career Ready Standards, respectively, and come from the item bank that the NDE and Nebraska educators have built over the years, including items field tested in Spring 2018 through Spring 2023. Spring tests also include previously and newly developed field-test items that will be added to the operational pool for the future, depending on the field-test data and data review.

Content development for Nebraska's three-dimensional science assessment began in Summer 2018, with the pilot occurring in March 2019. A full-scale field test was also administered in Spring 2021 to gain feedback from Nebraska students on newly developed performance tasks. The new science assessments that were aligned to the Nebraska College and Career Ready Standards for Science (NCCRS-S; NDE, 2017) were administered for the first time in Spring 2022.

The NSCAS alternate ELA assessment includes 26 items per form and two forms are provided at each grade level. The alternate math assessment includes 33 items at grade 3, and 38 items at every other grade, and two forms are provided at each grade level.

The NSCAS alternate science assessment includes 33 items at grades 5 and 8, and 36 at grade 11. Two forms are provided at each grade level.

Summary tables of the number of tests administered in recent years are found below:

Table B.5: ELA General Assessment Counts

Grade	Years			
	2018–19	2021–22	2022–23	Average
3	23,719	23,060	23,581	23,453
4	24,266	23,211	23,247	23,575
5	24,278	23,062	23,339	23,560
6	22,697	23,751	23,204	23,217
7	23,835	24,264	23,870	23,990
8	23,544	24,338	24,353	24,078
11	N/A	N/A	N/A	N/A
Total	142,339	141,686	141,594	141,873

Table B.6: Math General Assessment Counts

Grade	Years			
	2018–19	2021–22	2022–23	Average
3	23,714	23,055	23,539	23,436
4	24,251	23,206	23,239	23,565
5	24,268	23,056	23,333	23,552
6	22,689	23,740	23,197	23,209
7	23,826	24,253	23,859	23,979

8	23,533	24,326	24,355	24,071
11	N/A	N/A	N/A	N/A
Total	142,281	141,636	141,522	141,813

Table B.7: Science General Assessment Counts

Grade	Years		
	2021–22	**2022–23**	**Average**
5	24,331	24,355	24,343
8	23,060	23,335	23,198
Total	47,391	47,690	47,541

Table B.8: Special Population Math Assessment Participation 2022–23

Grade	Student Counts 2022–23 Test Year for Math				
	EL General Assessment Participants	**Special Education (SPED) General Assessment Participants**	**Alternate Assessment Participants**	**Braille Forms Administered**	**Print on Demand and Paper/Pencil Forms Administered**
3	4,148	4,657	250	0	10
4	3,952	4,365	265	0	10
5	3,408	4,191	267	2	6
6	2,887	3,863	250	3	7
7	2,309	3,980	281	2	4
8	2,526	3,599	258	2	11
11	N/A	N/A	N/A	N/A	N/A
Total	19,230	24,655	1571	9	48

Table B.9: Special Population ELA Assessment Participation 2022–23

Grade	Student Counts 2022–23 Test Year for ELA				
	EL General Assessment Participants	**SPED General Assessment Participants**	**Alternate Assessment Participants**	**Braille Forms Administered**	**Print on Demand and Paper/Pencil Forms Administered**
3	4,152	4,659	250	0	10
4	3,954	4,367	265	0	10
5	3,409	4,192	267	2	6
6	2,889	3,863	250	3	7
7	2,526	3,696	281	2	4
8	2,310	3,599	258	2	11

11	N/A	N/A	N/A	N/A	N/A
Total	19,240	24,376	1571	9	48

Table B.10: Special Population Science Assessment Participation 2022–23

Grade	Student Counts 2022–23 Test Year for Science				
	EL General Assessment Participants	SPED General Assessment Participants	Alternate Assessment Participants	Braille Forms Administered	Print on Demand and Paper/Pencil Forms Administered
5	3,405	4,191	267	2	6
8	2,308	3,600	258	2	11
11	N/A	247	247	N/A	N/A
Total	5,713	8,038	772	4	17

Additional data on student performance and technical details of assessments can be found in the NSCAS Growth and NSCAS Alternate assessment technical reports on the NDE webpage: https://www.education.ne.gov/assessment/technical-reports/#1709047591611-387cc072-76a8

VIII. Existing Resources

Below is a summary of existing Nebraska resources for various components of the assessment system, along with web links where applicable:

- **NSCAS ELA Assessment** - Blueprint, standards, range achievement level descriptors (RALDs), and blueprints/tables of specifications: https://www.education.ne.gov/assessment/nscas-general-summative-assessment/nscas-english-language-arts-ela/
- **NSCAS Math Assessment** - Blueprint, standards, RALDs, and blueprints/tables of specifications: https://www.education.ne.gov/assessment/nscas-general-summative-assessment/nscas-mathematics/
- **NSCAS Science Assessment** - Task Repository, Blueprint, ALDs, extended indicators, text-to-speech guidance: https://www.education.ne.gov/assessment/nscas-science/#1604330358045-6d2b7570-1034
- **NSCAS Alternate Assessments** - Table of Specifications, Accessibility Manual, Extended Indicators and Instructional Supports, Achievement Level Descriptors, Depth of Knowledge Resources: https://www.education.ne.gov/assessment/nscas-alternate-summative-assessment/
- **Technical Reports for all Assessments** - https://www.education.ne.gov/assessment/technical-reports/#1709047591611-387cc072-76a8
- **Technical Advisory Committee Details** - https://www.education.ne.gov/assessment/technical-advisory-committee-for-statewide-assessment-tac/

IX. Items

Online Item Types included in the current NSCAS system include:

- Multiple-Choice
- Multi-Select
- Hot Text
- Text Entry
- Composite
- Drag and Drop
- Gap Match
- Graphic Gap Match

The following tables list the number of Nebraska owned items in the summative assessment item pool as of Spring 2024. This does not include new items that may have passed field testing in the spring as final psychometric analyses are not yet complete. All of these items have recently been reviewed and can be used in the operational pool. Bidders should expect to transition these items and associated metadata from the existing vendors if the incumbent is not selected.

Table B.11: Nebraska Owned General Assessment Operational Summative Item Pool

	ELA	Math	Science

Grade 3	838	676	n/a
Grade 4	642	642	n/a
Grade 5	827	391	307
Grade 6	882	889	n/a
Grade 7	686	502	n/a
Grade 8	861	604	348

Table B.12: Nebraska Owned Alternate Assessment Operational Summative Item Pool

	ELA	Math	Science
Grade 3	69	59	84
Grade 4	75	56	n/a
Grade 5	67	41	n/a
Grade 6	74	39	n/a
Grade 7	90	37	n/a
Grade 8	84	52	79
High School	67	47	84

Additional data on student performance and technical details of assessments can be found in the NSCAS Growth and NSCAS Alternate assessment technical reports on the NDE webpage: https://www.education.ne.gov/assessment/technical-reports/#1709047591611-387cc072-76a8

C. Project Requirements

Selected Contractor will be expected to provide English language arts (ELA), math, and science balanced assessments for general education and alternate education students to be administered operationally beginning in Spring 2025. These assessments must meet professional standards and guidelines, and all applicable laws and federal and state policy requirement. The test designs must align with Nebraska standards, provide information in addition to an overall score (e.g., sub-scores) in each content area to the degree possible within the purpose of the assessment, require a reasonable amount of testing time, can be delivered successfully to all schools and districts online, are valid and reliable, and be ready for administration no later than September 1, 2025.

I. Anticipated Program Changes and/or Continuation

To prepare for the release of this Request for Proposals (RFP), the Nebraska Department of Education (NDE) conducted stakeholder engagement activities with teachers, administrators, families, NDE staff, and technical experts across Nebraska. This process identified areas of strength that are expected to continue as is, as well as opportunities for growth that are expected to be upgrades or to replace current practices in this new Contract. One consideration in selecting a Bidder will be the extent to which these areas of strength are preserved and opportunities for growth are addressed in the Bidder's Proposal.

Strengths - Features to Maintain or Improve:

- A general ELA and math assessment system that provides student norms/normative comparison data at the school, district, and state levels.
- Optional, but should be spoken to in the Proposal: A system that provides national norms that can be used to meet Nebraska's Rule 10 requirements.
- A general ELA and math assessment system that can provide data to calculate both within-year growth measures for students and schools using interim or through-year options; and year-to-year growth for all students and schools in Nebraska.
- General ELA and math interim assessment systems that are connected to and predictive of scores on summative assessments.
- Provision of student results within 24 hours of all assessments.
    - Note: this may be a preliminary data file for the summative assessment.
- High quality professional development:

    - In assessment literacy;
    - Surrounding assessment data interpretation and use;
    - That connects to Nebraska's work on formative assessment practices and the Formative Assessment Supports Network (FASN);
    - Supported by a dedicated professional learning lead from the Contractor; and
    - That maintains Nebraska's certified facilitator (CF) program in partnership with districts and ESUs in the state.
- An item-level adaptive summative system for ELA and math assessments.
- Spanish versions of ELA, Math, and Science Assessments.
    - Currently these are fixed form but other options are possible.
- Multidimensional science items centered around phenomena.
- Computer based alternate assessments that can be teacher entered.
- Accommodation supports that meet legal requirements and include paper/pencil options.

Opportunities - Features to Upgrade or Replace

- Change management planning as part of program management.
- Optional inclusion of constructed or extended response items
    - To measure writing standards
    - For math performance tasks
    - For science performance tasks
- More specific human centered design process to address reporting
    - Including family reports
    - Proposal must include the provision of a Parent Portal as an Option. This should be labelled "Option B" in budget material. This may include a parent portal, video reports, or other innovative approaches towards ensuring reporting is accessible and family friendly
    - This should include resources to help parents/guardians and teachers better communicate with each other about student results
- Interpretive resources for families in expanded languages
    - In at least the three most commonly used languages in the state: Spanish, Arabic, Karen
    - Bidder is encouraged to explain what other language supports may be available
- Student supports in multiple languages
    - Expansion beyond simply Spanish versions and supports to include, at a minimum, directions and support for all three most commonly used languages in the state (Spanish, Arabic, Karen)
- Expanded options for reports to provide information about instructional next steps for parents/guardians and teachers to support student learning
- Flexibility in approaches to rostering at the local level that allow schools to do more on-the-fly rostering to support local needs, and that check against the Nebraska ADVISER system as the source of truth
- Flexibility in approaches to sharing and grouping data in the reporting system
    - Ex. multiple educators allowed to see student data in system per district assignment of access; multiple options for grouping student data according to achievement level, subgroup, growth or other data
    - Bidder's Proposal may include a baseline approach and options for expansion
- Opportunities for students to engage in practice opportunities to familiarize themselves with the assessment system using practice assessments
    - Bidder may propose multiple approaches to this
- Bidder is encouraged to propose a plan and options for making assessments more engaging for students
- While formative assessments are not a required part of the statewide assessment system, Bidder should feel free to propose optional formative assessment supports with pricing if this is a key part of their system
- Alternate measures like Lexile and Quantile are not required but may be proposed by Bidders
- Consistency between assessment platforms for all included assessments and assessment components is a requirement

II. Existing State IT Systems

Bidder's Proposal must demonstrate understanding of and ability to integrate with the technology infrastructure that exists in Nebraska. Proposals that would require the state or districts to undertake large technology overhauls may be considered non-responsive.

Nebraska districts/schools have been completing multiple assessments online since 2009 in a secure testing environment. However, some students with Individual Education Plans (IEPs) or Section 504 plans, and English Learners (ELs) require pencil-and-paper accommodations.

a. Schools and Districts:
Hardware: Schools and districts typically have computer labs, classroom computers, laptops, tablets, and interactive whiteboards to facilitate instruction. Devices include Windows (PC), Apple (Mac), iPad, and Chromebook computers and it is expected that Bidder can support a variety of devices to ensure that to the maximum extent possible, students are able to use technology familiar to them to complete their assessments. 83% of public K–8 programs and 97% of high school programs have moved to 1:1 technology in the state, so students have regular experience using devices. Currently, the following devices and operating systems are supported by districts and used in the statewide assessment system:

- **Desktop**: Windows, macOS
- **Laptop**: Windows, Chromebook, macOS
- **Tablets**: iPad, Windows
- **Windows** 10 OS: Versions 21H2 and 22H2
- **Windows** 11 OS: Versions 21H2 and 22H2
- **ChromeOS**: Release channel only; version 109 or later
- **macOS**: 12 and 13
- **iOS**: 15 and 16

The minimum screen size supported for the assessment system is 9.5 inches for all devices, and the minimum screen resolution is 1024 X 768 for all devices. Testing sites may use multiple devices like iPads for assessments. Responsive design and usability testing to allow for multiple device usage is preferred. A physical keyboard has been recommended (not required) for assessments with writing components, and a wired keyboard and mouse are recommended (not required). Many students take the assessments using the native iPad or keyboard application, and many use the trackpad or touch screen native to their device. Headphones are recommended for students with Text to Speech (TTS) accommodations and for items that include audio components.

Networking: Most schools have local area networks (LANs) connecting devices within the school building. Some larger districts may have wide area networks (WANs) connecting multiple school sites. Session timeouts on proxy servers have been set to at least 35 minutes for existing assessments to help limit interruptions during testing.
The Contractor should provide network diagnostic tools to help determine a network's level of readiness for testing, and to help each district plan for testing accordingly.

Internet Connectivity: Schools strive to provide high-speed internet access to support online learning, research, and communication, and use a variety of internet browsers. Because of the rural nature of the state, connectivity and bandwidth concerns sometimes arise. Currently the expectations are that schools are able to meet the following bandwidth requirements per concurrent testing sessions.

Table C.1: Bandwidth Estimations by Concurrent Test Sessions

Number of Concurrent Test Sessions	Estimated Bandwidth
1	20 kbps
50	250–750 kbps (0.25–0.75 Mbps)
100	500–1500 kbps (0.5–1.5Mbps)

Browsers: The current assessment management and reporting insights platform and interface are supported on the latest versions of the following browsers:

- Google Chrome
- Mozilla Firefox
- Mozilla FirefoxLTS
- Microsoft Edge
- Safari
- Safari on iPad

Software and Technology Updates: Educational software applications are used for instruction, assessment, and administrative tasks. This includes learning management systems (LMS), student information systems (SIS), productivity tools, and educational apps. Districts update technology based on decision-making at the local district level, with some schools and districts taking regular updates throughout the year and others doing batch updates only over summer or during summer and winter breaks.

Bidder should include a process by which districts will be informed about plans to phase in or out specific hardware, software, and/or operating system support. The process should be updated multiple times a year and districts should have significant time to adjust to any changes in support before being required to update systems. Because a variety of systems are being used and system updates may impact functionality, it is expected that supported OS and web browser versions cannot be eliminated between the start of the school year and the test administration window.
Any software updates and maintenance to the assessment software system should be kept to a minimum, preferably once a year, to ease the burden on districts. If possible, annual updates should occur in the summer before the school year starts. Software updates should always allow ample time for district technology staff to complete the work prior to the testing window and include time to verify the system is prepared for testing.
Updates that are unavoidable should be able to occur automatically and without the necessity of an uninstall/reinstall process. The NDE and districts should receive as much advanced notice as possible for any software updates and the processes involved.

b. Regional Agencies (Educational Service Units - ESUs):
While ESUs are not responsible for testing, they provide critical support and technical expertise to districts in their regions as follows and may be part of a Contractor's plan for building technology capacity in the state around testing if appropriate.

- **Support Services**: ESUs provide technology support to member school districts, including assistance with network infrastructure, software implementation, troubleshooting, and professional development.
- **Data Management**: ESUs often manage data systems for districts, such as student information systems and assessment platforms, ensuring data accuracy, security, and compliance with state regulations.
- **Collaboration Tools**: ESUs facilitate collaboration among districts through shared resources, virtual meetings, and collaborative platforms.

c. State of Nebraska Technology:

Overall information about NDE support of technology can be found at https://www.education.ne.gov/educational-technology/
Statewide Systems:

Nebraska Education Directory (NED): The NDE oversees statewide educational systems, including the NED, which contains information on schools, districts, and personnel, which serves as a foundational resource for student enrollment, demographic data, and school contact information.

ADVISER: The state uses a system called ADVISER, which holds data linked to each local SIS. This data is updated via nightly pulls from each district SIS and conforms to EdFi data standards. The Contractor must be able to work with these standards and the ADVISER system to validate final student data.

Canvas Learning Management System (LMS): Nebraska provides support for a Canvas Statewide Consortium to support LMS services across the state (https://www.education.ne.gov/educational-technology/canvas-statewide-consortium/).

Accountability for a Quality Education System, Today and Tomorrow (AQuESTT): The NDE uses AQuESTT to collect and analyze data from schools and districts to inform policy decisions, assess educational outcomes and ensure accountability. Assessment data ultimately needs to enter AQuESTT (https://aquestt.com/resources/).

Assessment Platforms: The NDE desires to move to a streamlined system to administer and manage statewide assessments to the maximum extent possible for all statewide assessments included in this RFP, providing secure and reliable testing environments for students. This system may include functionalities for test administration, management, scoring, reporting, and data analysis.

Identity and Access Management (IAM) Systems: The Bidder should describe their approach to IAM systems utilized to manage user identities, access rights, and authentication mechanisms for accessing assessment systems and data. It ensures security and compliance with privacy regulations.
Bidders proposing information technology solutions for this RFP whose products are only accessible via only one computer platform (such as, ONLY Windows [PC] or ONLY Apple [Mac]) and/or only Internet Explorer web browsers may be deemed non-responsive and/or non-compliant to the terms and conditions of this RFP.
The NDE is committed to the use of technology to facilitate the efficiency and accessibility of the assessments. Throughout their Proposal, Bidder will provide specific examples of how technology will be applied to support the assessment system including meeting the requirements of accessibility as defined by the Americans with Disabilities Act (ADA).
All Nebraska schools are members of a statewide backbone called Network Nebraska (https://networknebraska.ne.gov/).
Bidder must provide engineering consultation with Network Nebraska network engineers and district technology to identify

data bandwidth needs and security on the network in a timeframe adequate to address any need for traffic shaping for seamless testing environment.

III. Major Reference Documents

Proposals are expected to conform with best standards for assessment development and delivery including, but not limited to, the reference sources below. It is appropriate for the Bidder to cite specific sections from these reference sources as needed to demonstrate compliance with major sets of standards and criteria. The Bidder may use the codes in this table in citing sections of the major reference sources included below to assist in simplifying their Proposal.

Table C.2. Major Reference Documents

Code	Document	Available At
A	American Psychological Association, American Educational Research Organization, & National Council on Measurement in Education (2014). Standards for Educational and Psychological Testing	http://bit.ly/1iczJWH
B	Shyyan, V. V., Thurlow, M. L., Larson, E. D., Christensen, L. L., & Lazarus, S. S. (2016). White paper on common accessibility language for states and assessment contractors	http://bit.ly/2flgHwm
C	Council of Chief State School Officers (2014). Criteria for Procuring and Evaluating High-Quality Assessments	http://bit.ly/1PObwcI
D	Council of Chief State School Officers & Association of Test Publishers (2013). Operational Best Practices for Statewide Large-Scale Assessment Programs	http://bit.ly/2fllj5y
E	Nebraska Statewide Assessment Theory of Action	https://www.education.ne.gov/wp-content/uploads/2024/04/Statewide-Assessment-Theory-of-Practice.pdf
F	Nebraska Accreditation Rule 10	https://www.education.ne.gov/apac/accreditation-rule-10/
G	Nebraska Revised Statute 79-760.03	https://nebraskalegislature.gov/laws/statutes.php?statute=79-760.03
H	NITC Technical Standards and Guidelines	https://nitc.nebraska.gov/standards/index.html
I	A State's Guide to the U.S. Department of Education's Assessment Peer Review Process	https://oese.ed.gov/files/2020/07/assessmentpeerreview.pdf

D. Business Requirements

Bidder should present their plan for delivering all required components of a balanced assessment system and provide evidence to support their capabilities in delivering a balanced assessment system.

I. Bidder Demonstration of Capacity

Bidder should provide sufficient evidence to demonstrate that they have the capacity to meet all RFP requirements and can meet the needs of the state in developing and delivering a balanced assessment system.

II. Managing Risk

a. Conflict of Interest

In addition to certifying that Bidder has completed and agrees to Conflict of Interest requirements in section III.I of this RFP, Bidder should provide conflict of interest policies and procedures that govern their work.

b. Issue and Risk Management

Bidder must detail their risk management plan. This should include:

- Software used for issue and risk management
- Procedures and criteria for tracking, prioritizing, and reporting on issues and risks
- Procedures for managing, mitigating, and escalating issues and risks
- Procedures for escalation of issues and risks
- Procedures and requirements for periodically updating NDE staff of issues and risks important for their level of responsibility in the NDE.

The quality of all work and materials produced by the Contractor is critical to the successful completion of the statewide assessments. Consequently, there is no single 'quality control' task included in the Technical Approach for this RFP.

Throughout their Proposal, Bidder must provide evidence and descriptions of the methods and procedures they use to ensure the quality and security of their work.
Additionally, technical documentation is a critical requirement to verify the quality of work and provide evidence for the validity of the assessment system. In addition to the technical reports and publications specifically described in this RFP, the Bidder is expected to provide appropriate technical documentation for tasks such as test construction, scoring, etc. on an ongoing basis.

E. Scope of Work

Bidder should provide a detailed scope of work detailing how they propose to complete the work encompassed by this RFP. Bidder's scope of work should provide a high-level overview of the activities to be carried out under the Contract, and associated details may be provided in technical requirements and delivery sections of the Proposal. Throughout the proposal, the bidder should clearly articulate how they will use human centered design (HCD) processes to ensure that the assessments and supporting systems work for the end users (the teachers, parents, and students interacting with the systems).

Nebraska is requesting proposals for a full assessment system as described in this RFP that reflects the state theory of action and is inclusive of:

- general summative and alternate assessments for grades 3–8 in the areas of English language arts (ELA) and math,
- general and alternate assessments in grades 5 and 8 for science,
- grade 11 alternate ELA, math, and science assessments, and
- professional learning and facilitation through the state's certified facilitator (CF) program.

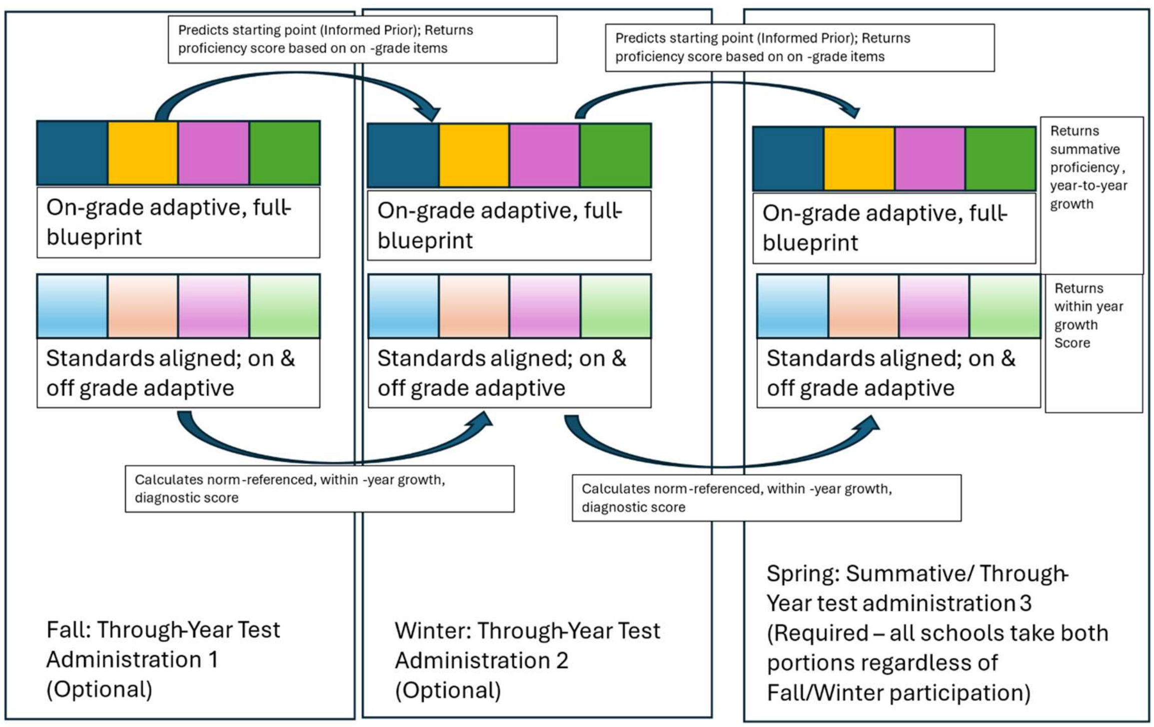
Bidders must also include information as detailed in this RFP about their assessment design, development, administration and support of these programs and the professional development that will be offered in the state, including and beyond the training offered to schools to implement the assessment. Within each Proposal section, Bidders should call out any places where their proposal to support any of these pieces of the program differs across assessments. Bidders are also encouraged to present any innovative ideas or optional supports or pieces of the system they feel would benefit Nebraska but are not part of the base proposal, but need to call out specifically that these are optional — both in the text and in the cost Proposal.

Bidders must propose a solution for grades 3–8 ELA and math general assessments that are item-level adaptive and include either:

- A Proposal for a through-year assessment system that provides both within-year and across-year growth measures as well as an end-of-the-year proficiency score. Such a system must also provide flexibility to districts to administer either a full assessment that returns both within-year growth and summative scores at the end of the year or a shortened assessment that returns a summative score only; or
- A Proposal for a connected and coherent interim and summative system that returns within-year growth measures for schools choosing to use the interim assessments as well as a summative score for all schools at the end of the year. In the event that this model is chosen, if needed, districts choosing to use the interims may have the flexibility to offer a longer assessment at the end of the year to return within-year growth scores and summative scores based on one assessment event. Schools electing not to use the interims should not be required to take a longer assessment than is needed to return their summative scores.
- Bidders should feel comfortable recommending other innovative models that provide districts with flexibility to meet the needs of both within-year monitoring of student progress and growth and end-of-the-year summative data.

While NDE is most familiar with the interim and through year models depicted in the figure below, they are open to other potential models. Bidders choosing to propose a through-year system should clearly describe how their through-year system works to cover the full depth and breadth of the state's content over the course of the year and how the system works to return a single summative score at the end of the year. Bidders should also identify the types of data the reports from each administration will provide.

Figure E.1: NSCAS Current Through Year Model



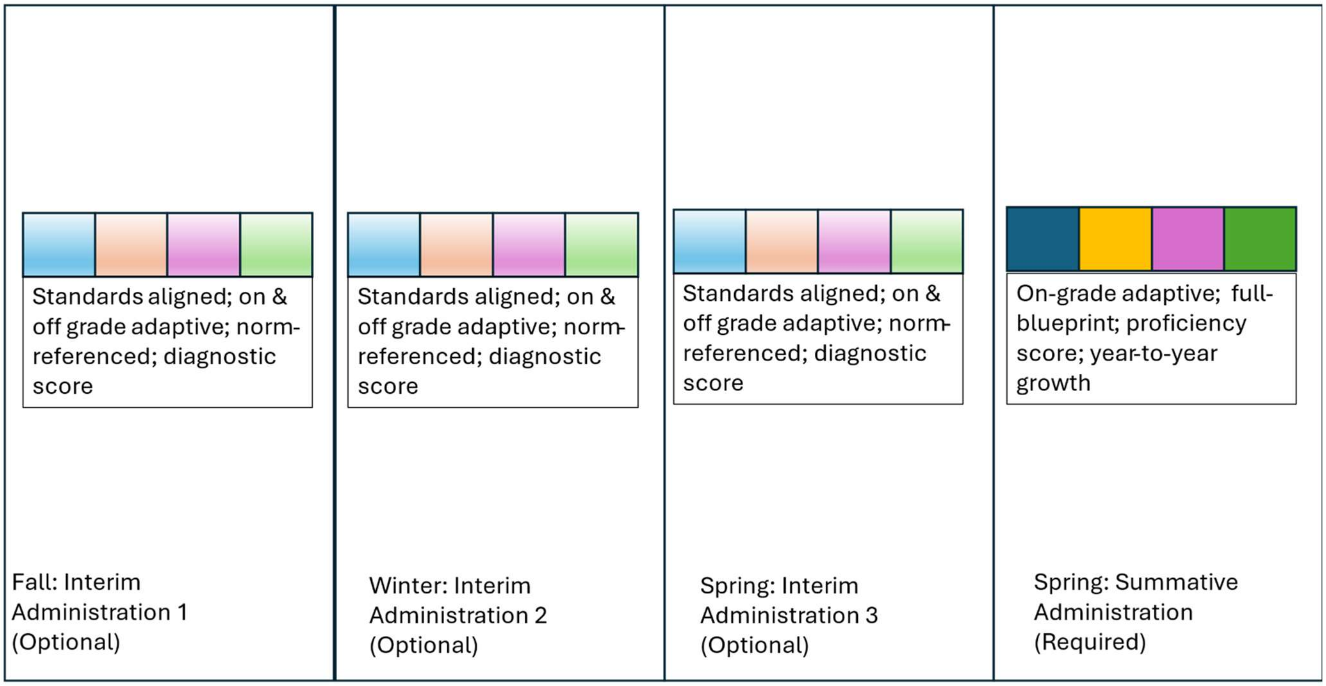
In this model, the following data are returned at each administration:

- Fall/Winter Prediction of end-of-year proficiency score; student normative growth score.
- Scores are meant to help drive instructional next steps.
- Spring:
  - Option A: Grade-level proficiency score and subscale performance; year-to-year growth score; within-year normative growth score.

  Scores are meant to measure grade-level performance, student growth (year-to-year and within year) and drive instructional next steps.
  - Option B: Grade-level proficiency score and subscale performance; year-to-year growth score.

  Scores are meant to measure grade-level performance and year-to-year student growth.

Figure E.3: Traditional Interim-Summative System



In this model, the following data are returned at each administration:

- Fall/Winter/Spring Interim: Student normative growth score. Scores are meant to measure student growth and drive instructional next steps.
- Spring Summative: Grade-level proficiency score and subscale performance; year-to-year growth score. Scores are meant to measure grade-level performance and year-to-year student growth.

ELA, math, and science alternate assessments for students with the most severe cognitive disabilities should be aligned to state alternate standards, should be available at grades 3–8 and grade 11, and should be administered online. Assessments that rely on the teacher to input answers online are considered to be meeting this requirement.
Science at grades 5 and 8 (and 11 for alternate) assessments need to represent the multi-dimensional nature of the state standards and should be centered around the use of phenomena. These do not need to be item-level adaptive but multiple forms should be provided according to best practices for assessment.
All assessments are expected to be administered primarily online, but paper/pencil options must be made available to students who need it.
The state currently provides Spanish versions of their assessments, and Bidder must present a plan to continue to support this translation at a minimum, though innovative ways of supporting more languages are encouraged. These may include AI tools and resources that aid in translation work.
The bidder can assume that all items and associated metadata currently in the item bank will be available for transition from the existing vendor, and that current blueprints and ALDs will be available for use.
When calculating cost for interim assessments, bidder should expect that more than 50% of the districts, and more than 75% of the student population in the state will participate in the interim assessments.

I. Proposal Evaluation

Proposals will be evaluated based on the technical merit of the Proposal, and scoring will consider the following principles as part of the scoring process:

- Extent to which Proposal is consistent with best practices in assessment design and delivery as detailed in major reference sources
- Extent to which Proposal is consistent with the requirements of the RFP
- Extent to which Proposal addresses the feedback from stakeholders related to current benefits and characteristics of the system to keep or upgrade as well as opportunities for enhancement in the system as presented in the Features to Maintain, Improve, Upgrade, and Replace section below

- Extent to which the proposal meets national norm referenced assessment criteria as required in Nebraska's "Rule 10" referenced above
- Extent to which Proposal clearly demonstrates principles of HCD, and incorporates voices of Nebraska users in the design process
- Extent to which Proposal aligns with Nebraska's standard terms and conditions (Proposal changes to these are discouraged)
- Extent to which Proposal demonstrates efforts to minimize burden on students, school staff, district staff, and state staff (in that priority order)
- Quality, detail, and clarity of Proposal
- Extent to which Bidder has demonstrated their capacity to carry out the proposed activities
- Extent to which Bidder has demonstrated the existence of and full functionality of proposed software/hardware systems
- Extent to which the proposed change management plan minimizes disruption for students, school staff, district staff, and state staff (in that priority order)
- Extent to which Proposal directly fulfills the requirements of the RFP and includes associated pricing in the cost Proposal that is clear and easy to understand

Bidders may also propose alternative solutions if they believe that they have a better approach, a value-added option that will not increase costs, or a more cost-effective approach that will meet Nebraska's needs. If Contractors propose alternatives, they must justify why the alternative may be a better choice and must provide alternate pricing for the alternatives.

Bidders must include an approach and budget for the following "Optional" activities if they are not part of the baseline Proposal:

- Option A: Extended Constructed Response Items
- Option B: Parent Reporting Portal
- Option C: Training Sandbox

Bidders may also propose other optional additions to strengthen the Nebraska program. If Bidders do so, they must clearly identify what options are both within the text of their Proposal and in their budget.

Evaluation will use a "best value" criterion for selecting from among Proposals that meet the baseline quality threshold, rather than a "lowest cost" criterion.

II. Features to Maintain, Improve, Upgrade, and Replace

Each section of the bidder's proposal will also be evaluated against the proposed features to maintain, upgrade, or replace as denoted above in section C.I of this section of the RFP.

III. Proposal Organization

Bidder's technical approach will be split out between the workplan, technical requirements, project planning, and deliverable sections of their Proposal, and should be organized in the order and as numbered below. Headings indicate the components of the assessment system to be included. Bidder is encouraged to use section subheadings that align to the subheadings included in the RFP.

In addition to required components, Bidder may also wish to propose alternative or additional tasks that they feel would improve the efficiency of the project and/or quality of the materials produced for the project. Each additional task or activity should be called out in the proposal and clearly identified and included as a separate item in the budget summary.

Organize the Proposal and Technical Approach in this way:

A. Business Requirements

I. Demonstration of Capacity

II. Managing Risk

a. Conflict of Interest

b. Issue and Risk Management

B. Work Plan

I. Project Management Approach and Plan

II. Major Project Milestone Timeline

C. Technical Requirements

I. Assessment Design

a. Assessment Frameworks

b. Purpose, Use and Claims

c. Achievement Level Descriptors

d. Item Type Selection
e. Test Blueprints
f. Estimated Testing Time
g. Platform
h. Quality Assurance and Quality Control

II. Test Development
a. Content Alignment
b. Fixed-Form Construction
c. Adaptive Test Construction
d. Field Testing
e. Test Development Software
f. Accommodations and Language Support

III. Item Development
a. Item Specifications
b. Item Banking and Development Software
c. Item Technology Standards
d. Item Workflow Process
e. Item Specifications/ Task Models
f. Item Refresh, Release, and Retirement
g. Interaction Studies
h. Item Development Needs Analysis
i. Stimulus Procurement/ Custom Development
j. Item Writing
k. Stimulus and Item Review
l. Committee Logistics

IV. Scoring
a. Rule Based Scoring
b. Constructed Response Range finding
c. Hand-scoring
d. Artificial Intelligence Scoring

V. Psychometrics
a. General Psychometric Support
b. Psychometric Software
c. Psychometric Model and Calibration
d. Field Test Item Analysis
e. Operational Item Analyses
f. Test Development Analyses
g. Operational Test Form/ Event Analyses

VI. Test Scoring
VII. Standard Setting
VIII. Scaling and Equating
IX. Technical Documentation
X. Validation Argument and Peer Review Support
XI. Other Data Analysis

D. Project Planning and Management

I. Key Contacts and Program Management Team
II. Program and Project Management Responsibilities
III. Change Management
IV. Project Scheduling
V. Quarterly Program Health Check Ups
VI. Annual Meetings
VII. Periodic Management Monitoring Meetings
VIII. Communication Support

E. Deliverables

I. Documentation

II. Test Administration

a. General Administration
b. Item Adaptive Algorithms
c. Test Security
d. Disaster Planning and Recovery
e. Practice Tests
f. Training Sandbox
g. Training and Support for Administration
h. Manuals
i. Professional Learning/ Professional Development
    i. Certified Facilitator (CF) Program
j. Help Desk

III. Reporting

a. Consideration of Audiences
b. Reporting Elements
c. Accounting for Error
d. Online Dynamic Reporting System
e. Paper Reports
f. Data Files
g. Reporting Timelines
h. Reporting Training

IV. Principles for Cost Proposal Development
Cost Proposals should clearly delineate the larger section of the RFP the bids are tied to, and should separate baseline costs from optional proposed costs and enhancements. Bidder should separate costs for the general assessments from the alternate assessments to the extent possible. A template is provided below to guide cost Proposal development.

Cost Table					
Section	Base Program Cost	Option A Cost (constructed response)	Option B Cost (parent portal)	Option C Cost (training sandbox)	Add Columns for Other Bidder Selected Options
Assessment Design					
General Assessment					
Alternate Assessment					
Shared Costs					
Total Cost					
Test Development					
General Assessment					
Alternate Assessment					
Shared Costs					
Total Cost					
Item Development					
General Assessment					
Alternate Assessment					
Shared Costs					
Total Cost					
Scoring					
General Assessment					
Alternate Assessment					
Shared Costs					
Total Cost					
Psychometrics					
General Assessment					
Alternate Assessment					
Shared Costs					
Total Cost					
Test Scoring					
General Assessment					
Alternate Assessment					
Shared Costs					
Total Cost					
Standard Setting					
General Assessment					
Alternate Assessment					

Shared Costs					
Total Cost					
Scaling and Equating					
General Assessment					
Alternate Assessment					
Shared Costs					
Total Cost					
Technical Documentation					
General Assessment					
Alternate Assessment					
Shared Costs					
Total Cost					
Validation Argument and Peer Review Support					
General Assessment					
Alternate Assessment					
Shared Costs					
Total Cost					
Project Planning and Management					
Proposed Cost					
Test Administration					
General Assessment					
Alternate Assessment					
Shared Costs					
Total Cost					
Certified Facilitator Program					
Proposed Cost					
Reporting					
General Assessment					
Alternate Assessment					
Shared Costs					
Total Cost					
TOTAL PROPOSED COST	Base Program Cost	Option A Cost	Option B Cost	Option C Cost	Add Columns for Other Options

F. Work Plan

I. Project Management Approach and Plan

The Contractor must carry out this project under the direction and control of the NDE. Within two weeks of the execution of the Contract, Contractor must submit a project plan to the NDE for final approval. This project plan must be in agreement with the Proposal and must include the following:

- Contractor's project organizational structure.
- Contractor's staffing table with names and titles of personnel assigned to the project. This must be in agreement with staffing of the accepted Proposal. Necessary substitutions due to change of employment status and other unforeseen circumstances may only be made with prior approval of the NDE.
- The project work breakdown structure (WBS) showing sub-projects, activities and tasks, and resources required and allocated to each, including a Key Date timeline.
- Plan for project scheduling, including the tools, methodologies, and resources Contractor intends to utilize. This should encompass the creation, management, and maintenance of the project schedule throughout the duration of the Contract.
- Identification of any specific procedures and protocols that will govern project scheduling activities. This should include guidelines for defining project tasks, allocating resources, setting milestones, and tracking progress.

Contractor must manage the project in accordance with recognized project management standards. Contractor should:

- Provide compelling evidence showing proficiency in successfully leading and executing complex statewide assessment systems.
- Present a comprehensive discussion on the implemented approaches to project management used in developing and fully implementing a state assessment system that incorporates both interim and summative assessments.
- Show detailed documentation of strategic planning, meticulous scheduling, effective resource allocation, stakeholder engagement, risk mitigation, and successful coordination of diverse teams.
- Provide examples of timelines for planning, implementation, and evaluation of a state assessment system for this scale.

The NDE anticipates consistent interaction between Contractor and Nebraska stakeholders throughout the project, involving in-person annual planning meetings, biannual presentations and engagement with the Technical Advisory Committee (TAC), quarterly submission of project reports, and as-needed communication through email, phone, web-conferencing, and other relevant means.

Additionally, Contractor may use an automated tool for planning, monitoring, and tracking the Contract's progress and the level of effort of any Contractor personnel spent performing services under the Contract.

II. Major Project Milestone Timeline

The NDE desires that the NSCAS through-year design with spring summative assessment be operational by Fall 2025. Bidder should describe any constraints or advantages to altering this schedule. Bidder shall also describe the major activities and the time schedule. The following table explains the current timelines used in the NSCAS assessment system.

Table F.1: Current NSCAS Project Timelines

Milestone	Description	Timeline
Test Registration Opens	Start of the registration period for schools and districts to enroll students for statewide assessments.	8/7/23 – 9/29/23 (Fall) 11/13/23 – 1/26/24 (Winter) 3/4/24 – 5/10/24 (Spring)
Test Coordinator Training	Training sessions for test coordinators to familiarize them with assessment procedures, protocols, and administration logistics.	8/10/23 (Fall) 3/7/24 (Spring)
Testing Materials Delivery	Distribution of testing materials, including test booklets, answer sheets, and administration manuals, to schools and districts.	8/14/23 – 9/29/23 (Fall) 11/27/23 – 1/26/24 (Winter) 3/28/24 – 5/10/24 (Spring)
Test Administration	Administration of statewide assessments according to prescribed testing windows and schedules.	8/21/23 – 9/29/23 (Fall) 12/4/23 – 1/26/24 (Winter) 4/1/24 – 5/10/24 (Spring)
Data Collection	Collection of student assessment data, including test scores, demographic information, and accommodations provided.	8/7/23 – 10/4/23 (Fall) 11/13/23 – 1/31/24 (Winter) 3/4/24 – 5/17/24 (Spring)
Scoring and Data Processing	Scoring of assessments and processing of student data to generate individual and aggregate results.	8/7/23 – 10/4/23 (Fall) 11/13/23 – 1/31/24 (Winter) 3/4/24 – 5/17/24 (Spring)
Data Validation and Analysis	Validation of assessment data to ensure accuracy and reliability. Analysis of data to identify trends, performance levels, and areas for improvement.	10/4/23 – 11/1/23 (Fall) 1/31/24 – 2/21/24 (Winter) 5/17/24 – 7/9/24 (Spring)
Reporting Preparation	Preparation of individual student reports, school/district reports, and state-level reports for dissemination to stakeholders.	11/2/23 – 11/6/23 (Fall) 2/22/24 – 3/5/24 (Winter) 7/19/24 – 8/12/24 (Spring) Secure NEP – 9/3/24 – 9/10/24
Results Distribution	Distribution of assessment results to schools, districts, students, parents/guardians, and other stakeholders.	11/6/23 – 11/9/23 (Fall) 3/5/24 – 3/6/24 (Winter) 8/12/24 – 9/27/24 (Spring) Secure NEP release – 9/17/24 NEP release – November 2024
Data Review and Feedback	Review of assessment results by educators, administrators, and policymakers to inform instructional practices and policy decisions.	Preliminary – May Final – October (depends on summer work)
Stakeholder Engagement	Engagement with stakeholders to communicate assessment results, address concerns, and gather feedback for continuous improvement.	November
Program Evaluation	Evaluation of the assessment program's effectiveness in meeting its goals and objectives, informing future planning and implementation.	Annually in February

G. Technical Requirements

The Technical Requirements section of Bidder's Proposal should speak to how Bidder will meet the technical requirements of the RFP including those meeting the required components necessary for building the assessment system in a technically sound manner.

I. Assessment Design
a. Assessment Frameworks

Bidder should describe in this section the procedures and processes used for developing assessment frameworks (format of assessment, item types recommended to cover standards, technology and administration techniques used) in alignment with the state's content standards, principled assessment design (PAD) and evidence centered design (ECD) processes and detail the update and documentation process for such frameworks. Frameworks are not assessment blueprints, but instead are guiding documents that describe the bidder's overall approach to designing and delivering a balanced assessment system in alignment with the state's assessment theory of action. All content frameworks and materials to support the Contract will be owned by Nebraska and Contractor must transfer these to the next Contractor at a transition meeting at the start of the next assessment Contract.

Throughout the description of the assessment design process, Bidder should identify how best practices such as universal design for learning impact the design and development of systems.

i. Interim or Fall and Winter Through Year Assessment
Purposes, Uses, and Claims

The interim assessment is intended to provide information about student performance using both normative and criterion-referenced assessment items. The normative data can be used to support instructional decisions, while the criterion-referenced assessment data provides students and educators with an understanding of what the student knows and can do based on the content standards and how students are progressing towards grade level goals.

The interim assessments provide information to support instruction at multiple time points during the year. The results may also be useful in informing program evaluation and other uses from year to year. The results of the interim assessments will not be combined with the end-of-the-year test administration to produce a combined summative score or determination. The NDE appreciates flexibility in the design regarding the development of a within-year growth metric.

Bidder should describe how interim assessments could be designed to support enhanced student learning toward proficiency on the state content standards.
Claims based on individual and/or collective interim assessments should be clearly articulated. The claims and evidence will reflect what Bidder proposes. If Bidder proposes using an existing interim assessment instrument and/or program, the validity argument should be provided, including evidence of effective use.

Content
Bidder shall propose the content and skills to be addressed in the interim assessments and how they are organized. The relationship of the proposed content and skills to the state content standards in English language arts (ELA) and math shall be addressed.

Bidder shall explain how their proposed assessment is appropriate for Nebraska students, reflecting the state's geographic, racial/ethnic, cultural, and linguistic diversity. Bidder shall include not only current evidence but also the process by which future assessment items will be developed and reviewed to ensure continued appropriateness for Nebraska.
Bidder shall include a discussion of supporting student learning of ELA, math, and science standards.

ii. Summative Assessment
Purpose, Use, and Claims
Summative assessment is intended to provide information about performance in relation to the state content and performance standards. The summative assessment must meet federal and state guidelines. Student performance will be aggregated into student group, school, district, and state levels. Reports will be used by students, parents/guardians, educators, and policymakers to understand performance and make comparisons across Nebraska. A key use will be to fulfill the NDE's school accountability plans that satisfy federal accountability requirements.

- Claims based on the end-of-the-year summative assessment should include student proficiency. At least three (3) performance levels will be distinguished, with accompanying Achievement Level Descriptors (ALDs). The NDE currently has established ALDs, which may be preserved, or Bidder shall propose a general process for establishing or revising ALDs in cooperation with the NDE. For context, the current ALDs are found here, here, and here.
- For the end-of-the-year summative assessment, subscores are required.

Content
Bidder shall propose how the state content standards for ELA, math, and science shall be addressed. The state content standards for ELA, math, and science are found here, here, and here. The science standards are undergoing the revision process this year, with the expectation they will be adopted in Fall 2024. Nebraska currently owns an extensive item bank created by Nebraska educators. We do anticipate the development of new content during the course of the Contract.
Bidder should propose how they will work with Nebraska educators to continue building the test bank. Nebraska statute 79-760.03 requires the participation of Nebraska educators in developing our state assessment. All items developed with Nebraska educators should be owned by the state.
Bidder shall include a discussion of assessing all the ELA standards with the exclusion of speaking and listening standards and is encouraged to include options for extended response or other item types that may more robustly measure writing, mathematical reasoning, and scientific reasoning. If this is not part of the baseline bid, this should be separated as Option A for costing purposes.

iii. Overall Claims
Bidder should respond to the extent to which the current claims supported by the NSCAS assessment system will continue to be supported in their proposed system.
Claims to be Supported by the Assessment Programs:

- **Measure Student Achievement:** The assessment programs aim to measure student achievement in key subject areas and grade levels, providing insights into students' mastery of content knowledge and skills.
- **Inform Stakeholders:** The assessment programs are designed to inform various stakeholders, including students, parents/guardians, teachers, policymakers, and the public, about student achievement levels and progress over time.
- **Evaluate Program Effectiveness:** The assessment programs serve as an outcome measure for evaluating the effectiveness of educational programs and initiatives, providing data to assess the impact of interventions and instructional strategies.

Requirements for Bidder to Assist in Developing Supported Claims:

- Collaborate with Stakeholders: Bidder is expected to collaborate with Nebraska and relevant stakeholders to identify and develop clear and actionable claims that align with the goals of the assessment programs.
- Utilize Evidence-Based Practices: Bidder should utilize evidence-based practices and methodologies to ensure that the claims are valid, reliable, and aligned with established educational standards and frameworks.
- Provide Expertise and Guidance: Bidder should leverage their expertise in assessment design and psychometrics to provide guidance and support to the state in developing supported claims that accurately reflect student achievement and program effectiveness.
- Conduct Validation Studies: Bidder may be required to conduct validation studies to gather evidence supporting the validity and reliability of the claims, ensuring that they accurately reflect student performance and program outcomes.
- Ensure Clarity and Transparency: Bidder should ensure that the supported claims are clear, transparent, and understandable to all stakeholders, facilitating informed decision-making and interpretation of assessment results.

The following provides more specific information about current claims supported by NSCAS.

Table G.1: Claims supported by NSCAS

Subject	Claim
Reading	The performance levels for reading in Nebraska are differentiated by several factors, including the complexity of texts, the accuracy and depth of comprehension demonstrated in student responses, and the ability to cite evidence from the texts. This approach aligns with Nebraska's educational standards, which emphasize students' proficiency in analyzing and synthesizing information from diverse sources. The Cognitive Complexity Framework guides item development and reflects Nebraska's focus on text-based evidence, critical thinking, and comprehension skills essential for success in higher education and the workforce.
Writing	The writing claim is composed of two sub-claims: written expression and knowledge of language and conventions. Factors differentiating the performance levels for writing include how consistently and fully students develop ideas, including when drawing evidence from one or more sources, how well they organize their writing, and their command of grammar and language usage.
Math	Nebraska's math assessment aims to assess students' readiness for college and careers by evaluating their mastery of grade-level and course-level mathematical concepts and skills. The assessment aligns with Nebraska's educational standards and the Framework for Evaluating Cognitive Complexity, which emphasize students' ability to apply mathematical concepts in real-world contexts, analyze and solve complex problems, and communicate mathematical reasoning effectively. Sub-claims include proficiency in major content areas with connections to mathematical practices, as well as the ability to apply mathematical reasoning and modeling skills to solve practical problems encountered in academic and professional settings.

Science	The science claim assesses students' proficiency in scientific inquiry, concepts, and application of scientific knowledge. Sub-claims include understanding scientific concepts, conducting scientific investigations, analyzing and interpreting data, applying scientific reasoning, and demonstrating knowledge of the nature of science.

c. Achievement Level Descriptors

Contractor will be responsible for either assisting the NDE in implementing a process to develop or to validate existing ALDs. Bidder should describe their process for developing and supporting high level ALDs that support the required performance level reporting at the end of the assessments, and that support using Range ALDs (RALDs) to better support educators in interpreting data.

i. ALD Development

The NSCAS ALDs were developed based on the following ALD development stages proposed by Egan et al. (2012) to correspond with the closely linked uses of ALDs in test development and score reporting. ALD development using this model is consistent with a construct-centered approach to assessment design (Messick, 1994).

- Policy ALDs: High-level expectations of student achievement within each achievement level across grades, often defined by the state
- RALDs: Detailed descriptions of each achievement level by grade that show students' increasing ability to apply practices and concepts
- Reporting ALDs: Reflect student performance based on the final approved cut scores

Policy ALDs

The Nebraska Policy ALDs guide the establishment of the intended policy outcomes the NDE desires for Nebraska students.

- Developing learners do not yet demonstrate proficiency in the knowledge and skills necessary at this grade level, as specified in the assessed Nebraska College and Career Ready Standards.
- On Track learners demonstrate proficiency in the knowledge and skills necessary at this grade level, as specified in the assessed Nebraska College and Career Ready Standards.
- Advanced learners demonstrate advanced proficiency in the knowledge and skills necessary at this grade level, as specified in the assessed Nebraska College and Career Ready Standards.

Range ALDs (RALDs)

RALDs provide the intended content-based interpretations of what test scores within an achievement level represent and explicate observable evidence of achievement, demonstrating how the skill changes and becomes more sophisticated across achievement levels for each standard and achievement level on an assessment. Teachers can use RALDs to determine how students with different scores within different achievement levels may differ in their abilities.

i.Depth of Knowledge (DOK) and Achievement Level Exploration

The current assessment design uses a principled approach to test design based on RALDs. This process has embedded increases in cognitive processing complexity (e.g., DOK, difficulty, context) into evidence statements across achievement levels in a cogent way and to interact with content. In this way, the features of cognitive processing, content difficulty, and context interact to affect item difficulty.

Under such a score-interpretation model, construction of test blueprints has been moving towards a system in Nebraska that ceases treating DOK as a separate blueprint constraint and instead presents DOK as evidence embedded in a descriptor for an achievement level that supports interpretations regarding the stage of thinking sophistication the student is at during the time of the test event (in addition to other factors that may affect difficulty, such as supports in the item).

The current NSCAS system provides an Achievement Level Explorer tool, a resource aligned with this perspective. This tool allows educators to:

- access the progression of grade-level performance expectations defined by Nebraska's standards-based achievement level descriptors,
- analyze student performance by achievement level,
- plan instruction so all students have the opportunity to learn and meet the expectations for their highest levels of achievement, and
- analyze student progress and identify target standards for growth.

Bidder should describe in their Proposal their approach to supporting educators with similar information and the extent to which their validity framework supports the current approach to RALDs.

Reporting ALDs

Nebraska's College and Career Ready Standards are organized so that ALDs correspond to the Developing, On Track, and Advanced achievement levels to guide score interpretations.

a. Item Type Selection

Bidder shall describe recommended item types in the context of the proposed assessment blueprint and ECD validation argument. The NDE is open to assessments that include rigorous new item types, which are more effective in assessing higher order thinking skills and are more engaging to students. The NDE would like to explore, as an optional enhancement, the inclusion of extended response items to measure appropriate standards and skills in ELA, science, and math. This should be proposed as one of the optional enhancements in Bidder's Proposal.

In addition to supporting the current suite of item-types, the NDE is open to Proposals for supporting innovative item types that could offer more student choice or engagement or that leverage emerging technologies such as AI to better meet the needs of students in terms of interaction or scoring. Regardless of item types being proposed, Bidder must include analysis of student time to administer all proposed assessments and demonstration of ability to return assessment results to students, schools, and parents/guardians on a timely schedule. Timely return of results to students and parents/guardians will be critical to the success of the Contractor.

b. Test Blueprints

Using principles of ECD, Bidder shall describe a test design (blueprint) that is expected to meet the goals and constraints of federal peer review for each assessment being bid. Bidder should assume that current blueprints are available to them for use should they choose.
The NDE is interested in offering choice to Nebraska districts regarding the test design they choose to demonstrate student proficiency on the Nebraska Career and College Ready Standards in ELA and math for grades 3–8 general assessments. Bidder shall propose how they would offer choice to the districts and how this will influence their blueprint and assessment design activities.

While existing blueprints, item types, and items are available and form a baseline for the NSCAS assessment system, Contractor will support the NDE in implementing a continuous improvement process for test blueprints, regularly evaluating and refining blueprints based on ongoing assessment data, stakeholder feedback, and changes in educational standards or priorities. These activities may include:

i. Assessment Blueprint Development:
Contractor will collaborate with the NDE to develop detailed test blueprints that align with Nebraska's content standards, claims, ALDs, RALDs, and available items and item types.

Blueprints will specify the number of test forms (for fixed-form or multistage-adaptive testing), security features (e.g., item exposure limits), coverage of content standards, intended cognitive processes, item types, difficulty ranges, and information curve targets.

For fixed-form and item-adaptive tests with sufficient item pools, blueprints will be highly detailed to ensure a consistent testing experience for each student.

Full test blueprints must be supportable for students in each achievement level.
In cases where item pools are relatively sparse for item-adaptive testing, blueprints may allow for flexibility by providing ranges of items rather than strict targets in granular cells, ensuring consistent testing experiences while accounting for item pool constraints.

ii. Evaluation and Improvement of Existing Blueprints:
To the extent appropriate, Contractor will assist the NDE in evaluating and improving existing NSCAS blueprints to ensure alignment with Nebraska's educational standards and assessment objectives.
This process may involve analyzing the effectiveness of current blueprints, gathering stakeholder feedback, conducting item analyses, and revising blueprints based on evaluation results.
Bidder should explain their approach to such evaluation.

iii. Stakeholder Engagement:
Contractor will facilitate stakeholder engagement to gather input from educators, policymakers, and other relevant stakeholders regarding the development and refinement of test blueprints as needed throughout the Contract.
Stakeholder input will be used to inform blueprint development, ensuring that blueprints accurately reflect the content standards, cognitive processes, and assessment goals outlined by Nebraska.

Bidder should describe their approach to engaging stakeholders if and when blueprint updates or development is needed.

iv. Alignment with Standards and ALDs:
Test blueprints will be developed in alignment with Nebraska's content standards, claims, and ALDs to ensure that assessment items effectively measure student proficiency across key domains and levels of achievement.
Blueprints will clearly delineate the coverage of content standards, assessment targets, reporting categories, cognitive processes (e.g., DOK), and other relevant criteria specified by Nebraska.
Bidder should describe the process they will use to ensure that such criteria are met.

c. Estimated Testing Time

Testing time estimates are crucial for planning and scheduling assessments effectively. Testing time refers to the total time students spend engaging with the assessment, including time spent on actual test items, reading instructions, taking breaks, and completing any pre-test activities.

For new assessment blueprints or programs, Contractors are required to provide estimated testing time based on the proposed test structure, content coverage, and administration logistics. These estimates should be supported by rationale and analysis, ensuring that testing time aligns with state requirements and educational goals.

In addition to providing initial estimates, Contractors must commit to monitoring testing time for each cycle of assessment administration. This involves collecting data on actual testing time and comparing it to estimated times to assess accuracy and identify any discrepancies or inefficiencies. Bidders are also responsible for updating the process for estimating testing time as needed, incorporating feedback from stakeholders, changes in assessment design, and advancements in assessment technology.

Targets for testing time may vary depending on the specific assessment program and grade level. However, clear guidelines will be provided by the state to ensure consistency and fairness across assessments. Testing time estimates will   communicated to schools, educators, and students to facilitate effective planning and preparation for assessment administration.

Overall, the goal is to ensure that testing time is reasonable, efficient, and conducive to valid and reliable assessment results. By providing accurate estimates, monitoring testing time, and updating estimation processes, Contractors play a critical role in supporting the successful implementation of Nebraska state testing assessments.

The state currently does not limit the amount of time students can spend taking the assessment, however, expectations for time for a proficient student to spend on the test should not be significantly longer than the current statewide expectations of 90 minutes each for summative mathematics and ELA assessments and 60 minutes for summative science assessments.

d. Platform

The NDE highly prioritizes the pursuit of an advanced assessment platform that seamlessly integrates both summative and interim assessments within the same interface. The same interface will not only streamline the user experience but also enhance the overall efficiency and effectiveness of the assessment process. Simplifying the assessment administrations to one platform will minimize the learning curve associated with transitioning between assessment formats but also facilitates a more intuitive and user-friendly experience for all stakeholders. Any information for assessment services should include both administration and reporting platforms for summative and interim assessments.

While Bidder may choose to describe or demonstrate in detail the platform features that support specific areas of assessment development and support elsewhere in the Proposal, Bidder should describe in this section the extent to which an integrated platform to support the entirety of the balanced assessment system is central to their bid.

e. Quality Assurance and Quality Control (QA/QC)

Bidder should detail their QA/QC process to ensure that all platforms, items, and associated technology work across devices as intended, for all audiences.

II. Test Development

a. Content Alignment

To fully represent the constructs being assessed by NSCAS to determine if students are ready for college and careers, solid content alignment is critical. Bidder should explain their process for content alignment for the items used in test administration, including adherence to specifications, common interpretations of the standards, and an approach for cognitive complexity across all item types.

b. Fixed-Form Construction

The NDE has established comprehensive requirements for fixed-form construction, which also encompasses multistage adaptive testing (should Contractors choose this for interim, science, or alternate assessments). Bidder must adhere to the following specifications:

Test maps must be created containing detailed information for each item on every test form. This includes item statistics and metadata such as form ID, item position, item family ID, item ID, associated stimuli IDs, correct answer, item type, maximum item score, allowable item scores, item function (e.g., field test, operational), equating item flag, core vs. matrix representation flag, and item enemies.

Bidder must outline a simulation design for multistage adaptive tests testing (should Bidder propose this for interim, science, or alternate assessments) to evaluate measurement precision across various achievement ranges, such as deciles.

Bidder should provide a clear method for developing information curve targets for new tests.
Bidder should outline their process for achieving information curve matching, including pre-equating design if necessary, for continuing tests.

Bidder should describe the method for selecting items to align with the blueprint of the assessment and for selecting items to be included in operational test forms.
Bidder should specify the process used for selecting items for vertical and/or horizontal linking across different forms or stages of the assessment.

c. **Adaptive Test Construction**

Within an adaptive testing context, the documentation of content blueprint features and percentages of the items tagged to the blueprint features in the item pool become one evaluation tool used to frame alignment discussions. Bidder should explain how they propose to handle this for the adaptive ELA and math assessments including analyses to ensure that blueprints are met.

Bidder should provide a detailed methodology for selecting items for the operational adaptive item pool. This should include criteria for item selection, such as alignment with content standards, cognitive demand, and item difficulty.
Bidder should validate how they will create a simulation design for test administration to evaluate the adequacy of the selected item pool in meeting blueprint requirements and achieving desired measurement precision across all ranges of student achievement, such as deciles. The simulation design should simulate the administration of the adaptive test to a representative sample of students.
Bidder should also articulate how they would finalize the values of the adaptive algorithm parameters. These parameters may include item selection criteria, item exposure controls, and adaptive stopping rules.

d. **Field Testing**

Currently, the NSCAS field test items are embedded in the operational test on an ongoing basis for both the general and alternate assessments. The Proposal must include the methodology of field-testing that shows field-testing of items is accomplished with a student group representative of Nebraska students.
Bidder should detail the process for selecting items for field testing to ensure validity and reliability.

e. Test Development Software

Bidder should identify the software tools and code utilized for test development. Open source solutions are preferred, while commercially available options are acceptable. Proprietary software should be avoided.

f. Accommodations and Language Supports

The NDE’s assessment must be built on an accessibility framework for all students. It is vital to Nebraska to provide the tools and accommodations to enable all students to demonstrate what they know and can do. See: Assessment and Accountability Manual and the NSCAS Accessibility Manual. Bidder should describe the accommodations that will be included in their assessment system, as well as the language supports available within their balanced assessment system.

III. Item Development

Nebraska state law requires educators to be part of the assessment development process. Nebraska educators have a long history of helping to create assessment items, and all items created for Nebraska assessments with the engagement of Nebraska educators are to be owned by Nebraska. While Bidder may propose a solution that augments the Nebraska item bank with Bidder owned items, it is the expectation that Nebraska owned and developed items will be a central part of the item bank.

a. Item Specifications
As RALDs describe increases in student thinking and reasoning, test developers have a rationale regarding why a percentage of particular item types (e.g., technology-enhanced items) and DOK levels are necessary in the item bank, as well as the percentage of items that should be developed to particular levels of cognitive complexity within an item bank. Those decisions are driven based on the construct-based evidence that should be collected and included in item specifications.

b. Item Banking and Development Software
Bidder should provide detailed information regarding the item development and banking software platform that will be utilized for the Nebraska statewide assessment project. Depending on the approach, please address the following:
If Bidder will be using their own software platform:

- Provide a comprehensive description of the item development and banking software, including its key features and functionalities.
- Include screenshots for critical functions to provide a visual representation of the platform's capabilities.
- Describe how the software platform connects to other IT systems, if applicable.
  If Bidder will be developing new item development and banking software for Nebraska to own:
- Outline the technical specifications and requirements for the software that will be developed for the state.
- Provide detailed information on the functionalities and features that will be included in the software.
- Explain how the proposed software solution will meet the specific needs and objectives of the project.
  If Bidder will be required to use a specific third-party-owned platform:
- Describe the technical details of the platform that will be used.
- Highlight the key features and functionalities of the platform and how it aligns with the requirements of the Nebraska statewide assessment project.
- Explain how Bidder will effectively utilize the platform to meet the objectives of the assessment project and ensure seamless integration with other systems, if applicable.

c. Item Technology Standards
Adherence to the most recent QTI and APIP standards is required to maximize consistency between item rendering engines and to facilitate the transition of items across Contractors at the end of a Contract.
Bidder should explain the item storage and export formats they use and provide exemplars of formatting guidelines used for QTI/APIP compliant exports.

Bidder should also provide assurances and processes (QA/QC or other) that they will use to ensure that the rendering functionality of their item rendering engine is consistent with the administration platform on a variety of devices.
Bidder is also expected to detail the metadata that must be captured for each item, including information such as content standards, item difficulty, cognitive complexity and item statistics. Enough metadata must be captured for adequate security monitoring and cheating detection to be accomplished (e.g. information about item response times, item discrimination, and item difficulty indices).

d. Item Workflow Process
Bidder should provide an overview of the workflow process for items as they progress from assignment through various stages, including item writing, committee review, field testing, and operational testing. This may include AI supported steps in the item development process.

e. Item Specifications/Task Models
All items developed for the NSCAS assessments should align to one standard and should follow best practices for creating test items. The RALDs provide detailed information regarding each standard and how to assess student knowledge at different levels for each standard. Items should meet the level specified for each standard. Following best practices, including style, helps ensure that items are accurately measuring student knowledge at each level by focusing the items on construct-relevant information and presentation. The item specifications incorporate information from each source into a single file to provide a high-level overview for creating NSCAS test items.

Bidder should detail their approach to creating item specifications and any task models being proposed including:
Structure of Specifications:

- Item specifications should be structured to clearly define the characteristics, parameters, and requirements of assessment items. This includes specifying the content domain, cognitive process, item type, format, and any specific constraints or considerations.
- Specifications should be organized in a systematic manner, with clear headings, categories, and subcategories to facilitate navigation and understanding.

Granularity and Alignment:

- Item specifications should align closely with NDE content frameworks, including content standards, annotations of standards, claims, ALDs, and blueprints. This alignment ensures that assessment items effectively measure student proficiency across key domains and levels of achievement.
- Specifications should provide detailed guidance on how assessment items should address specific content standards, claims, ALDs, and other relevant criteria, ensuring that items are valid, reliable, and aligned with educational goals.

Model Items for Guidance:

- Bidder is expected to provide model items for each specification to guide item development during the item development process. Sample model items should be provided as part of the Proposal and should exemplify the characteristics, formats, and expectations outlined in the specifications.
- Model items should cover a range of difficulty levels, cognitive processes, and item types to provide comprehensive guidance for item development.

Integration with Content Frameworks:

- Specifications should be integrated seamlessly with Nebraska's content frameworks, serving as a bridge between educational standards and assessment items.
- Specifications should clearly indicate how assessment items contribute to the measurement of student proficiency in specific content areas, cognitive processes, and levels of achievement.

Flexibility and Adaptability:

- Specifications should allow for flexibility and adaptability to accommodate changes in educational standards, assessment priorities, and student needs over time.
- Bidders should demonstrate the ability to update and revise specifications as needed to reflect evolving educational goals and best practices in assessment design.

f. Item Refresh, Release, and Retirement

Field-tested items are removed from the pool if they do not pass data review. Operational items are retired (i.e., removed) based on content and psychometric reviews of items flagged based on their item statistics and a set of flagging criteria after each administration. There is no limit to how many times an item can be used operationally. Items may also be re-field tested if deemed necessary (e.g., if an item required revisions for clarifications or if an item changed grades based on a new set of standards).

Bidder should explain their proposed approach to item refresh rates, public item release rates, and item retirement in the Proposal.

g. Interaction Studies

Bidder should describe their approach to cognitive labs or other critical validity studies to ensure alignment and content for statewide assessments is appropriate. Bidder should detail the approach they take to such studies, especially in the event that Bidder is recommending constructed response or other new or innovative item types not currently being used to measure state standards as part of their Proposal.

h. Item Development Needs Analysis

Bidder should present their plan to analyze enhancement needs for existing item pools using rigorous methodologies and comprehensive approaches.

Bidder must develop a methodology for estimating item development needs for each blueprint element for the specified number of forms or for adaptive level item banks. For fixed-form or multi-stage adaptive (interim, science or alternate) assessments, this involves determining the number of items required to adequately cover each content area, cognitive process, and difficulty level outlined in the blueprint. For Item Adaptive Testing (summative ELA and math) this includes estimating item development needs at the lowest-level granularity of blueprint cells to create a pool that satisfies the blueprint for all students and involves determining the number of items required to cover each specific content area, cognitive process, and difficulty level targeted by the adaptive testing algorithm.

Bidder must account for overages in item development to accommodate items and item families that may not survive item review committees. This requires allocating additional resources to develop alternative items or revise existing items based on feedback from review committees.

Bidder must allocate overages in item development to address challenges in targeting item difficulty to meet needs for measurement precision. This includes ensuring that test information curves are targeted appropriately for fixed-form and multi-stage adaptive testing (interim, science, alternate), and that item-adaptive testing (summative ELA and math) maintains adequate measurement precision for all students.

i. Stimulus Procurement/Custom Development

Bidder must procure or develop stimuli for independent items that require accompanying text, images, or other media to support student responses. Stimuli should be selected or created to align closely with the content standards and assessment objectives, providing relevant context for students to demonstrate their understanding and skills.
When sourcing or creating appropriate stimuli for use in statewide assessments, Bidder must adhere to the following guidelines:

- **Reading Level:** Stimuli should be at an appropriate reading level for the intended grade level of the assessment. For reading tests, stimuli should typically be on or slightly below grade level to ensure accessibility for all students.
- **Vocabulary Restrictions:** Stimuli should utilize vocabulary that is aligned with the grade level and content standards being assessed. Complex or unfamiliar vocabulary should be limited to ensure that students can accurately comprehend and respond to the stimuli.
- **Passage Length**: The length of reading passages should be appropriate for the grade level and assessment format. Passages should provide sufficient context and information for students to respond to assessment items effectively without being excessively long or verbose.
- **Digits of Precision for Tables and Graphs**: For math or science assessments that include tables, graphs, or other visual representations, stimuli should adhere to specific guidelines for the digits of precision. This ensures consistency and accuracy in interpreting and analyzing the data presented.
- **Paired, Tripled, or Quadrupled Stimuli:** In assessments that require intertextual comprehension in reading or the synthesis of multiple sources of information in math or science, stimuli may need to be paired, tripled, or quadrupled. This allows students to analyze and compare multiple sources of information to demonstrate their understanding and critical thinking skills.
- **Acceptable Sources of Stimuli**: Stimuli must be procured from acceptable and reputable sources that align with the content standards and assessment objectives. Acceptable sources may include published materials, educational resources, databases, and online repositories.
- **Approval Procedures**: Bidder must establish approval procedures to ensure that all stimuli used in the assessment are appropriate, relevant, and aligned with the content standards. This may involve a rigorous review process conducted by subject matter experts, educators, and assessment specialists to verify the quality and suitability of the stimuli.
- **Copyright Clearance**: Bidder is encouraged to utilize the Copyright Clearance Center (CCC) or similar services to obtain copyright permissions for stimuli procured from copyrighted materials. This helps mitigate legal risks and ensures compliance with copyright laws while reducing state costs and streamlining approval processes.
- **Quality Assurance Measures**: Bidder must implement quality assurance measures to guarantee the accuracy, authenticity, and relevance of procured stimuli. This may include conducting thorough checks for factual accuracy, language appropriateness, and cultural sensitivity to ensure that stimuli meet the needs of diverse student populations.
- **Documentation and Transparency**: Bidder must maintain detailed documentation of all stimuli procurement activities, including the sources of stimuli, copyright permissions obtained, and approval procedures followed. Transparency in the procurement process is essential to ensure accountability and integrity in the development of statewide assessments.

Overall, appropriate stimuli for Nebraska statewide assessments should be carefully curated to align with grade-level expectations, content standards, and the cognitive demands of the assessment. Stimuli should be engaging, accessible, and relevant to ensure that students can effectively demonstrate their knowledge and skills on the assessment.
Bidder should detail their process and plan for creating or obtaining stimuli including stimuli surrounding the phenomena needed to support state science assessments in their Proposal.

f. Item Writing

Bidder should detail their approach for item writing that includes Nebraska educators. Bidder is expected to schedule and handle all payment for item writing, review, or other assessment activities requiring external to NDE committees.

Qualifications for Item Writers: Item writers must possess relevant qualifications, including expertise in the subject area, knowledge of the content standards, and experience in educational assessment development. Preference should be given to state teachers to ensure familiarity with local curriculum and student needs and alignment with state statute.

Recruitment of Item Writers: Bidder must establish a transparent and rigorous recruitment process to identify qualified item writers. This may involve targeted outreach to diverse demographics to ensure representation and inclusivity in item development.

Agenda Outline for Writer Workshops: Bidder should develop a comprehensive agenda outline for writer workshops, detailing the objectives, topics to be covered, and activities planned during the workshops. Workshops should provide writers with the necessary training and support to develop high-quality items.

Writer Training Materials: Bidder must develop comprehensive training materials for item writers, including guidelines, templates, and examples to assist writers in understanding the requirements and expectations for item development. Training materials should cover topics such as content alignment, item writing guidelines, and best practices for creating effective items.

Initial Item Review Process and Criteria: Bidder must establish clear criteria and processes for the initial review of items developed by writers. This may include criteria related to content alignment, cognitive complexity, clarity, relevance, and appropriateness for the intended grade level and assessment objectives.

Monitoring Writer Performance: Bidder should implement processes for monitoring writer performance throughout the item development process. This may involve regular quality checks, feedback sessions, and performance evaluations to ensure that items meet the required standards and expectations.

Feedback Process for Writers: Bidder must establish a structured process for providing feedback to item writers. Feedback should be timely, constructive, and specific, highlighting areas of strength and areas for improvement in the items developed.

Revision Process for Items: Bidder should outline procedures for routing items back to writers for revision to meet alignment and quality requirements. Writers should be given clear guidance on areas for improvement and opportunities to revise their items accordingly.

Dismissal Process for Writers: Bidder must establish clear protocols for dismissing writers who fail to meet performance expectations or adhere to established guidelines. This may include progressive disciplinary measures or termination of Contracts for persistent non-compliance.
Development of Master Writers: Bidders should develop a cadre of master writers who demonstrate exceptional skills and expertise in item writing. Master writers may serve as mentors, trainers, or lead writers, providing guidance and support to other writers in the development process.

Procedures and Criteria for Item Acceptance and Payment: Bidder must outline procedures and criteria for item acceptance and payment. NDE staff should be involved in the final acceptance process to ensure quality and address potential conflicts of interest.

Item Description Requirement: Item writers must develop a detailed item description in addition to the item itself. The description should justify the appropriateness of the item stimulus, stem, incorrect options (if applicable), and tasks performed by examinees in relation to the assigned standard and DOK.

Scoring Rubric Requirement for Constructed Response Items: For constructed response items, writers must either use standard scoring rubrics provided for a given item specification or develop a scoring rubric and sample responses at each score point on the rubric to ensure consistency in scoring and interpretation.

g. Stimulus and Item Review

Bidder should describe their process for content, bias, sensitivity, accessibility, fairness, or other item reviews. Item review description should identify item review committees, purpose, composition, and responsibilities, and should, to the extent practicable include Nebraska educators as central committee members.

Bidder is encouraged to describe the recruitment process they will use to ensure that the range of perspectives needed for each committee is met and the committee is diverse and appropriate for the purpose of the committee.

Committee members must receive training on their roles and responsibilities, including the criteria for evaluating items, the importance of alignment with content standards and cognitive demand, and the need for unbiased and equitable review practices. Training should address potential tensions and emphasize the importance of collaboration and consensus-building. Safeguards should be implemented to ensure the independence of item reviewers' individual and consensus ratings. This includes measures to prevent conflicts of interest and maintain the integrity of the review process.
Item review procedures should involve both independent and group consensus activities. Each panel member should independently review and rate items based on content accuracy, alignment with content standards, and cognitive demand. Additionally, group consensus sessions should be facilitated to discuss discrepancies, resolve issues, and reach consensus on item ratings and recommendations for improvement.

I. Committee Logistics

Contractor will be responsible for hosting meetings, including providing meeting space, refreshments (coffee, meals, breaks), and any necessary equipment or materials for productive sessions.

Contractor must manage stipend payment and reimbursements to item/stimulus writers and reviewers for their contributions. If applicable, Contractor must cover substitute teacher fees for stimulus/item writers and item reviewers who may need to be temporarily replaced in their professional roles to attend meetings.

IV. Scoring

a. Rule Based Scoring

Related to rule based (non-AI or human based scoring), Bidder must demonstrate how they will meet the following requirements as appropriate to the item types and blueprints proposed:

i. For Paper-Based Administration:

- **Scanning Procedures**: Detail the procedures for scanning paper-based answer sheets.
- **Transformation of Scanned Images**: Describe the process for converting scanned images into scorable data.
- **Human Review of Ambiguous Images/Data**: Outline procedures for human review of ambiguous scanned images or data.
- **Scoring Data Derived from Scanned Images**: Explain the process for scoring data obtained from scanned images.
- **Quality Control Procedures**: Provide details on quality control procedures for all steps of the scanning process.
- **Criteria for Successful Quality Control**: Define criteria for successful quality control checks.
- **Quality Assurance/User Acceptance Testing**: Describe procedures and criteria for quality assurance and user acceptance testing.

ii. For Computer-Based Administration:

- **Telemetry Data Capture Requirements**: Specify requirements for capturing telemetry data during computer-based testing.
- **Response Data Capture Requirements**: Detail requirements for capturing response data from computer-based testing.
- **Scoring Rule-Development Procedures**: Outline procedures for developing scoring rules for each item type or specification.
- **Electronic Documentation of Scoring Rules**: Provide readable, electronic documentation for each unique set of scoring rules.
- **Quality Control Procedures**: Describe procedures for testing the completeness of scoring rules, including handling creative and unexpected responses.
- **Criteria for Successful Quality Control**: Define criteria for successful quality control checks.
- **Procedures for Responding to Unsuccessful Quality Control**: Detail procedures for addressing unsuccessful quality control checks.
- **Quality Assurance/User Acceptance Testing**: Specify procedures and criteria for quality assurance and user acceptance testing.

b. Constructed Response Rangefinding (and anchor/training paper selection)

If Bidder’s Proposal includes constructed response items, Bidder must detail their approach to Constructed Response Rangefinding, encompassing both anchoring activities and the development of training materials for scoring. Bidder must address the following specifications:

Rangefinding Paper Selection:

- **Procedures**: Provide detailed procedures for selecting papers to be used in the rangefinding process. This should include criteria for paper selection and the process for identifying appropriate samples.
- **Sample Annotated Agendas**: Include sample agendas outlining the steps involved in the rangefinding paper selection process, including timelines and responsibilities.

Rangefinding Panel Recruitment Training:

- **Recruitment**: Describe the recruitment process, including Nebraska educator involvement, for rangefinding panels. Bidder must plan to handle all logistics and payments for panel members.
- **Procedures**: Describe the training procedures for rangefinding panel members. This should cover the training content, methods, and duration.
- **Sample Materials**: Provide sample training materials such as presentation slides, handouts, or videos used to train rangefinding panel members.

Rangefinding Workshops:

- **Procedures**: Outline the procedures for conducting rangefinding workshops. This should include the structure of the workshops, the roles of facilitators and participants, and any specific activities involved.
- **Sample Materials**: Include sample workshop agendas, materials, and exercises used during the rangefinding workshops.

Rubric Finalization:

- **Procedures**: Detail the process for finalizing rubrics based on the outcomes of the rangefinding activities. This should cover how feedback from rangefinding is incorporated into the rubric development process.

Selection of Anchor/Validity Papers and/or AI Scoring Engine Training Corpus:

- **Procedures**: Specify procedures for selecting anchor papers or establishing a corpus for training artificial intelligence scoring engines. This should include criteria for selecting papers and the process for establishing the corpus.
- **Sample Materials**: Provide samples of anchor papers or training corpus documents used in previous assessments, if available.

c. Hand-scoring

If Bidder is proposing constructed response items that need hand-scoring, Bidder should detail their hand-scoring approach hand-scoring approach and process. Bidder must address the following specifications:

- **Qualifications for Hand-Scorers**: Outline the qualifications required for hand-scorers, including desired experience, education, and demographic considerations.
- **Recruitment Procedures**: Describe the procedures for recruiting hand-scorers, including sourcing, selection criteria, and outreach methods, including outreach to Nebraska educators.
- **Annotated Training Agenda, Procedures, and Materials**: Provide a detailed annotated training agenda outlining the topics covered, training procedures, and materials used during hand-scoring training sessions.
- **Criteria for Successful Completion of Training**: Define the criteria that hand-scorers must meet to successfully complete their training, including performance benchmarks and assessments.
- **Monitoring Validity**: Explain the procedures for monitoring the validity of hand-scoring, including the random seeding of validity/anchor papers and checks for adherence to scoring rubrics.
- **Monitoring Reliability**: Describe the methods for monitoring inter-rater reliability among hand-scorers, including the calculation of agreement rates and measures taken to address discrepancies.
- **Monitoring Rater Drift**: Outline procedures for detecting and addressing rater drift, including ongoing monitoring and interventions to maintain consistency in scoring.
- **Identification of Poorly Performing Raters**: Detail the procedures and criteria for identifying hand-scorers who are performing below the expected standards.
- **Remediation and/or Dismissal of Poorly Performing Raters**: Provide protocols for remediation efforts and potential dismissal of hand-scorers who consistently fail to meet performance standards.
- **Procedures for Re-Rating Papers**: Specify procedures for re-rating papers that have been graded by poorly performing hand-scorers to ensure accuracy and fairness.
- **Requirements for Double-Reading**: Define the requirements for double-reading papers, including the resolution or sampling rate for double reading.
- **Handling Exceptional Circumstances**: Outline procedures for handling exceptional circumstances, such as hard-to-score papers, aberrant responses, and alert papers, ensuring appropriate protocols are in place.
- **Mock or Sample Quality Monitoring Summaries**: Include mock or sample daily, weekly, and final hand-scoring quality monitoring summaries to demonstrate the proposed monitoring and evaluation processes.

d. Artificial Intelligence Scoring

A Bidder proposing innovative or constructed and extended response items may include a plan for artificial intelligence (AI)-based scoring. If Bidder chooses to do so, they must address the following specifications:

- **Description of Procedures/Analyses**: Provide a detailed description of the procedures and analyses used in AI-based scoring, including the algorithms and methodologies employed.
- **Scoring Engine Training Procedures**: Outline the procedures for training the scoring engine, including the development of scoring rules and routing for human scoring of exceptional papers.
- **Exceptional Categories for Human Scoring**: Specify the categories of papers that require human scoring, such as hard-to-score papers, aberrant responses, and alert papers, and describe the procedures for assigning these papers for human evaluation.
- **Scoring Engine Monitoring Procedures**: Detail the procedures for monitoring the AI scoring engine, including the sampling of papers for human read-behind and analysis to ensure accuracy and reliability.
- **Criteria for Successful AI-Based Scoring**: Define the criteria for successful AI-based scoring, including accuracy, consistency, and adherence to quality standards.

- **Response to Missed Quality Criteria**: Provide procedures for responding to instances where the AI-based scoring misses quality criteria, including protocols for re-scoring and quality assurance measures.
- **Mock or Sample Monitoring Summaries**: Include mock or sample daily, weekly, and final AI scoring monitoring summaries to demonstrate the proposed monitoring and evaluation processes.

V. Psychometrics

a. General Psychometric Support

Contractor shall provide for the direct involvement of a qualified psychometrician with sufficient time to ensure technical quality for general assessments of ELA, math, and science, and alternate assessments for ELA, math, and science, such as:

- Item and assessment formatting appropriate to both online and pencil-and-paper administration.
- Items and test forms for field testing and equating multiple forms including embedded items.
- Appropriate validity and reliability calculations.
- Appropriate cut-score processes as needed.
- Alignment of items and test forms with a sufficient number of Nebraska State Standards to meet the requirements of USDE peer review.
- Inclusion of item statistics in the item banks for alternate and general assessments.
- Converting raw scores to scaled scores for reporting purposes.
- Technical and policy support for all assessments.

Contractor shall attend semi-annual one-day meetings of the NDE Technical Advisory Committee (TAC) as requested. The Proposal budget may include costs for attendance at the meeting of up to three staff such as the project director, project lead psychometrician, and one additional staff member.

Bidder should plan for the project director and psychometrician to provide information and technical support for two meetings a year of the statewide assessment advisory group.

This Proposal must address how Bidder will meet the Standards for Educational and Psychological Testing (AERA, APA, & NCME, 2014).

b. Psychometric Software

Bidder should provide detailed information about the Psychometric Software intended for use. The NDE recommends the use of commercially available software or open source solutions like R to ensure consistency and facilitate transition between contractors. Please outline the following:

- **Software Description**: Provide a comprehensive description of the psychometric software to be utilized, highlighting its capabilities, functionalities, and compatibility with the assessment requirements.
- **Software Source**: Specify whether the software is commercially available or open source. If it is open source, detail how it aligns with the assessment needs and facilitates seamless transition between bidders.
- **Transition Considerations**: Explain how the chosen software minimizes inconsistencies during transitions between contractors. Discuss any challenges or advantages associated with transitioning the software from one contractor to another.
- **Compatibility**: Describe how the software meets the compatibility requirements for the assessment project. Include information about its compatibility with other systems or software used in the assessment process.
- **Support and Maintenance**: Outline the support and maintenance services provided for the software. Include details about updates, patches, and technical assistance available to ensure smooth operation during the assessment process.
- **Data Security**: Address data security measures implemented within the software to safeguard sensitive assessment data. Explain how the software ensures compliance with data protection regulations and standards.
- **Scalability**: Discuss the scalability of the software to accommodate potential changes or expansions in the assessment program. Explain how the software adapts to varying testing volumes and requirements.
- **Cost Considerations**: Provide information on the cost implications associated with the software, including licensing fees, subscription models, or any other relevant expenses. Consider factors such as long-term sustainability and budgetary constraints.

c. Psychometric Model and Calibration

Bidder should address the following in their approach to psychometric modeling and calibration:

- **Model Selection**: Provide a detailed description of the psychometric model(s) proposed for use in the assessment. Justify the selection of the model(s) based on its appropriateness for the assessment goals, population, and content areas.
- **Dimensionality and Subscoring**: Describe how the psychometric model addresses dimensionality and subscoring within the assessment framework. Outline the methods used to identify and validate latent constructs or subscales.
- **Measurement Invariance**: Ensure that the psychometric model accounts for measurement invariance across different demographic groups (e.g., gender, ethnicity, socioeconomic status). Describe procedures for testing and verifying measurement invariance.
- **Model Fit**: Demonstrate that the selected psychometric model(s) adequately fit the data obtained from the assessment. Provide criteria for assessing model fit and procedures for evaluating model adequacy.
- **Item Calibration Procedures**: Outline the procedures for item calibration within the psychometric model(s). Include details about item parameter estimation methods, such as item response theory (IRT) or classical test theory (CTT), and the software/tools used for calibration.
- **Equating Procedures**: Describe the procedures for equating test scores across different forms or administrations of the assessment. Address issues related to test equating, including linking methods and techniques for ensuring score comparability.
- **Reporting**: Specify how psychometric findings will be reported and communicated to stakeholders. Include information on reporting formats, data visualization techniques, and interpretation guidelines for psychometric results.
- **Validation**: Provide evidence of the validity of the chosen psychometric model(s) for the intended purposes of the assessment. Include validation studies conducted to support the use of the model(s) in measuring student achievement and informing educational decisions.

d. Field Test Item Analysis

The NDE has established specific requirements for conducting classical and item response theory (IRT)-based items. Bidder should propose their approach to field test item analyses for content and fairness review in the statewide assessment (e.g. classical and item response theory (IRT) analyses). This should include any item analyses performed in support of content review or fairness review (bias, sensitivity, accessibility) such as distractor analyses, p-values, item total correlations, DIF, and any other types of item analyses. It should specifically address flags for each type of analysis to be highlighted in data review sessions with item review committees.

Calibration and Scaling

Contractor will calibrate test items using an appropriate item-response theory (IRT) model(s). The Proposal must include a discussion of the benefits of the proposed IRT model, its appropriateness for the tests, and indicate which software will be used.

Contractor will translate student composite or total scores to a reporting scale developed for each subject area and grade level test. The Proposal must discuss methods for creating a reporting score scale consistent with the reporting requirements.

The Proposal must include a plan for strong measurement of growth through vertical scaling or other method.
The system must provide a method to report subscore results at the concept level at the school, district, and state levels. The Proposal must include a description of the proposed method and a rationale for its use and provide information in addition to an overall score (e.g., sub-scores) in each content area to the degree possible within the purpose of the assessment.

e. Operational Item Analyses

Bidder should detail their IRT-based operational item analyses to identify potential issues with operational items in the statewide assessment. This should include:

- Scoring Key Verification
- Item Display Evaluation
- Item Difficulty Analysis
- Item Discrimination Examination
- Item Fit to Model
- Quality Assurance Checks
- Data Forensics
- Any other checks and analyses Bidder deems appropriate

In conjunction with the test security protocol described in the assessment administration section of the Proposal, Bidder should include a description of appropriate methods for analyzing data to identify inconsistencies and problems for both online and pencil-and-paper tests and to include a security incident response plan. Bidder is expected to provide a solution for not only reporting on data forensics but supporting the NDE in its use of the report and follow up on issues of concern indicated in data forensics report.

Contractor will provide a report documenting irregular responses such as blank answer documents, excessive item non-response, and excessive multiple marks (paper and pencil assessments) at the district and school levels.

The NDE and Contractor will determine levels of excessive non-response and multiple marks (paper and pencil assessments), and other indicators of irregular response. The Proposal must describe how this requirement will be met. The Proposal must include a solution for real time and end-of-testing support of the NDE in data forensics. Contractor is expected to provide a solution for not only reporting on data forensics but supporting the NDE in its use of the report and follow up on issues of concern indicated in data forensics report.

The NDE anticipates that Bidder will use multiple methods to analyze results. Bidder will submit samples of data forensics reports illustrating how the results can be used by the NDE. The Proposal must include detailed specifications of the statistical analyses used to provide the data forensics analyses.

Analyses must include a plan for Contractor to work with the NDE to establish parameters for decision-making of outlying testing aberrations. The Proposal must describe how this requirement will be met.

The Proposal must include a solution for real time and end-of-testing support of the NDE in data forensics.

f. Test Development Analyses (information/ CSEM, reliability, precision, classification accuracy and consistency)
Bidder Proposals should speak to their standards for conducting test development analyses during the assembly of statewide assessments. This should include at least the following:
Test Information Analysis: Perform analyses to evaluate the match between the projected test information curves and the target test information curves. Assess the distribution of measurement precision across different ability levels and ensure that it aligns with the intended goals of the assessment.

- **Conditional Standard Error of Measurement (CSEM) Analysis**: Conduct analyses to estimate the conditional standard error of measurement curves across various ability ranges. Evaluate the precision of test scores and identify areas where measurement error may be higher, particularly for students with different levels of ability.
- **Reliability Assessment**: Evaluate the reliability of the assessment using classical and modern methods. Analyze the consistency and stability of test scores over different administrations and conditions, and assess the internal consistency of the assessment items.
- **Precision Analysis**: Assess the precision of test scores by examining the variability in measurement error across different ability levels. Identify areas where measurement precision may be lower and develop strategies to improve the reliability and precision of the assessment.
- **Classification Accuracy Evaluation**: Analyze the accuracy of classification decisions based on test scores, particularly for identifying students at different proficiency levels. Assess the extent to which test scores accurately reflect students' true abilities and provide meaningful information for decision-making purposes.
- **Classification Consistency Examination**: Evaluate the consistency of classification decisions across different administrations and conditions. Ensure that classification decisions are stable and reliable over time, and identify any sources of variability that may affect consistency.

g. Operational Test Form/Event Analyses (actual information/CSEM, reliability, precision, classification accuracy and consistency)
Bidder Proposals should speak to their standards for conducting test event analyses about the statewide assessments given. This should include at least the following:

- **Test Information Analysis**: Perform analyses to evaluate the match between the projected test information curves and the target test information curves. Assess the distribution of measurement precision across different ability levels and ensure that it aligns with the intended goals of the assessment.
- **Conditional Standard Error of Measurement (CSEM) Analysis**: Conduct analyses to estimate the conditional standard error of measurement curves across various ability ranges. Evaluate the precision of test scores and identify areas where measurement error may be higher, particularly for students with different levels of ability.
- **Reliability Assessment**: Evaluate the reliability of the assessment using classical and modern methods. Analyze the consistency and stability of test scores over different administrations and conditions, and assess the internal consistency of the assessment items.
- **Precision Analysis**: Assess the precision of test scores by examining the variability in measurement error across different ability levels. Identify areas where measurement precision may be lower and develop strategies to improve the reliability and precision of the assessment.

- **Classification Accuracy Evaluation**: Analyze the accuracy of classification decisions based on test scores, particularly for identifying students at different proficiency levels. Assess the extent to which test scores accurately reflect students' true abilities and provide meaningful information for decision-making purposes.
- **Classification Consistency Examination**: Evaluate the consistency of classification decisions across different administrations and conditions. Ensure that classification decisions are stable and reliable over time and identify any sources of variability that may affect consistency.

VI. Test Scoring

The NDE has established comprehensive requirements for test scoring to ensure the accuracy and reliability of statewide assessments. Bidder is expected to adhere to the following specifications:

- **Detection of Abnormal Responses**: Implement procedures to detect abnormal responses indicative of inattentive students, poor fit, or other irregularities during test administration. Report on the prevalence of abnormal responses and take appropriate action to address them.
- **Handling Problematic Paper Answer Documents**: Develop procedures for detecting and addressing problematic paper answer documents, such as those completed with pen instead of pencil or documents that are visually spoiled and require manual evaluation. Implement protocols for resolving issues with these documents to ensure accurate scoring.
- **Item-Adaptive Assessment (summative ELA and math)**: Implement dynamic achievement estimation algorithms for item-adaptive assessments. Develop scoring procedures that dynamically adjust achievement estimates based on students' responses to adaptive items, ensuring accurate and precise measurement of student achievement levels.
- **Multi-Stage Assessment (interim, science, alternate)**: Develop procedures for end-of-stage achievement estimation in multi-stage assessments. Calculate achievement estimates at the conclusion of each stage of the assessment process, taking into account the performance of students on the items administered during that stage.
- **Final Achievement Estimation**: Calculate final achievement estimates based on the cumulative performance of students across all stages of the assessment. Aggregate achievement data to determine students' overall performance levels, providing accurate and reliable estimates of student achievement.
- **Total Scoring**: Develop procedures for total scoring of assessments, including the aggregation of scores from individual items or tasks to generate total scores for each student. Ensure that total scoring procedures are consistent, transparent, and aligned with assessment objectives.
- **Subscoring**: Implement subscoring procedures to assess specific domains or subskills within the assessment. Develop scoring algorithms that generate subdomain scores based on students' performance on relevant items, providing additional insights into students' strengths and weaknesses.
- **Additional Analyses**: In addition to the analyses conducted during scoring (above) to monitor the scoring process, Contractor will conduct additional analyses after scoring to verify the accuracy of scoring. The Proposal must include a description of the types of analyses that will be conducted and how the results of those analyses will be disseminated and used.

By meeting these requirements for test scoring, Bidder will contribute to the integrity and validity of statewide assessments, enabling the NDE to make informed decisions about student achievement and educational outcomes.

VII. Standard Setting

It will be necessary to set new performance standards for all assessments covered in this RFP. Bidder must deploy an approach that meets professional standards and federal peer review requirements.
Proposal should propose an appropriate standard setting methodology and procedure that meets the following goals:

- Is appropriate for the subject area tests.
- Supports coherence across the grade levels tested.
- Includes the direct participation of Nebraska teachers and other subject area experts and educators.
- Includes the validation of alignment and standard setting results with information gained from educators in the field and through the use of other available information, as appropriate.
- Is consistent with the goals and purposes of the NDE test specifications whether it is developed by Nebraska educators or is an off-the-shelf solution, and assessment principles.

Proposal must include a comprehensive description of the proposed methods that includes procedures to occur before, during, and following the activities. Proposal must also include information on Bidder staff that will lead and participate in alignment and standard setting.

Contractor will support all alignment and standard setting activities including, but not limited to, providing any stipends, substitute reimbursement, and covering expenses for participants in proposed meetings for the alignment and standard-setting process.

Bidder must detail their standard setting plan and adhere to the following specifications:

- **Timeline**: Develop a detailed timeline for each component of the standard setting plan, including key milestones such as advance meetings with specific policymakers, panelist meetings, and follow-up sessions. Ensure that the timeline allows for sufficient preparation, review, and revision of standard setting activities.
- **Stakeholder Engagement**: Include in their approach the integration of Nebraska's stakeholders and experts throughout the process.
- **Activity Outline**: Provide a comprehensive outline of activities for each component and day within the standard setting process. Incorporate the foundational elements described earlier, including method selection, panelist recruitment and training, integration of external benchmarks, and consideration of potential conflicts of interest.
- **Draft Plan Development**: Draft a complete Standard Setting Plan in collaboration with the state education department. Ensure that the plan aligns with statewide assessment objectives, standards, and guidelines and includes clear documentation and vertical articulation approaches.
- **Review with Technical Advisory Committee (TAC):** Present the draft plan to the state's TAC for review and feedback. Incorporate TAC input into the plan as necessary to enhance clarity, effectiveness, and alignment with assessment goals.
- **Plan Revision**: Revise the Standard Setting Plan based on feedback received from the TAC. Address any concerns, recommendations, or suggestions provided by TAC members to ensure the plan meets the requirements and objectives of the statewide assessment program.
- **Implementation**: Execute the activities outlined in the Standard Setting Plan according to the established timeline and procedures. Ensure that all components of the plan are carried out effectively and efficiently to achieve the desired outcomes.
- **Comprehensive Report**: Develop an outline for a comprehensive Standard Setting Report, including evaluations of the standard setting process and outcomes. The report should provide detailed insights into the methods, findings, and implications of the standard setting activities.
- **Presentation to TAC**: Present the outcomes of the standard setting process to the TAC. Share key findings, recommendations, and insights from the standard setting activities, and address any questions or concerns raised by TAC members.
- **Report Revision**: Revise the Standard Setting Report based on feedback received from the TAC. Incorporate any additional information or clarifications requested by TAC members to produce a finalized report that accurately reflects the standard setting process and outcomes.

Contractor will produce a written report documenting all aspects of the alignment and standard setting process to be delivered to the NDE within 30 days of the conclusion of these activities.

VIII. Scaling and Equating

The NDE has outlined rigorous requirements for scaling and equating procedures to ensure the validity and reliability of statewide assessments. Bidder must adhere to and describe how they will meet the following specifications as appropriate to the models they are suggesting:

- **Scaling Method Selection**: Select an appropriate scaling method that aligns with the objectives and characteristics of the assessment. Justify the chosen method based on its suitability for the assessment content and student population.
- **Anchoring the Scale**: Determine specific values or criteria to anchor the scale, such as the "proficient" cut score or desired standard deviation for each grade level. Ensure consistency in anchoring across horizontally equated tests to maintain score comparability.
- **Procedures for Scaling Equated Theta Scales**: Develop robust procedures for scaling equated theta scales to accurately represent student achievement levels. Implement methods to transform raw scores into scaled scores that align with the intended interpretation of the assessment.
- **Use of Vertical Scale**: Determine whether to utilize a vertical scale for the assessment and justify the decision based on its appropriateness for the assessment goals and design.
- **Equating Method Selection**: Select an equating method that is appropriate for the assessment design and data characteristics. Contractor will design and conduct analyses required to equate the tests from year to year at each grade level for each subject area: ELA, math, and science. Proposal must describe the proposed method for equating tests as appropriate and provide a rationale for the proposed method. If measuring the content and standards currently assessed, Proposal is to include an equating method between assessments.
- **Calibration**: Contractor will design and conduct analyses required to calibrate and equate test items across test forms within a single year. The Proposal must demonstrate an understanding of the test design and describe the method proposed for accomplishing this task.
- **Evaluation of Equating**: Conduct thorough analyses to evaluate equating procedures in each assessment cycle. Assess the comparability of scores across different administrations and examine potential sources of bias or inconsistency.

IX. Technical Documentation

Contractor is responsible for developing a comprehensive technical report following the first cycle of an assessment. Thereafter, an annual addendum will be provided. The technical report must be clear and well organized, addressing all requirements of the United States Department of Education Peer Review elements.
Responses to this RFP should include a technical report outline and sample table of contents consistent with typical sections of a high-quality technical report and the additional requirements of peer review.

X. Validation Argument and Peer Review Support
The NDE requires the end-of-the-year summative assessment to be valid, reliable, and useful. The summative assessment must meet federal Peer Review. The NDE encourages innovative Proposals that describe in detail how these goals may be met.
The NDE also requires that the interim assessment be valid, reliable, and useful. Bidder shall describe how learning/instruction may be informed by the interim assessments, especially if there are multiple types of interim assessments (e.g., benchmark and progress monitoring). The NDE encourages innovative Proposals.
Contractor is responsible for conducting all analyses necessary to report student, school, district, and state results from the assessment system and to ensure that tests meet the standards of technical quality. During each year of the Contract, Contractor will conduct analyses necessary to support test development for test items developed by the NDE, test construction, scoring, and standard-setting and validation activities. In addition, Contractor will conduct secondary analyses related to security, data interpretation, policy formation, and administrative planning.

Additionally, technical documentation is a critical requirement to verify the quality of work and provide evidence for the validity of the assessment system. In addition to the technical reports and publications specifically described in this RFP, Contractor is expected to provide appropriate technical documentation for tasks such as test construction, scoring, etc. on an ongoing basis.

Bidder should clearly identify within their Proposal how they will assist the state in validating the assessment system and in completing activities related to federal peer review. At a minimum, Bidder should be able to describe their approach to:

- Development of an interpretive argument from the theory of action
- Development of a catalog of validity evidence necessary to support the interpretive argument
- Development of a research agenda to realize the catalog of evidence necessary
- Specific one-time and ongoing research studies to be carried out to satisfy the research agenda
- Link to any existing evidence in support of a sound validity argument
- Detailed proposed outline for a technical report that summarizes all aspects of the program, with the organizing framework being the validity argument
- Process and timelines for making an annual update to the technical report
- Incorporation of peer review requirements in catalog of necessary validity evidence, research agenda, and technical report
- Support offered to the state for preparing and following up on peer review submissions

XI. Other Data Analysis
Contractor will provide annual analyses, including but not limited to identifying problems and inconsistences such as duplicate records, missing data, etc., so that the NDE can work with districts to resolve problems.
The Proposal will include a description of Bidder's capacities for research that can be conducted for online assessments, for example, test-taking time compared to results.

H. Project Planning and Management

I. Key Contacts and Program Management Team
The primary contact for the state will be Assessment Director, Dr. Trudy Clark. The selected Contractor will work with Dr. Clark and her team to assign day-to-day Nebraska Department of Education (NDE) contacts that Contractor will be working with to carry out specific assessment design, development, professional learning and data delivery activities. Additionally, the NDE will have assessment, content standards, professional learning, Special Education (SPED), and English learner (EL) support staff engaged in day-to-day work with Contractor. Bidder should include a list of proposed roles NDE staff will need to fill in to complete the day-to-day work of building and maintaining the balanced assessment system.

The program management team should possess expertise in program and project management, educational assessments, data analysis, technology integration, and effective stakeholder communication. Bidder should provide compelling evidence showing proficiency in successfully leading and executing complex statewide assessment systems. Show detailed documentation of strategic planning, meticulous scheduling, effective resource allocation, stakeholder engagement, risk mitigation, and successful coordination of diverse teams. Clear roles and responsibilities are crucial to avoid confusion and enhance accountability by assigning designated individuals for each task involved within the project.

Bidder must identify the specific professionals and key personnel who will work on NDE's project if their company is awarded the Contract resulting from this Request for Proposal (RFP). The names and titles of the team proposed for assignment to the project shall be identified in full, with a description of the team leadership, interface and support functions, and reporting relationships. The primary work assigned to each person should also be identified.

Bidder shall provide resumes for all key personnel proposed by Bidder to work on the project. The NDE will consider the resumes as a key indicator of Bidder's understanding of the varied skills required to carry out the requirements of the RFP in addition to assessing the experience of specific individuals.

Resumes must not be longer than three (3) pages. Resumes shall include, at a minimum, academic background and degrees, professional certifications, understanding of the process, and at least three (3) references (name, address, and telephone number) who can attest to the competence and skill level of the individual. Any changes in proposed personnel shall only be implemented after written approval from the NDE.

In addition to other staff Bidder feels are essential to name in the Proposal, Bidder must provide the following roles:

- **Program Director** – Contractor will appoint a single program director who oversees the management of the balanced assessment program and serves as the primary point of contact with the NDE project director and management team. This person must be responsible for all activities required by the project and will have the authority to make decisions and commitments on behalf of Contractor, subject to NDE approval.
- **Project Manager(s)** – Contractor will appoint one or more project managers who will serve as the primary point of contact with the NDE. Project manager focus areas could include assessment design, development, or data delivery.
- **Professional Learning Lead** – Contractor will appoint a primary point of contact for the Certified Facilitator Program.

II. Program and Project Management Responsibilities

Bidder will present a detailed description of the proposed program and project management responsibilities. Communication between Contractor and NDE staff is essential. One of the most important responsibilities of project management is ongoing communication. The NDE seeks transparent and effective communication systems that ensure information is disseminated promptly. Bidder's project management team should possess expertise in project management, educational assessments, data analysis, technology integration, and effective stakeholder communication. This skills set should ensure that communication is clear and consistent. The Program Manager will manage ongoing communication with NDE staff and school districts. Contractor responsibilities will include:

- Management Reports – Contractor will provide the following program management reports:
    - Weekly written project status reports
    - Monthly budget update reports
    - Annual project plan and timelines
    - Minutes of all meetings and conference calls

Ongoing Communication: Contractor's Program Manager will return calls from NDE staff and respond to email messages within no more than 24 hours, preferably within the same day. If the Program Manager is not available to take calls and return messages, the NDE should be notified in advance. In the event that the Program Manager is not available, Contractor will notify the NDE as to whom to contact in their absence, and will provide contact information for that individual.

Invoices: Contractor will submit invoices according to the procedures and requirements set forth by the NDE. It is expected that the payment schedule for this Contract will be monthly with one payment for the services performed and deliverables provided during each month. The proposed Contract will run from July 1, 2025, through June 30, 2026. Bidder will confirm their agreement to fulfill this requirement.

Communications Log: Contractor shall keep an ongoing log of complaints and issues, how they were resolved, and an indication of customer satisfaction. Proposal should include a solution for clear, timely communication of customer service contacts and their outcome with the NDE.

Communication Summaries: Contractor will make all written communication or summaries of communications with any subcontractor(s) identified in this Proposal available to the NDE at its request. In addition, the NDE expects to be able to participate during all appropriate and applicable meetings and trainings between Contractor and any subcontractor(s) identified in Proposal.

Communication procedures: Telephone calls, telephone conference calls, emails, overnight courier service, facsimile correspondence, webinars, video conferencing and other communication procedures will be at Contractor's expense. Toll-free numbers will be provided by Contractor for telephone communication including conference calls and webinars.

Project management: Contractor will ensure on time delivery of deliverables, manage staff timelines, including issuing reminder notices to state, school, and district staff sufficiently in advance of deliverable due dates to give adequate lead time for on-time delivery, providing escalation reminders for missed deliverables, weekly reports on progress and the status of issues and risks.

III. Change Management

Bidder should include a description of their change management plan that addresses both routine scope changes and crisis change management. Bidder must outline procedures for requesting scope change, handling scope changes requested by the client, and formalizing and implementing routine changes that may impact program policy or cost.

The successful bidder must demonstrate their ability to effectively handle scope modifications while maintaining project integrity, timeline, and budget. The change management process should include identification, documentation, evaluation, approval, communication, and implementation of changes. The bidder should also describe how they will ensure transparency and NDE involvement throughout the process. This should include the roles and responsibilities of both Contractor and NDE staff involved in the change management process.

Bidder should be able to describe the criteria for identifying routine changes, such as modifications to assessment content, administration protocols, or reporting requirements. Bidder should explain the timeline for reviewing and implementing routine changes, including any notification requirements for stakeholders.

Scope Changes: Bidder should describe their process to address the following:

1. Identification of Changes: the methods and tools used to identify potential changes needed to the scope of work, this should include how changes are detected, reported, and assessed for impact and how this impact will be communicated back to NDE.
2. Documentation of Changes: the process for thoroughly documenting changes including processes and systems used for change requests, information required for requests, and how documentation is maintained for audit and review purposes.
3. Evaluation and Impact Analysis: the evaluation process for the potential program and budgetary impact of proposed changes. This should include information about how changes will be assessed for their effect on project timelines, costs, resources, and overall objectives.
4. Approval Process: the formal approval process for changes to the scope of work including who has the authority to approve changes, any committees or governance structures involved, and the criteria used to make approval decisions.
5. Communication: the process for communicating changes to all relevant stakeholders including NDE and districts. This should include methods of communication, frequency of updates, and opportunities you will provide for relevant stakeholders to provide input.
6. Implementation, Monitoring, and Reporting: This should include the process for implementing changes including updates to project plans, resource reallocation, timeline adjustments, and team member notification. It should also include an explanation of the monitoring plan to ensure changes are executed correctly and effectively.

Crisis Management: In regard to urgent or crisis change management plans, Bidder should describe the procedures for addressing urgent or crisis changes that require immediate attention to mitigate risks or resolve issues impacting program delivery or outcomes. Bidder must describe the escalation process for urgent change requests, including how they will be prioritized and expedited for resolution. Bidder should specify the communication protocols for notifying the NDE of urgent changes, including the designated points of contact and response timeframes and provide examples of potential urgent/crisis scenarios and how they would be managed under the proposed change management plan.

- The NDE seeks transparent and effective communication systems to ensure information is disseminated promptly. Please explain the communication strategies for informing stakeholders, including NDE leadership, staff, and external partners, about approved changes to the assessment system. Explain how stakeholders will be engaged throughout the change management process to ensure transparency, alignment, and buy-in for proposed modifications.

IV. Project Scheduling

- Bidder should include their approach to project scheduling, including the use of a sophisticated project scheduling tool. The project schedule should be updated at least once per week in advance of weekly virtual program management meetings. This ensures that the schedule remains current and aligns with the evolving needs and priorities of the project. Describe the plan to integrate stakeholders into the project scheduling process, including representatives from bidder's team, the NDE, and any relevant third-party contractors or subcontractors. The project schedule should go beyond Contractor timelines and include call outs for critical state staff and district/school staff schedules to ensure a holistic view of needs is maintained. Each stakeholder group's (vendor, state, schools/district) responsibilities and deliverables should be clearly delineated and reflected in the project schedule to ensure seamless execution and alignment of efforts. Bidder should describe how project scheduling information will be communicated and reported to stakeholders. This should include mechanisms for sharing updates, addressing concerns, and soliciting feedback to ensure transparency and accountability.

V. Quarterly Program Health Check Ups

- Contractor will be expected to schedule and lead a quarterly program health update. The annual kick-off and debrief meetings may take the place of these health updates for the quarters in which they occur. Meetings may be face to face in Lincoln, Nebraska, or virtual. During these health updates, NDE's assessment management team will meet with key Contractor staff to evaluate the health of the program, the Contract, and the relationship between Contractor and the NDE. During the meeting, leadership with decision-making authority can develop solutions to systemic issues identified in the evaluation, with context and advice provided by staff in operational leadership roles.

- The assessment management team and any necessary NDE staff attendance will be planned in collaboration with the program manager and the NDE project lead. This meeting serves as a forum for senior leadership from both Contractor and the NDE to discuss the progress, challenges, and strategic direction of the assessment program. These meetings will form a platform for decision-making, problem-solving, and alignment of priorities to ensure the successful implementation and management of the Contract.

- The agenda for these meetings should include updates on project status, Contract performance, budgetary considerations, risk assessments, and any emerging issues or challenges. Additional agenda items may include policy updates, legislative changes, stakeholder feedback, and recommendations for improvement.
- Key performance indicators (KPIs) should be reviewed at these meetings to assess progress against established benchmarks and identify areas for improvement, and to highlight risks before they become issues. Based on the evaluation of program health at these meetings, the teams in attendance will collaboratively develop solutions to address systemic issues, mitigate risks, and optimize program performance.
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Meeting outcomes and action items are expected to be documented by the program manager, and responsibilities assigned to relevant stakeholders for follow-up.

VI. Annual Meetings

Bidder should outline a list of proposed meetings, their format, attendees, frequency, purpose and anticipated goals. Provide examples of timelines for planning, implementation, and evaluation of a state assessment system for this scale. The NDE anticipates consistent interaction between Contractor and Nebraska stakeholders throughout the project, involving in-person annual planning meetings, biannual presentations and engagement with the Technical Advisory Committee (TAC), quarterly submission of project reports, and as-needed communication through email, phone, web-conferencing, and other relevant means.

Bidder should specify what expertise from the NDE they need to attend each annual meeting, including representatives from relevant departments within the NDE. Additionally, Bidder should identify which Bidder staff are expected to attend each annual meeting, ensuring appropriate representation from key roles responsible for project management, technical implementation, and stakeholder communication. The Contractor's Program Manager will prepare written documentation of each meeting. Meeting notes/documentation will be submitted to the NDE within one week of the conclusion of each meeting. Bidder will confirm their agreement to meet this requirement.
Bidder should include the following in their outlined list:

- **Orientation Meeting/ Kick-Off Meeting**: Within two weeks from execution of the Contract, Contractor will be required to attend a 2-day kick-off/orientation meeting to discuss the content and procedures of the Contract. The meeting must be held in Lincoln, Nebraska, at a date and time mutually acceptable to the NDE and the Contractor but must be scheduled within two weeks of the Contract start date. The NDE will bear no cost for the time and travel of the Contractor for attendance at the meeting. The preliminary agenda must be sent to the NDE seven days prior to the meeting. At the same meeting, the program kick-off will include program specifics, including deliverables, timelines, meeting and training schedules, program changes, and data and reporting processes, all subject to NDE approval.

- **Weekly Status Meetings**: At a minimum, weekly phone calls between pertinent NDE staff and the Contractor's Program Manager and other key Contractor staff will be held between in-person project meetings to keep the NDE current on project status, discuss issues as they arise, and to plan upcoming activities. The NDE may determine and require more or fewer status updates over time. As the need arises, other periodic or ongoing conference calls may be conducted. Contractor's Program Manager will prepare written documentation of each conference call. This is to be submitted to the NDE within two business days of the conclusion of each meeting. Bidder will confirm their agreement to meet this requirement.

- **Periodic Project Meetings**: Virtual meetings between NDE staff and representatives of Contractor are essential. Those persons directly involved with this component of the project will be available for technical assistance and discussion at the project meetings at the expense of Contractor for up to six (6) planning/work sessions through December 2025. These virtual meetings will be planned by Contractor.

Planning for project meetings will be the responsibility of Contractor. Contractor must work closely with NDE staff to prepare a preliminary agenda and schedule that will be sent to the NDE for review and approval no less than seven days in advance of the project meeting.

- **Annual Debrief Meeting**: At the conclusion of the annual assessment cycle, Contractor will be required to attend a program debrief meeting to discuss results, reports, and data trends from the previous year's assessment cycle. The meeting will be virtual at a date and time mutually acceptable to the NDE and Contractor. Bidder should explain how they intend to conduct this debrief and identify opportunities for process improvement based on lessons learned.

- **Annual Kick-Off Meeting**: Prior to each year's assessment cycle, Contractor will be required to facilitate a kick-off meeting to finalize planning for the upcoming year. If timelines allow, this may be scheduled in tandem with the annual debrief meeting. If the two meetings do not take place together, Bidder should clarify whether this is to be a face-to-face or virtual meeting.

Each kickoff meeting should address any major decisions affecting the next cycle of the assessment program. Bidder should specify how they will facilitate discussions on these decisions and ensure alignment between the Contractor and the NDE. Finalizing a comprehensive project plan and completing a detailed project schedule should be key objectives of each kickoff meeting. Bidder should outline the strategy for achieving these objectives and ensuring that all stakeholders are actively engaged in the planning process.

- **Exit Strategy Meeting**: Contractor shall be responsible for End of Contract activities at the completion of the Contract to ensure that the transition from Contractor operations by the successor contractor, or the NDE, occurs smoothly and without disruption to the NDE. End of Contract transition activities will include planning, timely transfer of data and documentation specifically for the NDE. Contractor is required to give the NDE nine (9) months' notice of intent to not renew the Contract. The NDE will only notify Contractor at least nine (9) months prior to expiration of the current Contract if it intends to renew the Contract.

VII. Periodic Management Monitoring Meetings

The NDE seeks transparent and effective communication systems that ensure information is disseminated promptly. Provide examples of what structures, processes, and mechanisms are in place for regular updates and feedback through reports, annual project plans, timelines, meetings, and video calls. Considering the project's extensive scale and complexity, ample resources are required to guarantee that stakeholder collaboration and communication reach the highest standards. Explain the commitment to ensuring effective collaboration, communication, and problem-solving systems with the NDE involving Bidder and their subcontractors.

Additionally, Contractor will provide a monthly report that summarizes actions taken, issues that arose, issue resolution that occurred, outstanding issues and when they will be resolved, upcoming deadlines, work that will occur in the next month and beyond, and so forth. These reports will be sent monthly to the NDE by the third business day of the following month, Contractor will schedule a special program management meeting focused on these reports. These meetings may be virtual.

VIII. Communication Support

The NDE seeks transparent and effective communication systems that ensure information is disseminated promptly. This section of the Proposal should explain the strategies employed to ensure effective communication within the Contractor team, the NDE, districts, schools, parents/guardians, and students. The NDE expects strong communication to be built around its assessment system, such as brochures written succinctly and accessibly for parents/guardians, students, and schools.

Deeper documents are also requested that include topics on the rationale of state testing, ways that state testing can improve student learning, ways that state testing can support strong classroom instructional practices, explanation of a balance between state testing to improve student learning and for use in accountability, communication of the limitations of state summative assessment, and support of a balanced assessment.

Considering the project's extensive scale and complexity, ample resources are required to guarantee that stakeholder collaboration and communication reach the highest standards. Bidder should explain their commitment to ensuring effective collaboration, communication, and problem-solving systems with the NDE involving Bidder and their subcontractors.

The NDE expects the communications to be developed specifically for Nebraska school districts, students, and families. The NDE expects Contractor to propose a solution for collaboration between Contractor and the NDE to provide this component of Nebraska's assessment system.
Bidder is expected to be able to provide examples of what structures, processes, and mechanisms are in place for regular updates and feedback through reports, annual project plans, timelines, meetings, and video calls or other communication channels.

Bidder should include a high-level communication plan/template to inform critical stakeholders about the assessment system. This should include communication strategies to ensure transparency, accessibility, and understanding of assessment policies, procedures, and results among stakeholders, including students, parents/guardians, educators, policymakers, and the public. Bidder should articulate how, in conjunction with state policy and communication leadership, they will further develop a strategic communication plan for use by the state that may include multiple rounds of requirements gathering, review, and modification. If appropriate, bidder may also describe a plan for any strategic outreach (for example around their transition or change management plan).

Bidder should describe assistance to be provided to the NDE in developing, finalizing and implementing all communications plans, and the assistance to be provided in developing additional communication resources (e.g., periodic communications that can be derived from the same template, email blasts, listservs, online discussion forums).

Bidder should detail their plan for ensuring that communication materials are family friendly and accessible and the extent to which communication materials and systems are designed using human centered design practices.

a. Appropriate communications with state stakeholders
Bidder should also certify that all engagement with political entities in Nebraska external to the NDE (legislature, state board, etc.) should be approved by NDE staff before Bidder conducts outreach for the purposes of assessment development or support.

Contractor will be expected to plan, schedule, and facilitate all stakeholder meetings necessary for the development, scoring, and review of the NSCAS assessment system and should include this work in their cost Proposal.

The NDE must be notified at least a week in advance of any meetings between Contractor and/or subcontractors and stakeholders other than the NDE (i.e. teachers, parents/guardians, legislators, state board, education associations, etc.). The NDE should be invited to any meetings scheduled between Contractor and/or subcontractors and stakeholders other than the NDE, and should be given an agenda for the meeting at least 2 business days in advance of the meeting regardless of whether the NDE chooses to attend or not.

Bidder is prohibited from direct or indirect lobbying of stakeholders other than the NDE on any issue that may affect a current or future contract without express permission from the NDE.

I. Deliverables
This section of Bidder's Proposal should explain the deliverables being returned to the NDE, including activities and processes used for the delivery of the balanced assessment system, the provision of professional learning, and data and reports. This section should also include information about the technical documentation and research reports Bidder plans to provide as part of their work.
I. **Documentation**
Bidder should describe their approach to creating a documentation repository that will be available to the NDE at any time during the Contract and transferred in a usable manner to the NDE at the expiration of the Contract. The proposed solution for the document repository should include a list of the directory of users and access rights of users, structure and naming conventions, version control and a plan for End of Contract delivery of a logically organized, accessible and searchable documentation repository.
The documentation repository may include documents such as:

- Bidder policies on data security, system access, data access, data privacy, background checks, physical materials security, electronic materials security, facilities security, document and data retention and destruction, appropriate device use and annual certification of adherence to policies.
- Procedure manuals, including those explaining item specifications development, test development (item selection, pool development, simulation, pre-equating, information curve fitting), item writing, item review, item pool adequacy analyses, item development targeting, quality assurance procedures and criteria, blueprint development, psychometric procedures, test security procedures, peer review submissions.
- Responses to audits.
- Responses to requests for information made by senior management.

II. Test Administration

The NDE is committed to continuing with an item-level computer-adaptive assessment for English language arts (ELA) and math general assessment, and with online science and alternate assessments. This requires support for a variety of technology readiness activities. In some areas of the state, districts face challenges with different levels of technological expertise in establishing and maintaining school technology systems. Bidder is expected to demonstrate an understanding of specific issues regarding these conditions.

a. General Administration

Bidder should describe in detail the proposed test administration solutions, including, at a minimum, the following:

- **Components** of the test administration platform, including such components as database servers, web servers, application servers, local caching servers, software update managers, secure browsers, web or local client applications for test administration management, test administration monitoring, test administration to students, rendering engines, and any additional considerations.
- **Technical specifications** for each component of the proposed solution(s) that provide sufficient detail to conduct a thorough and detailed technical evaluation.
- **Key features**, including those addressing single sign-on, auditing, notifications, progress monitoring, test security monitoring, data security and integrity monitoring, test security protection, data security and integrity protection, disaster prevention, disaster recovery, redundancy, load testing, and the use of EdFi for data sharing.
- **Rendering** similarity across device types, manufacturers, operating systems, operating system versions, form factors, screen sizes, and input modality.
- Number of **simultaneous users** for which the system is guaranteed to perform as intended.
- **System requirements** for all components of the platform used on any district or school employee or student device.
- **Connectivity** and per-user bandwidth requirements for all components of the platform used on any local educator or student device.
- **Conditions and procedures** for supporting paper-based administration as needed.

b. **Item Adaptive Algorithms**

Bidder should explain (if not already detailed in test design section), the requirements for item-adaptive testing during the general education ELA and math assessments, specifically regarding the proposed Adaptive Algorithm including:

- **Starting Rules**: Bidder must include a detailed description of the starting rules for the Adaptive Algorithm. Starting rules should specify how the adaptive test begins for each student, considering factors such as prior achievement or grade level.
- **Estimation Rules:** Bidder must provide a clear rationale for the estimation rules used in the Adaptive Algorithm. Estimation rules should outline how the algorithm updates the student's ability estimate as they progress through the test.
- **Item or Level Selection Rules:** Detailed item or level selection rules must be provided, explaining how items are chosen for presentation to the student. Selection rules should consider factors such as item difficulty, content alignment, and the student's current estimated ability.
- **Stopping Rules:** Bidder should define stopping rules that determine when the adaptive test concludes for each student. Stopping rules may be based on reaching a certain level of measurement precision or completing a predetermined number of items.
- **Exposure Control:** The Adaptive Algorithm must include exposure control mechanisms to ensure fair and secure item administration. Exposure control should prevent overexposure of items to students and maintain the integrity of the test.
- **Additional Constraints:** Any additional constraints imposed by the Adaptive Algorithm must be clearly outlined and justified. Constraints may include limitations on item difficulty range, content coverage, or item types.

c. Test Security

The NDE requires clear protocols for handling irregularities during the statewide assessment. Irregularities encompass various disruptions that may occur during test administration, and it is essential to have well-defined procedures in place to address them effectively. Irregularities may include physical interruptions (such as power outages or severe weather), psychological interruptions (such as traumatic events), misadministration (intentional or inadvertent failure to follow test administration instructions), prohibited behavior (actions that may compromise the integrity of the assessment), suspected cheating (security breaches), spoiled answer documents, and issues specific to paper-and-pencil or internet/computer-based testing (Contractor or client system failures, slowdowns, or intrusions).

Proposal should describe Bidder’s approach to defining and handling irregularities during test administration for the Nebraska statewide assessment. Irregularities can range from physical interruptions to suspected cheating and may occur in various testing environments, including paper-and-pencil or internet/computer-based testing formats. Bidder should explain how they intend to ensure that irregularities are well-defined to minimize confusion and implement effective procedures for addressing them.

The NDE will require Contractor to enhance their IT and data systems to effectively detect and respond to irregularities during the statewide assessment project. Bidder must provide detailed descriptions of their IT and data systems, including how these systems will be utilized to detect potential irregularities and the procedures for responding to the detection of irregularities. Key aspects of this section include defining the data that will be available on-demand for responding to different types of irregularities. The IT and data systems should allow for the extraction of data files and generation of reports that are immediately useful for addressing irregularities.

Bidder should specifically describe their process for analyzing data to identify potential breaches and anomalies in testing conditions (e.g. students a class appear to have the same errors, answers, or class appears to be coached by a proctor because of timing in answers, etc.)

Bidder should also describe procedures and protocols regarding the security of test content and student, school, or district data, including internal security policies, audit procedures, and procedures to protect data in transit.
Bidder should clearly articulate how they will meet all federal requirements and best practices around test security, and what documentation they will provide to the state annually to support test security documentation for quality control and peer review.

This section of the Proposal should include information about key features that support security, including those addressing key features, including those addressing single sign-on, auditing, notifications, progress monitoring, test security monitoring, data security and integrity monitoring, test security protection, data security and integrity protection, disaster prevention, disaster recovery, redundancy, load testing, and the use of EdFi for data sharing.
Proposal should also include information pertinent to the following sections:

- Internal Contractor/subcontractor security policies, procedures, audit procedures and timing, security audit reports.
- Policies: Comprehensive policies governing internal security measures must be established, outlining roles, responsibilities, and procedures.
- Procedures: Detailed procedures for safeguarding test materials, data, and intellectual property must be documented and implemented.
- Audit Procedures and Timing: Regular security audits must be conducted to assess compliance with established policies and procedures. Audits should occur annually or as deemed necessary.
- Security Audit Reports: Detailed reports summarizing audit findings, including any identified vulnerabilities or areas for improvement, must be provided to the NDE.
- Data security in transit to/from the NDE and/or subcontractors

Test administration security procedures which must include procedures for preventing and responding to irregularities.
Bidder should:

- Describe procedures and protocols regarding the security of test content and student, school, or district data, including internal security policies, electronic security monitoring including social media monitoring, audit procedures, and procedures to protect data in transit.
- Describe in detail the proposed approach to responding to potential system disruptions or irregularities based on each of the monitoring approaches described in the previous section, including communication with the NDE and affected stakeholders and efforts to address, contain, and remedy the problem.

Bidder may also describe any other components of their multi-faceted approach to security, for example:

- Prevention (e.g., visible test security activities, deep item pool, large number of forms, training, policies, manuals)
- Detection of potential security breaches (including forensic analyses, whistleblower hotlines and/or other reporting mechanisms)
- Procedures and criteria for evaluation of potential severity (upon detection)
- Investigation of potential security breaches (should differ by potential severity and should be conducted by qualified investigators)
- Procedures and criteria for determination of severity upon investigation
- Procedures for following up on determination of severity (including determination of sanctions if any, and long-term monitoring if appropriate)

d. Disaster Planning and Recovery
Bidder’s Proposal should provide a comprehensive overview of disaster planning, procedures, and readiness for the Nebraska statewide assessment project. This should encompass the following components:

- Define what constitutes a disaster, including clear thresholds indicating when high-volume irregularities escalate to the level of a disaster.
- Detail IT and data systems designed for detecting and responding to disasters promptly and effectively.
- Outline Bidder's communication plan for disseminating information internally within organization and externally to stakeholders in the event of a disaster.
- Describe the procedures for detecting a disaster, including the mechanisms in place for identifying critical irregularities and escalating them accordingly.
- Explain the steps involved in stopping a disaster, including immediate actions taken to mitigate the impact and prevent further escalation.
- Provide insights into the process for resuming testing activities once the disaster has been contained and resolved.
- Discuss Bidder's plan to communicate available options for affected systems and students, including any accommodations or alternative arrangements that may be necessary.
- Offer assistance in guiding stakeholders through the decision-making process regarding options for systems and students impacted by the disaster, ensuring clarity and support throughout the resolution phase.

e. Practice Tests

Contractor must provide, at the minimum, a practice test for each subject area in each tested grade for general education assessments and alternate assessments. These must be more than item samplers and should give students the opportunity to understand how the assessment will look and feel prior to taking the assessment. This includes provision of tools students may use during a summative or through-year assessment administration. The practice tests must be available for both general and alternate assessments. Proposal should provide a possible solution for practice tests for students with special needs, such as Braille and large print.

f. Training Sandbox

Bidder should provide an option plan for providing a sandbox of the assessment system that can be used during training. The sandbox should allow trainers to demonstrate all activities associated with rostering, administration, and reporting. This should be denoted as Option C in the cost Proposal.

g. Training and Support for Administration

It is essential to the NDE that ancillary support materials such as test administration documents, interpretive guides, training materials, practice tests, and other supporting materials are of high quality and that a contractor have an editorial review and revision process that includes opportunities for input from NDE staff. It is also important to the NDE that support be provided directly by Contractor through a help desk with extended hours during the assessment administration window.

h. Manuals

NDE staff will partner with Contractor to provide assessment administration training to districts, including resources and support from Contractor. Training and administration support materials could include but not be limited to:

- Assessment administration manuals for school and district staff that address:
  - Roles and responsibilities of personnel responsible for assessment administration
  - Early preparation procedures
  - Detailed assessment administration procedures
  - Procedures for maintaining assessment security
  - Procedures for responding to disruptions and irregularities
  - User guides and support resources for interacting with the assessment administration platform (e.g., procedures for rostering students, scheduling tests, accessing reports)
  - A fully functional site for access to practice items so that students can experience an authentic assessment experience and teachers can see how their students interact with the assessment administration platform.

i. Professional Learning/Professional Development

Bidder will propose their professional learning/development plan to enhance the assessment literacy of Nebraska educators.

Bidder should outline the process for reviewing and revising the manuals as needed, including timelines, responsibilities, and procedures for incorporating feedback from stakeholders. Bidder should provide a description of the professional learning/development plan that includes a commitment to continue the Certified Facilitator (CF) program.

i. Certified Facilitator (CF) Program

It is essential to Nebraska that ancillary support and training materials are of high quality and that Contractor has an editorial review and revision process that includes opportunities for input from NDE staff. Bidder should submit a plan for working with the state's Educational Service Units (ESUs) and large districts to continue the state CF program to support reporting and data use. Nebraska CFs are coordinating with district leadership to deliver in-person and virtual professional learning sessions to their districts and schools. The CF role is an internal position within a district or ESU to support the statewide assessment literacy initiative. All current 72 CFs are ESU staff developers and/or district leaders. Bidder will create the professional development trainings and plan to train these CFs. CFs will continue run state-wide workshops to support educators.

In a typical year, CFs across the state will facilitate over 200 workshops and will serve approximately 3,000 education professionals. Topics include critical information on gaining expertise in interpreting and applying assessment reports to instruction.

The primary purpose of the CF program in Nebraska is to strengthen the capacity of all Nebraska educators, including the CFs, through system-wide professional learning (grounded in best practices for professional learning and academic content standards) to increase the role-based knowledge, skills, and explicit transfer-to-practice of all aspects of the NSCAS balanced assessment system. CFs will provide professional learning directly to schools/districts to ensure educators and stakeholders across the state have a very clear sense of what assessment is, its value, and how to use assessment data to empower students, teachers, and communities to thrive.
CFs are expected to stay current with Contractor and NDE offerings surrounding a balanced assessment system. The workshop and webinar offerings are planned in conjunction with an advisory board (a smaller group of CFs and external partners) to share, plan, and develop content to meet the diverse needs of stakeholders. CFs take part in training offered both virtually and in person across the state. The goal is to have a robust train-the-trainer model to deliver just in time resources to districts. The expectations for the certified facilitator are further outlined below.
The requirements for continuous certification include the following components:

- Evidence of ongoing delivery of professional learning (e.g., survey data)
- Evidence of a plan to move learning forward
- Demonstration of depth of knowledge and skills in application through webinar contributions and/or observations (e.g., ESU regional events or recordings)
- Participation in live/recorded webinars
- Attendance at annual training sessions, either onsite or through distance learning, as scheduled by mutual agreement between Contractor and the cadre of CF
- Completion and submission of monthly reports

The logic model for this program is seen below.

Figure I.1: Certified Facilitator (CF) Program Logic Model

Inputs	Outputs		Outcomes		
			Participants' Knowledge, Skills, and Attitudes	Participants' Behaviors	Student Outcomes
Nebraska Department of Education (NDE) NDE NSCAS Balanced Assessment System NSCAS Professional Learning Certified Facilitators (CFs) Self-Paced Online Resources NWEA Program Teams Support From NWEA State PL Leads NWEA State PL Design, Implementation, and Consulting Services	NDE Sets Foundations for ESU Participation in CF Program NWEA Workshops Train CFs on Specific State Assessments in Addition to Broad Focus on Assessment Literacy (AL) and Formative Assessment (FA) Practices NWEA Coordinates Collaboration Between CFs and NDE NWEA Webinars Cover Just-in-Time Topics NWEA Distributes Monthly eNewsletter NWEA Provides Individualized Support to CFs NWEA Presents at in-State Conferences NWEA Convenes CF Advisory Meeting Each Semester NWEA Convenes Monthly CF Networking Meetings	ESUs and Districts Appoint CFs CFs Participate in Workshops CFs Engage with Recorded Webinars CFs Submit Questions to NWEA for Live Q&A CFs Facilitate District "Data Digs" CFs Work with Districts to Provide Professional Learning to Educators CFs Complete Monthly Report	CFs Know How to Access Resources for Delivery CFs Know How to Identify and Respond to Specific School Needs CFs Feel Supported with Appropriate Resources Teachers and Leaders Perceive Value in AL and FA Practices Teachers and Leaders Know Reasons for Balanced Assessment Teachers Demonstrate Inquiry Mindset and Growth Mindset Teachers and Leaders Feel Capable Administering Assessments Teachers and Leaders Feel Assessment Literate	CFs Deliver Content in All ESUs and Large Districts CFs Collaborate with Leaders to Create Yearly Learning Plans CFs Adjust Content Delivery to Educators' Needs in Context CFs Attain and Maintain Certification Teachers and Leaders Explain Value of AL and FA Practices Teachers and Leaders Collaborate to Utilize Resources from CFs Teachers and Leaders Use Data to Inform Instructional Decisions	Teachers Have the Opportunity to Engage with a CF ESUs and Large Districts Have Similar Access to CFs and Resources Students Set and Track Goals with Teachers Using Data Student Engagement in Learning **Impact** Educators and Students Connect Assessment and Learning in Day-to-Day Experiences Statewide Emphasis on Balanced Assessment

Across the 2022–23 academic year, CFs fielded 197 requests for onsite support from their schools and districts. The preparation by the CFs is key to a successful delivery of information to schools and districts. There were approximately 84 certifications during the 2022–23 academic year and 419 total over the life of the program. CFs are able to gain certification within each professional learning course offered by completing End of Course (EOC) Certification Reflection questions. This method was utilized to ensure that CFs gained the knowledge and built a plan moving forward on how to deliver the information with their schools and districts.

In the 2022–23 academic year, the program offered 6 one day events, 6 one-hour webinars and 8 one-hour virtual networking events. Each district has their own CF they work with and the NDE maintains and publishes the list of all CFs and convenes an advisory committee as needed to support the program.

ii. Training

Training for assessment administration is differentiated within this Proposal from the larger professional learning needs of the state that are supported through the CF Program.

Bidder should present a plan for online training sessions for various roles involved in the administration and coordination of the statewide assessment. The training should cater to roles such as test coordinators, IT coordinators, accommodations/accessibility coordinators, test administrators, and other relevant stakeholders.

Virtual trainings should be provided before the initial test administration and before the spring test administration. The trainings should be recorded. The number of participants will be well over 100. The presentations may be recorded ahead of the training time with plans for a live question and answer session that would also be recorded and shared.
Proposed training plans must include test security training as a mandatory component. Test security is critical to maintaining the integrity and validity of the assessment process, and all stakeholders must be well-versed in security protocols and procedures.

Bidder should provide annotated agendas or outlines for training meetings and online training modules. These annotations should provide detailed descriptions of the topics covered, learning objectives, instructional methods, and any accompanying materials or resources.
Bidder should provide sample training materials or mockups to demonstrate the quality and effectiveness of their proposed training programs. These materials may include presentation slides, handouts, interactive modules, quizzes, and other instructional resources.
Examples of existing training materials can be found here.
Bidder should describe their Proposal for providing these tools and manuals, and identify what stakeholder tools, training, and manuals they plan to create to support assessment administration. Stakeholder feedback identified a need for more user friendly and on-demand resources, and Proposals that address these concerns are encouraged.

j. Help Desk

Bidder should speak to a comprehensive a structured approach to Help Desk support that includes Tier 1, Tier 2, and Tier 3 levels of assistant. Contractor must organize, staff, and maintain a help desk for state and district employees to consult during assessment preparation and administration windows. The help desk must be maintained during the assessment administration windows during local hours that cover the typical school day, extended hours during the assessment window, and sufficient staffing to avoid long wait times.

Bidder should detail their help desk plan, including their approach to Tier 1, Tier 2, and Tier 3 issues, including their methodology for delivering support services including the escalation process from Tier 1 to 3 including communication methods and timelines, any and all activities for proactive system monitoring to prevent issues before they occur, and any strategies for continuous improvement based on daily and weekly reports.

Tier 1 support serves as the first point of contact for users, and should include basic troubleshooting, issue resolution, and general inquiries and may include activities such as password resets, general use questions and logging of detailed tickets for unresolved issues. Tier 1 responses should be as close to immediate as possible, and issues resolved within 2 hours.

Tier 2 support should include advanced technical support, dealing with more complex issues requiring deeper technical knowledge such as resolution of software issues, system configuration or escalations to Tier 3. Tier 2 responses should be as close to immediate as possible, and issues resolved within 4 hours.

Tier 3 support should be reserved for those issues needing the highest levels of technical expertise, and may require collaboration with NDE staff. Tier 3 may also include critical system failures and other emergency situations. Any items requiring Tier 3 analysis will require a root case analysis and resolution plan to be enacted. Tier 3 responses should be as close to immediate as possible, and critical issues resolved within 24 hours.

Bidder should outline a plan for sharing Help Desk issue logs and progress in resolving issues with NDE on a regular basis. Full performance summaries should be provided no less than weekly and should include a detailed description of system uptime, and help desk activities, including a summary of escalated issues and their resolutions, a trend analysis of any recurrent problems, and any other information deemed essential by the bidder.
During the testing window, daily reports of all Tier 2 and 3 activities should be provided to NDE in addition to weekly summary reports.

III. Reporting

All reporting procedures/processes/analyses/code must be documented and kept updated with any changes. The documentation must:

- Describe in enough detail to allow replication of processes.
- Be owned by Nebraska
- Be transferred to the next contractor at the transition meeting (the first annual kickoff meeting for the next contract)

Contractor is responsible for the reporting of results from all assessments on a timeline jointly developed in the beginning of project annual meeting to facilitate project planning through the establishment of intermediate milestones that include, but are not limited to, a) the completion of scoring and processing, b) the development, review, and approval of reporting specifications, and report shells, c) the review and approval of equating procedures and analyses, d) the delivery, review, and approval of preliminary data files, and e) the delivery, review, and approval of sample reports. Reports must include results from the alternate assessments.

a. Consideration of Audiences

The NDE has established requirements for the consideration of audiences when reporting on the statewide assessment. Bidder must adhere to the following specifications:

- **Audience-Centric Reporting**: Reports developed or revised for the statewide assessment must be designed with the intended audiences in mind. This includes considering the diverse needs, preferences, and requirements of stakeholders such as educators, administrators, policymakers, students, parents/guardians, and the general public.

- **Alignment with Theory of Action**: The development or revision of reports should align with the theory of action underlying the assessment program. This involves understanding the intended uses of the score reports and ensuring that the content, format, and presentation meet the identified objectives and goals.
- **Intended Uses of Score Reports**: Bidder must demonstrate a clear understanding of the intended uses of the score reports. This may include informing instructional decisions, guiding curriculum development, supporting accountability measures, identifying areas for improvement, and enhancing student learning outcomes.
- **Focus Groups Evaluation**: Bidder is encouraged to conduct focus groups to evaluate the perceived usefulness of existing or proposed score reports. The focus groups should represent diverse stakeholders and assess whether each report effectively answers the "so what" question for its intended audience(s). In other words, stakeholders should be able to understand how they can use the information provided in the reports to inform their decisions and actions in a meaningful and productive manner.
- **Evaluation Criterion**: The evaluation criterion for the focus groups should prioritize the practical utility and relevance of the score reports. Stakeholders' feedback should be analyzed to determine whether the reports effectively communicate key insights, facilitate data-driven decision-making, and empower stakeholders to take action based on the information presented.

Bidder should explain their process for evaluating the usefulness of score reports with intended audiences, including the methodology used and proposed to incorporate human centered design into the creation of reporting materials. Proposal should include which audiences are critical and how the reports are evaluated and tailored to meet specific audience needs. This section of the Proposal should outline how reports will be designed to meet stakeholder concerns for more actionable reporting at the parent and classroom levels.

Bidder is encouraged to include an optional plan for engaging parents/guardians and families across Nebraska to make report materials more meaningful. If the bidder chooses to do this, this may be presented as an additional option and cost in the budget proposal.

b. Reporting Elements

Basic demographic data from state data systems must be included in data files to allow for information to be aggregated and disaggregated as appropriate to meet all federal reporting requirements. This includes PersonID, name, school, grade-level, and district information as well as any specific information required to meet other federal reporting requirements such as gender, ethnicity, race, and subpopulation membership. Reporting elements should allow for disaggregation based on role-based permissions established in collaboration between Contractor and the NDE. Scale scores, performance levels, subscores, and growth measures must be included as appropriate in reports. Special testing condition information should be maintained.

More specifically for interim and summative assessments, the following should be demonstrated within Bidder's Proposal:

i. Summative:

The results of the summative assessment shall be reported in:

- Individual student report
- Class/group roster
- School report
- District report
- State summary report

Bidder should propose to partner with the NDE to produce innovative reports and reporting resources to communicate individual and aggregate results in a clear, useful, and technically defensible manner. The relevant reports shall be provided to the NDE, districts, schools, students, and parents/guardians, via a dynamic online reporting system.

Bidder shall provide reports that provide maximal information while preserving student confidentiality. Assessment results are never reported when fewer than ten (10) students at a school complete an assessment. The department's public reporting protocol is available at https://www.education.ne.gov/wp-content/uploads/2017/07/Nebraska_Data_Access_and_Use_Policy_and_Procedures.pdf

A secure portal shall be established for districts and school personnel to access the reporting information that they have been authorized to receive via a role-based, permissioned, online dynamic reporting system that includes individual and aggregate data (with appropriate suppression rules).

Bidder is expected to include online resources to guide appropriate interpretation and use of printed and online score reporting.

Summative reports are expected to include at a minimum: scale scores, performance levels, subscores, and growth measures. Aggregate reports at the student group, classroom, school, district and state levels must be able to be disaggregated by required Every Student Succeeds Act (ESSA)reporting groups.

ii. Interim:
Bidder shall propose what reports will be provided and how they are intended to be used. If proposing to use an existing assessment instrument's report, Bidder shall provide sample reports. If Bidder proposes customizing reports to Nebraska users, Bidder shall propose a process for finalizing report design in partnership with the NDE and its constituents. Bidder shall propose supporting materials to help guide appropriate and effective use of the report information and to help avoid misinterpretation or misuse.
If electronic and/or online reporting functions are proposed, Bidder shall provide information on the functionality — including security — as well as the requirements.
If Bidder proposes using an existing assessment that a school or district in Nebraska has purchased in the past two years, Bidder shall identify the reports and services that have been purchased or provided for a fee by Bidder.
Bidder is encouraged to provide both a baseline plan for reporting as well as optional enhanced plan (s) for reporting that address stakeholder desires for:

- allows for more flexibility in grouping of student data within districts, schools, and classrooms including the ability for multiple educators serving a student to have access to student data
- better mechanisms for parent reporting which could include a parent portal, video reports, or other innovations that make student reports more accessible for families
- support materials that make it easier for parents/guardians and teachers to communicate about how to use assessment results to support students

c. Accounting for Error
Bidder should describe their process for accounting for measurement error on score reports, including balancing the need for subscore reporting with minimizing misinterpretation and minimizing perception that subscores are useless.
Bidder must adhere to the following specifications:

- **Measurement Error Consideration**: Reports should include a clear acknowledgment of measurement error inherent in assessment scores. Bidder must provide an explanation of the potential variability associated with individual scores due to factors such as test administration conditions, item difficulty, and student-specific factors.
- **Balancing Subscore Reporting**: While subscores provide valuable insights into students' performance across specific content areas or skill domains, Bidder must balance the need for subscore reporting with minimizing misinterpretation. Subscores should be presented in a manner that accurately reflects students' abilities in targeted areas without oversimplifying or overemphasizing their significance.
- **Minimizing Misinterpretation**: Bidder is required to implement strategies to minimize misinterpretation of subscores. This may include providing clear and concise explanations of the purpose and meaning of subscores, emphasizing their supplementary nature to overall performance scores, and offering contextual information to aid interpretation.
- **Avoiding Perception of Uselessness**: Bidder must ensure that subscores are not perceived as useless or inconsequential by stakeholders. Reports should highlight the relevance of subscores in providing detailed diagnostic information to inform instructional decisions, identify areas for improvement, and guide targeted interventions.
- **Transparent Reporting**: Bidder should adopt transparent reporting practices that disclose the limitations of subscores while emphasizing their potential utility when interpreted in conjunction with other assessment data. Reports should include information on the reliability and validity of subscores to foster trust and confidence in their meaningfulness.

d. Online Dynamic Reporting System
The NDE has outlined requirements for an online dynamic reporting system for their statewide assessment. Bidders must adhere to the following specifications:

- **Roles**: The reporting system should accommodate various user roles, including state-level administrators, regional agency representatives, district administrators, central office staff, school administrators, teachers, parents/guardians, policymakers, and the general public. Access to specific reports and data should be role-based, ensuring privacy and confidentiality.
- **Privacy**: The system must comply with privacy regulations such as the Family Educational Rights and Privacy Act (FERPA). Role-based access controls should be implemented to restrict users' access to sensitive data, and suppression rules should be applied to protect individual student privacy.
- **Types of Reports**: The reporting system should support a range of report types, including group summary reports at the state, regional, district, school, and classroom levels, roster reports for schools and classrooms, and individual student reports.
- **Drilldown Functionality**: Users should be able to seamlessly navigate from summary reports to roster reports and individual student reports, and vice versa. The system should provide intuitive navigation options to facilitate exploration of data at different levels of granularity.
- **Question-Based Navigation**: The reporting system should feature question-based navigation, allowing users to specify their information needs based on predefined questions such as "What do you want to know?"

and "Who do you want to know it about?" This approach should guide users to relevant reports and data subsets tailored to their specific inquiries.

- **Simple Navigation System**: The system should incorporate a user-friendly navigation interface that enables easy traversal between different sections of the reporting system, including question-based navigation and drill-down functionality. Users should be able to navigate seamlessly in and out of various reporting modes.
- **Interpretive Guidance and Assistance**: The reporting system should provide interpretive guidance to users, offering general help for understanding report formats, terminology, and data interpretation. Additionally, contextual assistance should be available to help users interpret specific values and insights presented in live reports.

Bidder should discuss flexibility in how roles and access may be rolled out to accommodate local needs (e.g. multiple teachers supporting the same student) and should also discuss flexibility in drilldown and grouping options for data access may be addressed. It is acceptable for Bidder to include a description and costing for a baseline solution and an expanded solution that includes more robust data portal features.

e. Paper Reports

The NDE has outlined the following requirements for paper reports associated with their statewide assessment: Contractor will deliver at least two copies of paper Individual Student Reports to each district's central office for distribution to the appropriate school at the earliest possible date, per agreement between Contractor and the NDE. The expedited delivery of Individual Student Reports is critical to a successful Proposal. Contractor should propose a solution that allows districts to sort students for efficient delivery of Individual Student Reports to schools.
Beyond this, Bidder must adhere to the following specifications:

- **Necessity**: Paper reports should only be generated if deemed necessary for specific purposes, such as parent communication or permanent record-keeping. The NDE emphasizes limiting the creation of paper reports to avoid unnecessary costs and delays in reporting processes.
- **Justification**: Bidder must provide justification for each paper report proposed, demonstrating its essential role in fulfilling educational objectives or legal requirements. Reports should serve clear and specific purposes that cannot be adequately addressed through digital or electronic means.
- **Content**: Paper reports should include relevant information tailored to their intended audience, such as student performance data, assessment results, progress summaries, and other pertinent details. The content should be presented in a clear, concise, and easily understandable format.
- **Accessibility**: Paper reports must be designed with accessibility in mind, ensuring that information is presented in a format that is accessible to individuals with diverse needs, including those with visual impairments or limited English proficiency.
- **Cost-Effectiveness**: Bidder should propose paper report formats and distribution methods that are cost-effective and efficient, minimizing printing and distribution expenses while maximizing the impact and usability of the reports.
- **Compliance**: Paper reports must comply with all relevant legal and regulatory requirements, including privacy laws such as FERPA. Bidder should demonstrate their understanding of and commitment to ensuring compliance with applicable regulations.

f. Data Files

The NDE has established requirements for data files associated with their statewide assessment, which bidders must adhere to. The specifications include:

- **Comprehensive Data Coverage**: Each type of report generated from the statewide assessment should correspond to one or more data files containing all associated data elements presented in the report. This ensures that stakeholders have access to comprehensive data for analysis and decision-making purposes.
- **Additional Data Elements**: While the data files must include all elements presented on the reports, Bidder may also include additional data elements in the files to enhance their utility for stakeholders. These additional elements could provide deeper insights or support more advanced analyses beyond what is included in the standard reports.
- **Code Book**: Each data file must be accompanied by a code book that provides detailed descriptions of all data elements included in the file. The code book should outline the meaning, format, and possible values of each data element, ensuring clarity and consistency in data interpretation.
- **Guidance for Users**: Bidder is required to provide guidance to users on how to effectively utilize the data files for analyses. This guidance should include instructions on accessing and downloading the files, understanding the structure of the data, performing basic and advanced analyses, and interpreting the results accurately.
- **Accessibility**: The data files and accompanying documentation should be easily accessible to stakeholders through a designated platform or portal maintained by the NDE. Accessibility features should be

implemented to ensure that all users, including those with disabilities, can effectively navigate and utilize the data files and documentation.

At a minimum, Bidder should provide the following data files, and should be able to articulate the data elements they propose be included in these files:

- **School Report Package** containing whole school aggregated and disaggregated achievement level results and subscore results as specified by the NDE. School reports shall also include, at a minimum, district and state comparisons.
- **District Report Package** containing statewide aggregated and disaggregated achievement level results and subscore results.
- **State Report Package** containing statewide aggregated and disaggregated achievement level results and subscore results.
- **District Confidential Student-Level Database** containing information such as school identifying information, student identifying information, demographic information, raw score totals, scaled scores, and performance level.
- **Individual Student Reports** for parents/guardians containing achievement performance level results for all tests. In addition to online versions that are secure, Contractor will deliver at least two copies of paper Individual Student Reports to the district's central office for distribution to the appropriate school at the earliest possible date, per agreement between Contractor and the NDE. The expedited delivery of Individual Student Reports is critical to a successful Proposal. Bidder should propose a solution that allows districts to sort students for efficient delivery of Individual Student Reports to schools.

g. Reporting Timelines

Preliminary student results should be available within 24 hours of assessment completion for all assessments taken online. Timeliness of reporting is critical in meeting the NDE's expectations. Ideally, students should receive results as soon as they complete the test. School staff should see results in the online system within a day of student testing and the Proposal must include methodology for score reports to be meaningful. Solutions that workaround post-equating should be included, in order to expedite the reporting of meaningful results.

Currently, schools get a .csv file within 24 hours of assessment windows closing that includes unfiltered and unverified data, and a student results file within 48 hours.

Bidder should provide timelines for reporting results from paper-and-pencil and special form assessments, and for providing final summative data files and results.

Current reporting timelines for the statewide assessment files beyond initial results are seen in the table below.

Table I.1: Reporting Timelines

Reporting Stage	Timeline
Unverified Score Reports for Schools	24 hours - unfiltered, unverified data
Preliminary Student Results File	48 hours - moderately verified data
Preliminary Score Reports for Schools, Districts, & State	Within 4–6 weeks of test administration completion
Final Score Reports for Schools, Districts, & State	Within 8–10 weeks of test administration completion

h. Reporting Training

Based on Bidder's approach to reporting this may include additional opportunities for in-person and online training for the various audiences in using dynamic reports (for basic users) and data files (for advanced users). Audiences and specific topics for inclusion in training should be included. If Bidder is proposing both a baseline, and an optional approach to data reporting (e.g. data portals with more flexible grouping, or parent portals), Bidder should specify which trainings are part of the baseline data reporting option and which are for optional reporting expansion.

The training plan should include information about the roles for which the training is designed and the regimen for all roles should include modules on protecting data security and privacy. Sample training agendas, materials and/or mockups are encouraged. This training and support description may be included with the statewide assessment literacy training in a larger section discussing the certified facilitator program of the Proposal.
Trainings should include some mix of in-person and synchronous trainings as well as on-demand virtual training opportunities.

VI. PROPOSAL INSTRUCTIONS

This section documents the requirements that should be met by bidders in preparing the Technical and Cost Proposal. Bidders should identify the subdivisions of “Project Description and Scope of Work” clearly in their proposals; failure to do so may result in disqualification. Failure to respond to a specific requirement may be the basis for elimination from consideration during the State’s comparative evaluation.

Proposals are due by the date and time shown in the Schedule of Events. Content requirements for the Technical and Cost Proposal are presented separately in the following subdivisions: format and order:

A. PROPOSAL SUBMISSION

1. CORPORATE OVERVIEW

The Corporate Overview section of the Technical Proposal should consist of the following subdivisions:

a. BIDDER IDENTIFICATION AND INFORMATION

The bidder should provide the full company or corporate name, address of the company's headquarters, entity organization (corporation, partnership, proprietorship), state in which the bidder is incorporated or otherwise organized to do business, year in which the bidder first organized to do business and whether the name and form of organization has changed since first organized.

b. FINANCIAL STATEMENTS

The bidder should provide financial statements applicable to the firm. If publicly held, the bidder should provide a copy of the corporation's most recent audited financial reports and statements, and the name, address, and telephone number of the fiscally responsible representative of the bidder's financial or banking organization.

If the bidder is not a publicly held corporation, either the reports and statements required of a publicly held corporation, or a description of the organization, including size, longevity, client base, areas of specialization and expertise, and any other pertinent information, should be submitted in such a manner that proposal evaluators may reasonably formulate a determination about the stability and financial strength of the organization. Additionally, a non-publicly held firm should provide a banking reference.

The bidder must disclose any and all judgments, pending or expected litigation, or other real or potential financial reversals, which might materially affect the viability or stability of the organization, or state that no such condition is known to exist.

The State may elect to use a third party to conduct credit checks as part of the corporate overview evaluation.

c. CHANGE OF OWNERSHIP

If any change in ownership or control of the company is anticipated during the twelve (12) months following the proposal due date, the bidder should describe the circumstances of such change and indicate when the change will likely occur. Any change of ownership to an awarded bidder(s) will require notification to the State.

d. OFFICE LOCATION

The bidder's office location responsible for performance pursuant to an award of a contract with the State of Nebraska should be identified.

e. RELATIONSHIPS WITH THE STATE

The bidder should describe any dealings with the State over the previous five (5) years. If the organization, its predecessor, or any Party named in the bidder's proposal response has contracted with the State, the bidder should identify the contract number(s) and/or any other information available to identify such contract(s). If no such contracts exist, so declare.

f. BIDDER'S EMPLOYEE RELATIONS TO STATE

If any Party named in the bidder's proposal response is or was an employee of the State within the past six (6) months, identify the individual(s) by name, State agency with whom employed, job title or position held with the State, and separation date. If no such relationship exists or has existed, so declare.

If any employee of any agency of the State of Nebraska is employed by the bidder or is a subcontractor to the bidder, as of the due date for proposal submission, identify all such persons by name, position held with the bidder, and position held with the State (including job title and agency). Describe the responsibilities of such persons within the proposing organization. If, after review of this information by the State, it is determined that a conflict of interest exists or may exist, the bidder may be disqualified from further consideration in this proposal. If no such relationship exists, so declare.

g. CONTRACT PERFORMANCE

If the bidder or any proposed subcontractor has had a contract terminated for default during the past five (5) years, all such instances must be described as required below. Termination for default is defined as a notice to stop performance delivery due to the bidder's non-performance or poor performance, and the issue was either not litigated due to inaction on the part of the bidder or litigated and such litigation determined the bidder to be in default.

It is mandatory that the bidder submit full details of all termination for default experienced during the past five (5) years, including the other Party's name, address, and telephone number. The response to this section must present the bidder's position on the matter. The State will evaluate the facts and will score the bidder's proposal accordingly. If no such termination for default has been experienced by the bidder in the past five (5) years, so declare.

If at any time during the past five (5) years, the bidder has had a contract terminated for convenience, non-performance, non-allocation of funds, or any other reason, describe fully all circumstances surrounding such termination, including the name and address of the other contracting Party.

h. SUMMARY OF BIDDER'S CORPORATE EXPERIENCE

The bidder should provide a summary matrix listing the bidder's previous projects similar to this Request for Proposal in size, scope, and complexity. The State will use no more than three (3) narrative project descriptions submitted by the bidder during its evaluation of the proposal.

The bidder should address the following:

i. Provide narrative descriptions to highlight the similarities between the bidder's experience and this Request for Proposal. These descriptions should include:

a) The time period of the project,
b) The scheduled and actual completion dates,
c) The bidder's responsibilities,
d) For reference purposes, a customer name (including the name of a contact person, a current telephone number, a facsimile number, and e-mail address); and
e) Each project description should identify whether the work was performed as the prime Contractor or as a subcontractor. If a bidder performed as the prime Contractor, the description should provide the originally scheduled completion date and budget, as well as the actual (or currently planned) completion date and actual (or currently planned) budget.

ii. Bidder and Subcontractor(s) experience should be listed separately. Narrative descriptions submitted for Subcontractors should be specifically identified as subcontractor projects.

iii. If the work was performed as a subcontractor, the narrative description should identify the same information as requested for the bidders above. In addition, subcontractors should identify what share of contract costs, project responsibilities, and time period were performed as a subcontractor.

i. SUMMARY OF BIDDER'S PROPOSED PERSONNEL/MANAGEMENT APPROACH

The bidder should present a detailed description of its proposed approach to the management of the project.

The bidder should identify the specific professionals who will work on the State's project if their company is awarded the contract resulting from this Request for Proposal. The names and titles of the team proposed for assignment to the State project should be identified in full, with a description of the team leadership, interface and support functions, and reporting relationships. The primary work assigned to each person should also be identified.

The bidder should provide resumes for all personnel proposed by the bidder to work on the project. The State will consider the resumes as a key indicator of the bidder's understanding of the skill mixes required to carry out the requirements of the Request for Proposal in addition to assessing the experience of specific individuals.

Resumes should not be longer than three (3) pages. Resumes should include, at a minimum, academic background and degrees, professional certifications, understanding of the process, and at least three (3) references (name, address, and telephone number) who can attest to the competence and skill level of the individual. Any changes in proposed personnel shall only be implemented after written approval from the State.

j. SUBCONTRACTORS

If the bidder intends to subcontract any part of its performance hereunder, the bidder should provide:

i. name, address, and telephone number of the subcontractor(s),
ii. specific tasks for each subcontractor(s),
iii. percentage of performance hours intended for each subcontract; and
iv. total percentage of subcontractor(s) performance hours.

2. TECHNICAL APPROACH

The technical approach section of the Technical Proposal should consist of the following subsections:

a. Understanding of the project requirements;
b. Proposed development approach;
c. Technical considerations;
d. Detailed project work plan; and
e. Deliverables and due dates.

3. COST PROPOSAL

Please provide cost proposal as per indicated in the section V/ specific details mentioned throughout the RFP along with the proposal.

Form A
Bidder Proposal Point of Contact
Request for Proposal Number NDERFP240325

Form A should be completed and submitted with each response to this Request for Proposal. This is intended to provide the State with information on the bidder's name and address, and the specific person(s) who are responsible for preparation of the bidder's response.

Preparation of Response Contact Information	
Bidder Name:	
Bidder Address:	
Contact Person & Title:	
E-mail Address:	
Telephone Number (Office):	
Telephone Number (Cellular):	
Fax Number:	

Each bidder should also designate a specific contact person who will be responsible for responding to the State if any clarifications of the bidder's response should become necessary. This will also be the person who the State contacts to set up a presentation/demonstration, if required.

Communication with the State Contact Information	
Bidder Name:	
Bidder Address:	
Contact Person & Title:	
E-mail Address:	
Telephone Number (Office):	
Telephone Number (Cellular):	
Fax Number:	

REQUEST FOR PROPOSAL FOR CONTRACTUAL SERVICES FORM

BIDDER MUST COMPLETE THE FOLLOWING

By signing this Request for Proposal for Contractual Services form, the bidder guarantees compliance with the procedures stated in this Request for Proposal and agrees to the terms and conditions unless otherwise indicated in writing, certifies that contractor maintains a drug free workplace, and certifies that bidder is not owned by the Chinese Communist Party.

Per Nebraska's Transparency in Government Procurement Act, Neb. Rev Stat § 73-603 DAS is required to collect statistical information regarding the number of contracts awarded to Nebraska Contractors. This information is for statistical purposes only and will not be considered for contract award purposes.

_____ NEBRASKA CONTRACTOR AFFIDAVIT: Bidder hereby attests that bidder is a Nebraska Contractor. "Nebraska Contractor" shall mean any bidder who has maintained a bona fide place of business and at least one employee within this state for at least the six (6) months immediately preceding the posting date of this Solicitation.

_____ I hereby certify that I am a Resident disabled veteran or business located in a designated enterprise zone in accordance with Neb. Rev. Stat. § 73-107 and wish to have preference, if applicable, considered in the award of this contract.

_____ I hereby certify that I am a blind person licensed by the Commission for the Blind & Visually Impaired in accordance with Neb. Rev. Stat. § 71-8611 and wish to have preference considered in the award of this contract.

FORM MUST BE SIGNED MANUALLY IN INK OR BY DOCUSIGN

BIDDER:	
COMPLETE ADDRESS:	
TELEPHONE NUMBER:	
FAX NUMBER:	
DATE:	
SIGNATURE:	
TYPED NAME & TITLE OF SIGNER:	