



ADMINISTRATIVE SERVICES

4711 Pflaum Rd. Madison, Wisconsin 53718-6765 608.663.5931 www.mmsd.org

Mary Teppo, Director

Daniel A. Nerad, Superintendent of Schools

REQUEST FOR PROPOSAL

CONSULTATION SERVICES FOR Communications Plan Development



Unless otherwise noted, public openings will be on the date and time specified. Proposals will be open to public inspection after award(s).

Revisions to this proposal may be made by an official written amendment issued by Purchasing Services.

All correspondence must reference the proposal number. Return the original of this document to this office via U.S. mail or delivery service.

PROPOSAL NUMBER: 3158

ISSUE DATE: 1-27-2010

DUE DATE: 3-1-2010 2:00 PM Local Time

All proposals must be received by the receptionist in the above office. All proposals must be stamped in by MMSD Purchasing Services prior to the stated opening time. Proposals not so stamped shall be considered late. Late proposals shall be rejected.

Proposal prices and terms shall be firm for sixty days from the date of proposal opening.

The MMSD is exempt from Federal Excise and Wisconsin State Sales tax.

If NOT PROPOSING (please check here) and return this page only.

In signing this proposal, we also certify that we have not, either directly or indirectly, entered into any agreement or participated in any collusion or otherwise taken any action in restraint of free competition; that no attempt has been made to induce any other person or firm to submit or not to submit a proposal; that this proposal has been independently arrived at without collusion with any other proposer competitor or potential competitor; that this proposal has not been knowingly disclosed prior to the opening of proposals to any other proposer or competitor; that the above statement is accurate under penalty of perjury.

The undersigned, submitting this proposal, hereby agrees with all the terms, conditions, and specifications required by the Madison Metropolitan School District in this Request for Proposal, and declares that the attached proposal and pricing are in conformity therewith.

SIGNATURE: _____ DATE _____

TYPE OR PRINT NAME: _____

TITLE: _____ TELEPHONE NUMBER: (____) _____

FEIN or TAX ID NUMBER: _____ FAX NUMBER: (____) _____

EMAIL ADDRESS: _____

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1.0 GENERAL INFORMATION

1.1 Introduction and Background

The purpose of this document is to provide interested parties with information to enable them to prepare and submit a proposal to provide consultation services to the Madison Metropolitan School District in developing a strategic communications plan promoting the District.

The Madison Metropolitan School District includes 48 school buildings in a 72 square mile area including the City of Madison and all or parts of several surrounding municipalities. The 32 elementary schools include kindergarten through 5th grade. The eleven middle schools include grades 6 through 8. The five high schools, one of which is a small alternative high school, include grades 9 through 12. The District also has early childhood programs and alternative programs at the secondary level (6-12). The District maintains additional sites including the Administration Building, the Maintenance/Food Service Building, Mansfield and Lussier Stadiums, Hoyt School, and Affiliated Alternatives.

There are nearly 25,000 students currently enrolled, making the MMSD the second largest school district in Wisconsin. The student population is 49% minority. The District employs approximately 5,300 full time staff members including over 2,780 teachers, 145 administrators and 1,300 support personnel, plus over 2,500 part time staffers including over 550 substitute teachers and over 2,000 summer recreation workers. The District's operating budget is approximately \$360 million, 85% of which is devoted to salaries and benefits.

Because of the District's sound financial management practices. Madison is one of only a few Wisconsin districts to have an "Aa1" bond rating.

1.2 Scope of the Project

1.2.1 Project Description

The successful vendor will provide consultation services to the MMSD to develop an ongoing communications plan that will promote enrollment and community support of MMSD schools and highlight important factors parents consider when choosing their child's school.

1.2.2 Objectives

The communications plan should focus on building positive impressions toward the MMSD from, in particular, parents of children ages 0–18 who reside within the Madison District, and influencer groups such as realtors.

1.2.3 Needs

While Madison remains an outstanding school district, it strives to overcome the common perception that urban, public school districts are inferior. The

perennial nature of the budget cuts and the resulting news coverage plus other negative district news tend to support a perception that District schools are declining.

There is a significant amount of data which supports Madison as an exceptionally strong district, this despite a significant increase in students who are English language learners and come from low-income families, and despite budget cuts due to state revenue caps. Parent and student satisfaction remains high.

As part of a recently completed Strategic Plan, the MMSD has made a first year priority the development of a communications plan that creates the strategy and tactical plans to promote the positive qualities of MMSD schools and reverse existing negative perceptions.

The Board of Education has committed financial resources for plan development and implementation.

1.2.4 Current Operations

The District currently does not have a strategic communications plan and has not conducted a marketing campaign in many years. The only form of ongoing advertising is toward workforce development.

The District's marketing and communications include, but are not limited to, the following products highlighting MMSD news, programs and people:

- Online monthly newsletter, multimedia and video, news releases, information brochures, reports and updates on District developments, and distributed via
- the district's website, MMSD-TV Cable Channels 96/993 and 97/992, webstreaming at www.mmsd.tv, electronic newsletters, e-mail, RSS feeds, school newsletters, other print publications, social networking and small and large group face-to-face presentations.

Related initiatives:

- Ongoing interaction with newspaper, TV and radio news media in regular and daily news coverage;
- Direct interaction and partnerships with area agencies and non-profit and parent organizations when organizations' missions intersect with the District's mission;
- Access to School Board governance and District administrative processes through various means, encouraging citizen engagement and organizational transparency.

1.3 Request for Proposal Process

This document is a Request for Proposal. It differs from a Request for Bid in that the District is seeking a solution as described herein, **not a bid** meeting firm specifications for the lowest price. As defined in the American Bar Association Model Procurement Code, Competitive Sealed Proposals will be evaluated based upon criteria formulated

around the most important features of a product or service, of which quality, testing, references, and availability or capability, may be overriding factors, and price may not be determinative in the issuance of a contract or award. The proposal evaluation criteria should be viewed as standards, which measure how well a vendor's approach, meets the desired requirements and needs of the District.

1.4 Procuring and Contracting Department/Division

This Request for Proposal (RFP) is issued by Madison Metropolitan School District, Purchasing Services, which is the sole point of contact for the District during the selection process. The person responsible for managing the procurement process is Mick Howen.

Any contract(s) resulting from this RFP will be administered by Madison Metropolitan School District, Board of Education or their designee.

1.5 Definitions

The following definitions are used throughout the RFP.

District/MMSD means Madison Metropolitan School District.

the Board means Board of Education for the Madison Metropolitan School District

Proposer/vendor means a firm submitting a proposal in response to this RFP.

Contractor means proposer awarded the contract.

RFP means Request for Proposal

1.6 Clarification and/or revisions to the specifications and requirements

Any questions concerning this RFP must be submitted in writing by mail, fax or e-mail (preferred) on or before February 5, 2010 to:

Mick Howen
Purchasing Services
Madison Metropolitan School District
4711 Pflaum Road
Madison, WI 53718-6765

E-MAIL:
mjhowen@madison.k12.wi.us
FAX: (608) 204-0375

VOICE: (608) 663-5287

An electronic version of the RFP is available on the District's web site:
<http://admsvcweb.madison.k12.wi.us/doingbusiness/docs>

Vendors are expected to raise any questions, exceptions, or additions they have concerning the RFP DOCUMENT at this point in the RFP process. If a vendor discovers any significant ambiguity, error, conflict, discrepancy, omission, or other deficiency in this RFP, the vendor should immediately notify the above named individual of such error and request modification or clarification of the RFP document

In the event that it becomes necessary to provide additional clarifying data or information, or to revise any part of this RFP, revisions/amendments and/or supplements will be posted on the District's web site as referenced above.

Each proposal shall stipulate that it is predicated upon the terms and conditions of this RFP and any supplements or revisions thereof

1.7 Vendor Conference

A vendor conference may be held if vendor questions and requests for clarification so dictate. In most cases questions submitted by vendors can be answered and will be posted on the District's web site referenced in section 1.6.

1.8 Reasonable Accommodations

The District will provide reasonable accommodations, including the provision of informational material in an alternative format, for qualified individuals with disabilities upon request. If you need accommodations at a proposal opening, contact the Purchasing Services at (608) 663-5287.

1.9 Calendar of Events

Listed below are specific and estimated dates and times of actions related to this Request for Proposal (RFP). The actions with specific dates must be completed as indicated unless otherwise changed by the District. In the event that the District finds it necessary to change any of the specific dates and times in the calendar of events listed below, it will do so by issuing a supplement to this RFP. There may or may not be a formal notification issued for changes in the estimated dates and times.

DATE	EVENT
January 27, 2010	Date of issue of the RFP
February 5, 2010	Last day for submitting written inquiries
February 15, 2010 (estimate)	District will post notification to vendors of supplements or revisions and submitted questions related to the RFP
March 1, 2010	Proposals due from vendors
March 15- April 9 (estimate)	Interview of vendors considered as finalists
May 10, 2010 (estimate)	Board of Education action on consultant

1.10 Contract Term and Funding

The contract shall be effective on the date the contract is approved and signed. The contract shall run for two years with an option to renew for one additional year.

1.11 VendorNet Registration

The District makes use of the State of Wisconsin's purchasing information and vendor notification service. Anyone may access VendorNet on the Internet at <http://vendornet.state.wi.us>.

2.0 PREPARING AND SUBMITTING A PROPOSAL

2.1 General Instructions

The evaluation and selection of a contractor and the contract will be based on the information submitted in the vendor's proposal plus references and any required on-site visits or oral presentations. Failure to respond to each of the requirements in the RFP may be the basis for rejecting a proposal.

Elaborate proposals (e.g. expensive artwork) beyond that sufficient to present a complete and effective proposal, are not necessary or desired.

2.2 Proprietary Information

All restrictions on the use of data contained within a proposal and all confidential information must be clearly stated on the attached "Designation of Confidential and Proprietary Information" form. Proprietary information submitted in a proposal, or in response to the RFP, will be handled in accordance with the applicable Wisconsin State Statute(s).

To the extent permitted by law, it is the intention of the District to withhold the contents of the proposal from public view until such times as competitive or bargaining reasons no longer require non-disclosure, in the opinion of the District. At that time, all proposals will be available for review in accordance with the Wisconsin Open Records Law.

2.3 Incurring Costs

The District is not liable for any cost incurred by proposers in replying to this RFP.

2.4 Submitting the Proposal

Proposers must submit an original (identified as such) and 10 copies of all materials required for acceptance of their proposal by 2:00 p.m. on March 1, 2010 to:

Purchasing Services
Madison Metropolitan School District
4711 Pflaum Road
Madison, WI 53718-6765

At proposal opening only the names of responding vendors are provided. No further information will be available until contract award.

Proposals must be received in the above office by the specified time stated above. All proposals must be stamped in by Purchasing Services by the stated time. Proposals not so stamped will not be accepted. Receipt of a proposal by the District's mail system does not constitute receipt of a proposal by Purchasing Services, for purposes of this RFP.

All proposals must be packaged, sealed and show the following information on the outside of the package:

- Proposer's name and address

- Request for proposal number
- Proposal due date

2.5 Proposal Organization and Format

Proposals should be typed and submitted on 8.5 by 11 inch paper bound securely. Proposals should be organized and presented in the order and by the number assigned in the RFP. Proposals must be organized with the following headings and subheadings. Each heading and subheading should be separated by tabs or otherwise clearly marked. The RFP sections which should be submitted or responded to are:

- Cover page (Signed and completed cover page for RFP 3158)
- Introduction (See Section 4 of this RFP)
- Response to general requirements (See Section 4 of this RFP)
 - Organizational capabilities
 - Staff qualifications and experience
 - References (Attachment B)
- Response to providing list of deliverables (See Section 5 of this RFP)
- Cost proposal (See Section 6 of this RFP)
- Required forms (See Section 9 of this RFP)

Attachment A	Vendor Information
Attachment B	Vendor Reference
Attachment C	Designation of Confidential and Proprietary Information
Attachment D	Project Task/Timeline & Cost Data Sheet
Appendix A	Affirmative Action Requirements for Contractors and Vendors
Appendix B	Equal Employment Opportunity / Affirmative Action Employer Information Report
Appendix C	Affirmative Action & equal Employment Opportunity Policy Statement

2.6 Multiple Proposals

Multiple proposals from a vendor will be permissible; however each proposal must conform fully to the requirements for proposal submission. Each such proposal must be separately submitted and labeled as Proposal #1, Proposal #2, etc. on each page included in the response. Alternate acquisition plans do not constitute multiple proposals.

2.7 Oral Presentations and Site Visits

Top scoring vendors based on an evaluation of the written proposal may be required to participate in interviews and/or site visits to support and clarify their proposals, if requested by the District. Vendors selected for oral presentations will be asked to introduce their company, outline their business and creative philosophy, show samples of successful work (with metrics) and explain their creative process and how they would anticipate working with the District and the Board. The District will make every reasonable attempt to schedule each presentation at a time and location that is agreeable to the proposer. Failure of a proposer to conduct to interview or permit a site-visit on the

date scheduled may result in rejection of the vendor's proposal.

2.8 Withdrawal of Proposals

Proposals shall be irrevocable until contract award unless the proposal is withdrawn. Proposers may withdraw a proposal in writing at any time up to the proposal closing date and time or upon expiration of 7 days after the due date and time if received by the RFP project manager. To accomplish this, the written request must be signed by an authorized representative of the proposer and submitted to the RFP project manager. If a previously submitted proposal is withdrawn before the proposal due date and time, the proposer may submit another proposal at any time up to the proposal closing date and time.

3.0 PROPOSAL SELECTION AND AWARD PROCESS

3.1 Preliminary Evaluation

The proposals will first be reviewed to determine if requirements in Section 2.0 are met. Failure to meet these requirements may result in the proposal being rejected. In the event that all vendors do not meet one or more of the requirements, the District reserves the right to continue the evaluation of the proposals and to select the proposal which most closely meets the requirements specified in this RFP.

3.2 Proposal Scoring

Accepted proposals will be reviewed by an evaluation committee and scored against the stated criteria. The committee may review references, request interviews, and conduct an on-site visit and use the results in scoring the proposals.

3.3 Right to Reject Proposals and Negotiate Contract Terms

The District reserves the right to reject any and all proposals and to waive minor irregularities and technicalities. The judgment of the District on such matters shall be final! The District further retains the right to negotiate the terms of the contract, including the award amount, with the selected proposer prior to entering into a contract. If contract negotiations cannot be concluded successfully with the preferred vendor (identified as described in sections 3.4 and 3.5), the District may negotiate a contract with the vendor with a total score closest to the preferred vendor.

3.4 Evaluation Criteria

The proposals will be scored using the following evaluation criteria:

CRITERIA	Weight	
	(PTS.)	(%)
Organizational Capabilities	250	25%
Staff Qualifications	100	10%
Proposer References	150	15%
Deliverables	500	50%
TOTAL POINTS	1,000	100%

3.5 Award and Final Offers

The Board of Education shall evaluate all vendor proposals in accordance with the RFP evaluation criteria described in section 3.4. The firms shall be ranked based upon these criteria and based upon this ranking, the Board shall identify up to five (5) vendor proposals for further consideration. The Board of Education shall open the sealed cost envelopes from these top ranked firms. The Board shall finally rank the firms in order of 1, 2, 3, 4 and 5 based upon the evaluation criteria and cost consideration. The Board intends to interview vendors that are considered finalists as per the published calendar of events found in section 1.9. If contract negotiations cannot be concluded successfully with the vendor of choice, the District may negotiate a contract with the next highest scoring vendor finalist.

3.6 Notification of Intent to Award

As a courtesy, the District may send a notification of award memo to responding vendors at the time of the award.

4.0 GENERAL PROPOSAL REQUIREMENTS

4.1 Introduction

The vendor should describe how they propose to provide assistance to the Board in developing a comprehensive communication plan. Information provided should confirm the vendor's understanding of the work to be performed. Vendors should describe techniques that would be used to develop the communications plan.

4.2 Organization Capabilities

Describe the firm's experience and capabilities in providing services similar to what is described within this RFP. This information should provide evidence of your firm's demonstrated ability to develop a broad range of communications that have been memorable and convincing, and stood out from other conflicting/competing messages. Be specific and identify projects over the last five years, especially involving public sector organizations such as school districts as well as other major clients. Include dates, key contacts at each location, and a summary of the results of the project.

4.3 Staff Qualifications

Provide resumes describing the educational and work experiences for each of the key staff who would be assigned to the project.

4.4 Proposer References

Using Attachment B, vendors should provide a list of organizations that are similar in size and demographics to the MMSD, including points of contact (name, address, and telephone number), which can be used as references for work performed in the area of service required. Selected organizations may be contacted to determine the quality of work performed and personnel assigned to the project. The results of the references will be provided to the evaluation team and used in scoring the written proposals.

5.0 Deliverables

Vendors should thoroughly describe their approach for completing the project. This approach should include, but is not limited to, a description of how the list of deliverables outlined below will be provided. Vendors should also indicate - by completing "Project Task/Timeline & Cost Data Sheet," Attachment D - their proposed timeline, required hours, hourly rate and task cost.

5.1 Understand the Organization

Become familiar with

- MMSD demographics
- MMSD's existing communications and marketing efforts
- MMSD issues based upon
 - 2009 survey of parents who reside within the MMSD but who have enrolled their child/children in either private or parochial schools, or who have enrolled them in other public districts, or who are home schooling them or who reside outside the MMSD and have enrolled them in MMSD schools;
 - results from district-held community engagement sessions about overall strengths and weaknesses of MMSD and its schools, scheduled for first half of 2010

5.2 Develop a Communications Plan

Describe the process your firm would follow to develop a communications plan that would:

- be memorable and convincing,
- stand out from other conflicting/competing messages,
- utilize a variety of effective communication tools ranging from mass media to web 2.0 applications as well as face-to-face community engagement sessions designed to connect with community members for input on school-community issues
- assess the MMSD's current communication efforts, and how they align with the plan's initiatives.
- Based on strategies and content developed for district use, develop guidelines for

school-based communications

Your strategy should demonstrate your ability to use expertise, data and qualitative insights to drive communication plans that result in quantifiable changes in perceptions that meet stated objectives.

5.3 Plan to Involve MMSD Staff in Implementation

MMSD communications staff should be involved in partial implementation of the communications strategies. Describe how you would determine which strategies would be appropriate for such staff to implement and how collaboration would work between vendor and MMSD communicators to ensure consistent, timely, and accurate communications.

5.4 Estimate Costs to Implement Communications Plan

Describe how you would estimate costs for implementation of the plan. The plan should be structured to provide tiers or options for recommended strategies, and with such strategies implemented over a multi-year period.

5.5 Measure Results

Vendors should explain specifically how they would propose to measure the effectiveness of the communications plan, and estimate costs for measuring results.

5.6 Other Assets

Vendors should describe other factors or qualities that differentiate themselves from the competition. This may include any specialized assets, expertise or experience they may bring to the overall plan.

6.0 COST PROPOSAL

6.1 General Instructions on Submitting Cost Proposals

The cost proposal should be submitted in a separate sealed envelope with the written proposal. The cost proposal will be used in the evaluation process as described in sections 3.4 and 3.5 within this RFP. No references to cost of work to be performed should appear in the narrative portion of the proposal.

6.2 Format for Submitting Cost Proposals

Vendors submitting proposals must use Attachment D when submitting their cost proposal. This information must be submitted in a separate sealed envelope.

6.3 Fixed Price Period

All prices, costs, and conditions outlined in the proposal shall remain fixed and valid for acceptance for 60 days starting on the due date for proposals.

7.0 SPECIAL CONTRACT TERMS AND CONDITIONS

7.1 Liquidated Damages

The contractor acknowledges that liquidated damages will be determined based upon contract price and structure of vendor's proposal.

7.2 Prime contractor and minority business subcontractors

The prime contractor will be responsible for contract performance when subcontractors are used. However, when subcontractors are used, they must abide by all terms and conditions of the contract. If subcontractors are to be used, the proposer must clearly explain their participation.

7.3 Hold Harmless

In submitting a proposal, contractor understands that the District and its representatives will determine which proposal is accepted. Contractor waives any right to claim damages of any nature, whatsoever, based on the selection process, and any communications associated with the selection of the successful contractor. All completed proposals and supporting documentation submitted shall be the property of the Madison Metropolitan School District.

7.4 Additional Terms

The District shall not be bound by any terms and conditions included in any proposer's packaging, service catalog, brochure, technical data sheet or other document which attempts to impose any conditions at variance with or in addition to the terms and conditions contained in this solicitation or contract. If the proposer objects to any term or condition that shall relate to a contract resulting from this solicitation, the objection shall be clearly stated on a separate page entitled "Objection to Term or Condition."

If the objection is accepted by the District it will be stated in any resultant contract. If not stated in the contract the terms and conditions shall remain as written in the RFP.

7.5 Termination of contract

The agency may terminate the contract at any time at its sole discretion by delivering 30 days written notice to the contractor. Upon termination, the District's liability will be limited to the pro rata cost of the services performed as of the date of termination plus expenses incurred with the prior written approval of the agency. In the event that the contractor terminates the contract, for any reason whatsoever, it will refund to the agency within 30 days of said termination, all payments made hereunder by the agency to the contractor for work not completed or not accepted by the agency. Such termination will require written notice to that effect to be delivered by the contractor to the agency not less than 45 days prior to said termination.

8.0 STANDARD TERMS AND CONDITIONS

The District reserves the right to incorporate standard contract provisions into any contract

negotiated with any proposal submitted responding to this RFP (Standard Terms and Conditions and Supplemental Standard Terms and Conditions for Procurements for Services. Failure of the successful proposer to accept these obligations in a contractual agreement may result in cancellation of the award.

9.0 REQUIRED FORMS

The following forms must be completed and submitted with the proposal in accordance with the instructions given in Section 2.0. Blank forms are attached.

Cover Sheet	RFP 3158 (sign and complete cover sheet)
Attachment A	Vendor Information
Attachment B	Vendor References
Attachment C	Designation of Confidential and Proprietary Information
Attachment D	Project Task/Timeline and Cost Data Sheet
Appendix A	Affirmative Action Requirements for Contractors and Vendors
Appendix B	Equal Employment Opportunity / Affirmative Action Employer Information Report
Appendix C	Affirmative Action & Equal Employment Opportunity Policy Statement

Madison Metropolitan School District

STANDARD TERMS AND CONDITIONS (NON-CONSTRUCTION)

1. GENERAL: “Madison Metropolitan School District,” “District,” and “MMSD” are synonymous and mean the Madison Metropolitan School District. The MMSD reserves the right to accept or reject any or all bids/proposals, to waive any informality or technicality in any bid/proposal submitted, and to accept any part of a bid/proposal deemed to be in the best interest of the District. The MMSD reserves the right to reject any or all bids/proposals without indicating a reason for such rejection.

2. TAX EXEMPTION: The MMSD is exempt from the payment of Federal Excise Tax and State Sales Tax. The MMSD’s tax-exempt number is ES42341.

3. PRICING AND DISCOUNTS: The MMSD qualifies for governmental and educational discounts. Unit prices shall reflect these discounts. Unit prices shall govern in the bid/proposal evaluation and contract administration.

4. SPECIFICATIONS: All bidders must be in compliance with all specifications and any drawings provided with this solicitation. Any reference to brand names and numbers is descriptive, but not restrictive, unless otherwise specified. When specific manufacturer and model numbers are shown, they are used to establish a design, type of construction, quality, functional capability and/or performance level desired. The MMSD reserves the right to determine whether an alternate offer is equivalent to and meets the standard of quality indicated by the brand name referenced. When alternates are bid/proposed, they shall be identified by manufacturer, stock number, and such other information necessary to establish equivalency. The MMSD shall be the sole judge of equivalency!

5. DEVIATIONS AND EXCEPTIONS: Deviations and exceptions from the original text, terms, conditions, or specifications shall be described fully, on the bidder’s/proposer’s letterhead, signed and attached to this request. In the absence of such a request, the bid/proposal shall be accepted as in strict compliance with all terms, conditions, and specifications.

6. CHANGES AND WITHDRAWALS: The MMSD reserves the right to change due dates and openings for its own convenience and to withdraw solicitations at any time without prior notice.

7. APPLICABLE LAW: This contract shall be governed under the laws of the State of Wisconsin.

8. ASSIGNMENT: No right or duty in whole or in part of the contractor under this contract may be assigned or delegated without prior written consent of the MMSD.

9. HOLD HARMLESS: The contractor will indemnify, save harmless, and defend the MMSD and all of its officers, agents and employees from all suits, actions, or claims of any character brought for or on account of any injuries or damages received by any persons or property resulting from the operations of the contractor, or any of its contractors, in prosecuting work under this agreement.

10. PUBLIC RECORDS ACCESS: It is the intention of the MMSD to maintain an open and public process in the solicitation, submission, review and approval of procurement activities. Bid/proposal openings are public unless otherwise stated. Records are not generally available until after an award has been made.

11. INSURANCE RESPONSIBILITY: The contractor performing services for the MMSD shall:

Maintain worker’s compensation insurance as required by law for all employees engaged in the work.

Maintain commercial liability, bodily injury and property damage insurance against any claims(s) that might occur in carrying out this agreement/contract. Minimum coverage shall be one million (\$1,000,000) liability for bodily injury and property damage including product liability and completed operations. Provide motor vehicle insurance for all owned, non-owned and hired vehicles that are used in carrying out this contract. Minimum coverage shall be one million (\$1,000,000) per occurrence combined single limit for automobile liability and property damage.

The MMSD reserves the right to require higher or lower limits where warranted. All insurance required by this contract shall be maintained during the entire length of the contract.

12. CANCELLATION: The MMSD reserves the right to cancel any contract in whole or in part without penalty due to non-appropriation of funds or for failure of the contractor to comply with terms, conditions and specifications of this contract.

The MMSD also reserves the right to cancel any contract with a federally debarred contractor or a contractor which is presently identified on the list of parties excluded from federal procurement and non-procurement contracts.

13. SAFETY REQUIREMENTS: All materials, equipment, and supplies provided to the MMSD must comply fully with all safety requirements as set forth by the Wisconsin Administrative Code, Rules of the Industrial Commission on Safety, and all applicable OSHA Standards.

14. MATERIAL SAFETY DATA SHEETS: If any item(s) on order(s) resulting from this award(s) is a hazardous chemical, as defined under 29CFR 1910.1200, provide one (1) copy of a Material Safety Data Sheet for each item with the shipped container(s) and one (1) copy to MMSD - Risk Management, 4711 Pflaum Road, Madison, WI 53718-6721.

15. RESPONSIVENESS AND RESPONSIBILITY: Award will be made to the responsible and responsive bidder whose bid is most advantageous to the MMSD with price and other factors considered. For the purposes of this project, responsiveness is defined as the bidder's conformance to the requirements of the solicitation. Being not responsive includes the failure to furnish information requested.

Responsibility is defined as the bidder's potential ability to perform successfully under the terms of the proposed contract. Briefly, a responsible bidder has adequate financial resources or the ability to obtain said resources; can comply with required delivery taking into account other business commitments; has a satisfactory performance record; has a satisfactory record of integrity and business ethics; and has the necessary organization, experience and technical skills.

The MMSD reserves the right to refuse to accept any bid from any person, firm or corporation that is in arrears or is in default to the MMSD, or has failed to perform faithfully any previous contract with the MMSD. If requested, the bidder must present within five (5) working days evidence satisfactory to the MMSD of performance ability and possession of necessary facilities, financial resources, adequate insurance, and any other resources required to determine the bidder's ability to comply with the terms of this solicitation document.

16. WARRANTY: Unless otherwise required equipment purchased as a result of this request shall be warranted against defects by the bidder/proposer for one year from the date of receipt. Equipment manufacturer's standard warranty shall apply as a minimum and shall be honored by the Contractor.

17. QUANTITIES: The quantities shown on this request are based on estimated needs. The MMSD reserves the right to increase or decrease quantities to meet actual needs.

18. QUALITY: Unless indicated in the request, all material shall be first quality. Items which are used, demonstrators, obsolete, seconds, or which have been discontinued are unacceptable without the prior written consent of the MMSD.

19. AWARD CRITERIA: In comparing bids and making awards, the MMSD may consider such factors as relative quality and adaptability of supplies and services, the bidder's financial responsibility, skill, experience, record or integrity, ability to furnish repairs and maintenance services, the time of delivery or performance offered, contract compliance requirements, and any other element or factor in addition to that of the price which would affect the final cost to the MMSD and whether the bidder has complied with the specifications.

20. AWARD: Award(s) will be made, as determined by the MMSD, to the lowest responsive and responsible bidder/proposer meeting MMSD award criteria.

21. ENTIRE AGREEMENT: These Standard Terms and Conditions shall apply to any contract or order awarded as a result of this request except where special conditions are stated elsewhere in the request; in such cases, the special conditions shall apply. Further, the written contract and/or order with referenced parts and attachments including these Standard Terms and Conditions shall constitute the entire agreement and no other terms and conditions in any document, acceptance, or acknowledgement shall be effective or binding unless expressly agreed to in writing by the MMSD.

VENDOR INFORMATION

1. **Proposing Company Name** _____

Telephone _____ Toll Free Telephone _____ Fax _____

Address: _____

City: _____ State: _____ Zip + 4: _____

Federal Employee Identification Number (FEIN): _____

2. **Contact Person in the event there are questions about your proposal**

Name: _____ Title: _____

Telephone: _____ Toll Free Telephone: _____

Address: _____

City: _____ State: _____ Zip + Four: _____

3. **All vendors that have 16 or more employees and that are awarded \$25,000 or more on this contract will be required to submit Affirmative Action information to the District Contract Compliance Office. Please list the Person in your Company we can contact about this plan.**

Name: _____ Title: _____

Telephone: _____ Toll Free Telephone: _____

Address: _____

City: _____ State: _____ Zip + Four: _____

4. **Mailing address where District purchase orders/contracts are to be mailed and person the Department can contact concerning orders and billing.**

Name: _____ Title: _____

Telephone: _____ Toll Free Telephone: _____

Address: _____

City: _____ State: _____ Zip + Four: _____

VENDOR REFERENCES

Provide company name, address, contact person, telephone number, and appropriate information on the product(s) and/or service(s) used for four (4) or more installations/services with requirements similar to those included in this solicitation document. If vendor is proposing any arrangement involving a third party, the named references should also be involved in a similar arrangement.

Company Name: _____
Address: _____
Telephone: _____ Contact Person: _____
Product(s) and/or Service(s) Used: _____

Company Name: _____
Address: _____
Telephone: _____ Contact Person: _____
Product(s) and/or Service(s) Used: _____

Company Name: _____
Address: _____
Telephone: _____ Contact Person: _____
Product(s) and/or Service(s) Used: _____

Company Name: _____
Address: _____
Telephone: _____ Contact Person: _____
Product(s) and/or Service(s) Used: _____

Company Name: _____
Address: _____
Telephone: _____ Contact Person: _____
Product(s) and/or Service(s) Used: _____

ATTACHMENT C

DESIGNATION OF CONFIDENTIAL AND PROPRIETARY INFORMATION

The attached material submitted in response to Proposal Number 3158 includes proprietary and confidential information which qualifies as a trade secret, as provided in Sect 19.36(5), Wisconsin State Statutes. As such, we ask that certain pages, as indicated below, of this proposal response be treated as confidential material and not be released without our written approval or as required by law. Attach additional sheets if needed.

Prices and this page always become public information when proposals are opened, and therefore cannot be kept confidential.

Other information cannot be kept confidential unless it is a trade secret. Trade secret is defined in s. 134.90(1)(c) Wis. Stats. as follows: "Trade secret" means information, including a formula, pattern, compilation, program, device, method, technique or process to which all of the following apply:

1. The information derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by other persons who can obtain economic value from its disclosure or use.
2. The information is the subject of efforts to maintain its secrecy that are reasonable under the circumstances.

We request that the following pages not be released:

Section	Page Number	Topic

In the event a public records request is made to the District, the parties agree and understand that the District is an "authority" as defined in Wis. Stats. section 19.32 and subject to the Wisconsin Public Records law, Wis. Stats. sections 19.31 et. seq. The District will notify the undersigned of a request made pursuant to the Public Records law which involves records containing information of a type described as confidential and proprietary herein, and will notify undersigned of its intent to comply as well as the manner in which compliance will occur. The District shall release records, including records that may contain confidential information, pursuant to the Public Records law. Such release shall not be considered a breach of this agreement.

Failure to include this form in the proposal response may mean that all information provided as part of the proposal response will be open to examination or copying. The District considers other markings of confidential in the proposal document to be insufficient. The undersigned agree(s) to hold the District harmless for any damages arising out of the release of any material required to be released pursuant to the public records law or material not specifically identified above.

Signature-Authorized Representative

Company Name

Print Name-Authorized Representative

Date

See Excel Spreadsheet “Project Task, Timeline and Cost Data Sheet”

**AFFIRMATIVE ACTION REQUIREMENTS
FOR
CONTRACTORS AND VENDORS**

1. VENDOR NOTIFICATION:

The Board of Education of the Madison Metropolitan School District is committed to fair and equal employment opportunities for all persons. Equal opportunities, policies and procedures govern the hiring of District staff. By this policy, the Board requires contractors and vendors to adopt and implement similar policies as a condition of doing business with the District.

Vendors/contractors, **not exempt**, shall indicate (1) with what agency their Affirmative Action Plan is on file, (2) whether or not the Plan is certified, and (3) whether the employment goal(s) stated in the Plan has/have been achieved. If the vendor/contractor has not met each of the above stated requirements, the vendor/contractor can sign and adopt the District’s Affirmative Action & Equal Opportunity Policy Statement (Appendix C); and complete the Employer’s Information Report (Appendix B); and submit a copy of vendor/contractor’s Affirmative Action Plan. In addition the completed Affirmative Action Requirements for Contractors and Vendors Form (Appendix A) should be submitted with the bid or proposal.

If needed, assistance is available through the District including what constitutes a good faith effort. Technical assistance regarding contract compliance issues can be obtained from Amos Anderson, Contract Compliance Officer, at (608) 663-1530 or (608) 204-0343 (Fax).

The complete Board Of Education Policy 6600, Affirmative Action Requirements for Vendors and Contractors, is available on the Internet at www.madison.k12.wi.us/policies/6600.htm.

2. VENDOR RESPONSE:

_____ I am an exempt vendor by reason of _____;
therefore, the following does not apply.

_____ I am a **non-exempt** vendor and have answered accordingly below:

I have an Affirmative Action Plan on file with _____

My Plan is certified with _____

___ Yes ___ No The employment goals in the plan have been achieved.

Please submit a copy of your Affirmative Action Plan with your bid/proposal.

If a vendor has not met each of the above requirements, they can sign and adopt the District’s Affirmative Action & Equal Opportunity Policy Statement (Appendix B) and complete the Employer’s Information Report (Appendix C); and submit a copy of its Affirmative Action Plan.

Madison Metropolitan School District

Equal Employment Opportunity/Affirmative Action

EMPLOYER INFORMATION REPORT

Workforce Utilization Profile

Job Categories											
	Overall Totals (Sum of Columns B-K)	Male					Female				
		White (Not Hispanic)	Black (Not Hispanic)	Hispanic	Asian/ Pacific Islander	American Indian/ Alaskan Native	White (Not Hispanic)	Black (Not Hispanic)	Hispanic	Asian/ Pacific Islander	American Indian/ Alaskan Native K
Officials & Managers											
Professionals											
Technicians											
Sales Occupations											
Clerical and Administrative											
Craft Workers											
Operatives											
Laborers, Helpers, Material Handlers											
Service Workers											
Total											
Number of Employees, by race and gender, employed within the Madison School District geographic area.											
Total											

**Madison Metropolitan School District
Equal Employment Opportunity/Affirmative Action -- Employer Information Report**

NAME OF COMPANY/ORGANIZATION	ADDRESS	CITY, STATE AND ZIP CODE
CONTACT PERSON/NAME & TITLE	AREA CODE & TELEPHONE NUMBER	AREA CODE & FACSIMILE NUMBER
NAME OF PARENT OR AFFILIATED COMPANY	ADDRESS	CITY, STATE AND ZIP CODE
CONTACT PERSON/NAME & TITLE	AREA CODE & TELEPHONE NUMBER	AREA CODE & FACSIMILE NUMBER

ESTABLISHMENT INFORMATION

HOW WAS THE INFORMATION ON RACE OR ETHNIC GROUP OBTAINED? VISUAL SURVEY EMPLOYMENT RECORDS OTHER --SPECIFY: _____

DATES OR PERIOD USED: _____ DOES THE ESTABLISHMENT EMPLOY APPRENTICES? YES NO

IS THE LOCATION THE SAME AS LAST YEAR? YES NO PREVIOUS REPORT DATE: _____ NO PREVIOUS REPORT

BUSINESS TYPE: (DESCRIPTION OF THE MAJOR ACTIVITY OF THIS ESTABLISHMENT, INCLUDING THE SPECIFIC TYPE OF PRODUCT OR SERVICE PROVIDED.)

THIS ORGANIZATION HAS A CURRENT AFFIRMATIVE ACTION PLAN ON FILE WITH: STATE OF WISCONSIN DANE COUNTY CITY OF MADISON
 U. S. GOVERNMENT (SPECIFY AGENCY: _____) OTHER (SPECIFY: _____)

CERTIFICATION

1. THE CONTRACTOR OR VENDOR CERTIFIES THAT THE INFORMATION CONTAINED IN THIS EMPLOYER INFORMATION REPORT IS ACCURATE.
2. THE CONTRACTOR OR VENDOR HAS AGREED THAT, AS PROVIDED IN THE CONTRACT OR PURCHASE ORDER, IF NOT EXEMPT, WITHIN TEN DAYS AFTER THE EFFECTIVE DATE OF MADISON METROPOLITAN SCHOOL DISTRICT CONTRACTS OR PURCHASE ORDERS, THAT IT WILL COMPLETE AND PROVIDE THE ABOVE INFORMATION AND EITHER AN APPROVED AFFIRMATIVE ACTION PLAN OR AN AFFIRMATIVE ACTION POLICY STATEMENT THAT MEETS THE DISTRICT'S RECOMMENDED FORMAT.
3. THE CONTRACTOR OR VENDOR FURTHER AGREES THAT, AS PROVIDED IN THE CONTRACT OR PURCHASE ORDER, FOR THE DURATION OF THIS OR SUBSEQUENT CONTRACTS WITH THE DISTRICT, ACCURATE AND TIMELY INFORMATION WILL BE FILED ON AN ANNUAL BASIS.

Date Completed: _____

Completed By: _____

Affirmative Action & Equal Employment Opportunity Policy Statement

Statement of Commitment

As an employer, this company welcomes the opportunity to affirm our continuing policy to provide equal employment or advancement opportunity and to dedicate ourselves to establishing a work environment which is free from discrimination.

Equal Employment Opportunity

It is the policy of this company that all employees and applicants for employment are guaranteed equality of employment opportunity. Essentially, this means that, as an employer, we will not discriminate against any worker or job applicant on the basis of race, color, religion, gender, age, national origin, ability status or veteran status.

Recruitment, selection, placement, transfer, promotion, reinstatement, training and education, tuition assistance, compensation, benefits and layoff decisions made by the supervisors or managers of this company will be based upon the job-related qualifications and abilities of candidates. In some cases, seniority may be treated as a factor to be considered in the selection process. Employees who apply for a promotion or transfer will be given equal consideration.

It is our policy that supervisors shall be made aware that they must use only objective, job-related criteria when selecting workers for any employment-related action, including hiring, training, promotions and terminations. They also shall be informed that certain types of pre-employment inquiries may lead to problems when interviewing candidates for positions.

All other personnel policies and practices of this company, including compensation, benefits, discipline, safety and health programs, as well as other activities, will be administered and conducted without regard to an individual's race, color, religion, gender, age, national origin, ability status or veteran status.

To the extent possible, reasonable accommodation shall be made for religious needs and for individuals with ability challenges.

As an employer, we will continually review our personnel practices and procedures to ensure that all supervisors and managers are adhering to our commitment to Equal Employment Opportunity principles.

Affirmative Action

As an employer, it is our policy to utilize Affirmative Action as a tool to ensure Equal Employment Opportunity.

_____ has been designated as the Affirmative Action Officer and shall maintain responsibility for establishing, monitoring and evaluating our Affirmative Action efforts at all company establishments.

Our commitment to Affirmative Action means that we will do more than examine our policies and procedures to ensure against discrimination on the basis of race, color, religion, gender or national origin.

We will make a good faith effort to provide hiring opportunities for minorities and women.

- A. In order to demonstrate that we will make a good faith effort in a timely manner as determined by the MMSD, we will:

Properly analyze appropriate job classifications within the organization to determine if women or minorities are being underutilized (i.e., if fewer minorities or women are employed in a particular job classification than would be expected by their availability in the labor market area). (Seek technical assistance from the District's Contract Compliance Officer if you do not know how to properly analyze the job classifications or if you are not sure which job classifications are appropriate).

B. In order to demonstrate that we will make a good faith effort after such analysis, if there is an underrepresentation of minorities or women in any job classification we will in a timely manner as determined by the MMSD:

1. Develop realistic goals for the employment of women and minorities who are underrepresented in such job classifications.
2. Develop a timetable for achieving the goals.
3. a) Develop a written recruitment activity plan which is a detailed strategy that outlines specific steps that will be taken to attract minorities and women in the appropriate job classifications in which minorities and women are underrepresented and
b) Implement the written recruitment activity plan at a minimum by:
 - i) Prominently displaying on your bulletin boards or in common areas the fact that you are an equal opportunity employer.
 - ii) Minorities are underrepresented in certain job classifications, for each vacancy in such job classification place an advertisement in a media outlet that caters to minorities. Such advertisement should describe the job and indicate that the vendor is an equal opportunity employer and that minorities are encouraged to apply.
 - iii) If women are underrepresented in certain job classifications, for each vacancy in such job classification place an advertisement in a media outlet that caters to women. Such advertisement should describe the job and indicate that the vendor is an equal opportunity employer and that women are encouraged to apply.
 - iv) If minorities are underrepresented in certain job classifications, correspond in writing to local advocacy agencies such as community-based organizations, minority trade unions, etc., that you have job vacancies in job classifications for which minorities are underrepresented, describe the job and indicate that you are an equal opportunity employer and that minorities are encouraged to apply.
 - v) If women are underrepresented in certain job classifications, correspond in writing to local advocacy agencies such as community-based organizations, local trade unions, etc., that you have job vacancies in job classifications for which women are underrepresented, describe the job, indicate that you are an equal opportunity employer and that women are encouraged to apply.
 - vi) Write a letter encouraging current racial/ethnic minorities and women employees to assist in the recruitment of prospective racial/ethnic minorities and women employees.

- vii) Ensure that all job descriptions reflect actual job duties and are job related.
- viii) Have a written discrimination complaint procedure in place that is publicized to all employees.
- ix) Review all hiring policies and practices to ensure that they are non-discriminatory.
- x) Hire, where possible, minorities and women in job classifications in which they are underrepresented.

It is our expectation that all employees shall demonstrate respect for and awareness of the diversity of all our employees and model our corporate commitment to diversity.

EEO/AA Communication

This Affirmative Action and Equal Employment Opportunity Policy Statement shall be communicated to all supervisors and managers. It shall also be posted conspicuously (on company bulletin boards or common areas) and in areas where applicants are typically screened, interviewed and tested. The intent of this communication of the Policy Statement is that all of the company’s employees are alerted and that job applicants are informed of our commitment. It is also the company’s intent to include this Policy Statement in employee handbooks or orientation literature and to keep employees informed of Policy Statement changes or updates.

The terms “Equal Opportunity Employer” shall be utilized in recruitment advertisements and literature.

EEO Complaint Handling Procedures

It is this company’s policy to regularly inform employees that the organization’s dispute resolution system is available for handling discrimination complaints or problems. Employees who have Equal Employment Opportunity-related questions, problems or complaints should first communicate their concern to their immediate supervisor. If they are dissatisfied with the supervisor’s handling of the matter, they may pursue their complaint in the company’s formal dispute resolution procedure.

All complaints will be handled fairly and expeditiously. No employee shall suffer reprisals for seeking resolution of a problem through the procedure.

Disqualification

As a condition of being awarded contracts for goods and services the District needs in the future, it is understood that by signing this Statement, the vendor agrees that the District may disqualify the vendor from being awarded such contracts, if it is determined by the District that no good faith effort was made in that the vendor cannot demonstrate to the District’s satisfaction that it has in a timely manner as determined by the MMSD:

1. Properly analyzed appropriate job classifications within the organization to determine if women or minorities are being underrepresented.
2. Developed realistic goals for the employment of women and minorities who are underrepresented in such job classifications.
3. Developed a timetable for achieving the goals.
4. a) Developed a written recruitment activity plan which is a detailed strategy that outlines specific steps that will be taken to attract minorities and women in the appropriate job classifications in which minorities and women are underrepresented and
 - b) Implemented the written recruitment activity plan at a minimum by having:

- i) Prominently displayed on your bulletin boards or in common areas the fact that you are an equal opportunity employer.
- ii) (If minorities are underrepresented in certain job classifications, for each vacancy in such job classification) placed an advertisement in a media outlet that caters to minorities and that the advertisement described the job and indicated that the vendor is an equal opportunity employer and that minorities are encouraged to apply.
- iii) (If women are underrepresented in certain job classifications for each vacancy in such job classification) placed an advertisement in a media outlet that caters to women and that the advertisement described the job and indicated that the vendor is an equal opportunity employer and that women are encouraged to apply.
- iv) (If minorities are underrepresented in certain job classifications) corresponded in writing with local advocacy agencies such as community-based organizations, minority trade unions, etc., that you have job vacancies in job classifications for which minorities are underrepresented, described the job and indicated that you are an equal opportunity employer and that minorities are encouraged to apply.
- v) (If women are underrepresented in certain job classifications) corresponded in writing with local advocacy agencies such as community-based organizations, local trade unions, etc., that you have job vacancies in job classifications for which women are underrepresented, described the job, indicated that you are an equal opportunity employer and that women are encouraged to apply.
- vi) Written a letter encouraging current racial/ethnic minorities and women employees to assist in the recruitment of prospective racial/ethnic minorities and women employees.
- vii) Reviewed all job descriptions to ensure that they reflect actual job duties and are job related.
- viii) Created a written discrimination complaint procedure that is publicized to all employees.
- ix) Reviewed all hiring policies and practices to ensure that they are non-discriminatory.
- x) Hired, where possible, minorities and women in job classifications in which they are underrepresented.

Vendors shall maintain and submit records at the request of the District for the purposes of the District, among other things, determining if the vendor has made a good faith effort. The District may disqualify a vendor from being awarded a contract if the vendor fails to maintain or provide the information requested by the District.

Date

Company Name

Location Address, Telephone Number

CEO's Typed Name & Title

Signature

Human Resource Officer or Affirmative Action Officer's Typed Name & Title

Signature