

**MALVERNE UNION FREE SCHOOL DISTRICT
ADMINISTRATION OFFICES
301 WICKS LANE
MALVERNE, NY 11565**

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Dr. Lorna R. Lewis
Superintendent of Schools

Mr. Christopher Caputo
Assistant Superintendent for Business

Mr. Steven Gilhuley
Assistant Superintendent for
Curriculum, Instruction &
Educational Services

Mr. Daniel Balzan
Assistant Administrator for
Business & Safety

INSTRUCTIONS, SPECIFICATIONS AND BID/REQUEST FOR PROPOSAL FORM
For
UNIVERSAL PRE-KINDERGARTEN SERVICES

In accordance with the provisions of Section 103 of the General Municipal Law, there is a
Thursday, February 23, 2023 advertisement in:

**Newsday
Malverne/West Hempstead Herald
Lynbrook/East Rockway Herald
Rockville Centre Herald**

As stated in such notice, bids will be publicly opened and read at the:
Malverne UFSD District Administration Office,
301 Wicks Lane, Malverne, New York 11565 on,
Tuesday, March 28, 2023. Time: 11:00 a.m.

By order of:
The Board of Education
Malverne Union Free School District
Town of Hempstead, Nassau County, New York
Lisa Ridley, District Clerk

NAME OF BUSINESS _____

ADDRESS _____

TELEPHONE NUMBER _____

AUTHORIZED REPRESENTATIVE (PRINTED) _____

SIGNATURE OF REPRESENTATIVE _____

Requests for Proposals will be received until **11:00 a.m. on Tuesday, March 28, 2023** in the
Administration Office, 301 Wicks Lane, Malverne, New York, 11565, at which time and place all bids will
be publicly opened and read and will be made available to the public.

NON-COLLUSION BID/REQUEST FOR PROPOSAL CERTIFICATION

By submission of this bid/request for proposal, each offeror and each person signing on behalf of any offeror certifies and in the case of a joint proposal each party thereto certifies as to its own organization, under penalty of perjury, that to the best of his knowledge and belief:

- (1) The prices in this proposal have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other offeror or with any competitor, or potential competitor.
- (2) Unless otherwise required by law, the prices which have been quoted in this proposal have not been knowingly disclosed by the offeror prior to opening, directly or indirectly, to any other offeror or to any competitor or potential competitor, and
- (3) No attempt has been made or will be made by the offeror to induce any other person, partnership or corporation to submit or not to submit a proposal for the purpose of restricting competition.

We, the undersigned, propose to furnish all materials/services called for, in full accordance with the specifications and instructions in the attached bid/proposal, and agree to all conditions therein.

NAME PRINTED _____

TITLE _____

COMPANY _____

TELEPHONE _____

SIGNATURE _____

Sworn to before me this _____ day of _____, 2023.

NOTARY _____

CERTIFICATION OF COMPLIANCE WITH THE IRAN DIVESTMENT ACT
OF 2012 (GENERAL MUNICIPAL LAW §103-g and STATE FINANCE
LAW §165-a

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under the penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the state finance law.

The undersigned *(print name)* _____,

make the foregoing certification, as the *(insert title)* _____.

of *(insert name of bidder or proposer)* _____,
knowing that the school district to which the accompanying bid or proposal is submitted will rely upon my certification.

(Signature)

Sworn to before me on this

_____ day of _____, 2023.

NOTARY PUBLIC

**Malverne Union Free School District
301 Wicks Lane
Malverne, New York 11565**

**REQUEST FOR PROPOSALS
UNIVERSAL PRE-KINDERGARTEN SERVICES**

Introduction

The Malverne Union Free School District (hereinafter the "District") invites proposals from qualified community-based organizations, providers of childcare and early education (hereinafter referred to as the "organization") to provide universal pre-kindergarten services for four-year old students who reside in the School District.

Purpose

The objective of this Request for Proposals ("RFP") is to solicit proposals from experienced early childhood education providers, qualified community-based organizations, and childcare providers with demonstrated success in the area of operating full-day universal pre-kindergarten programs that will provide the nurturing educational experiences needed to prepare our youngest students for success in subsequent schooling.

The Board of Education intends to select an agency or agencies to perform full-day universal pre-kindergarten services for the District. The District shall conduct an on-site visit to the program of selected finalists. Proposers must provide universal pre-K services to meet the specific requirements set forth by the District and the varied needs of District students while complying with the State Regulations with respect to operation of a universal pre-k program.

Term of Engagement

The term of this engagement shall be one (1) year commencing upon award through June 30, 2024. The School District shall have the option to renew the resultant agreement(s) for four (4) additional one-year terms, upon approval by the Board of Education each year. The District reserves the right to terminate the contract for any reason upon thirty (30) days written notice to the agency. No contract becomes binding until the necessary funds have been approved. The successful Proposer will execute a contract with the District in substantial conformance with this RFP and the agency's proposal.

Eligibility

An organization responding to this RFP must be a provider of childcare and early childhood education, a day care provider, an early childhood program, a head start center or a community based organization which meets the standards and requirements of Part 151 of the Regulations of the Commissioner of Education. The program must meet and remain in compliance with all applicable regulations governing universal pre-kindergarten programs. The School District reserves the right to contact any licensing authority to obtain information regarding compliance of any program proposed in response to this RFP.

Scope of Services

The Malverne Union Free School District is seeking up to 90 placements for four-year old's in a five (5) day, five (5) hour pre-kindergarten program. The District may allow for multiple childcare providers to accept students based on the childcare providers State approved capacity. The program's calendar will be required to align with the District's calendar. No transportation will be provided by the School District.

School District Pre-Kindergarten Program Plan

All proposers shall be required to provide UPK services in accordance with the District's pre-kindergarten program plan, Education Law and the regulations of the Commissioner of Education.

The UPK services provided by the successful proposer shall:

- Provide for an age and developmentally appropriate curriculum and activities which are learner centered.
- Provide for screening and progress monitoring of the development of language, literacy, cognitive, and social and emotional skills in accord with the NYSED guidelines for valid and reliable assessments.
- Provide and promote early literacy, mathematics, *and handwriting* instruction.
- Ensure continuity in the program with instruction in the early elementary grades.
- Encourage children to be self-assured and independent.
- Encourage the co-location and integration of children with special needs.
- Work with related service providers, as necessary, to address students' special needs.
- Utilize staff who meet the qualifications set forth pursuant to the rules of the Board of Regents.
- Offer an open house opportunity for perspective parents and guardians to make an informed decision about enrolling their student(s).
- Provides for strong parental partnership and involvement in the implementation of and participation in the plan.
- Ensures parents have ease of utilization and access to services.
- Provide support services to children and families such as social and health related services.
- Meet the needs of English language learners.
- Provides staff development and teacher training for staff in all settings in which pre-kindergarten services are provided.
- Method for selection of eligible children on a random selection basis.

In addition to the foregoing program requirements, the full day UPK program provided by the successful proposer must address children's nutritional needs. The successful proposer must provide meals and snacks to ensure the nutritional needs of children are met. Mealtime should be approached as a positive experience for each child and must include meaningful adult-child interactions and opportunities for learning. Mealtime that can be counted as instruction time should include, but not be limited to:

- Opportunities for qualified staff to participate, facilitate, and guide meaningful extended conversations; model appropriate mealtime behavior with supportive guidance; and facilitate problem solving and turn taking.
- Opportunities for reciprocal conversations between adult/child as well as child/child

in guided topics of interest and relevance to children; facilitate literacy development; and accommodations for learning opportunities for students who finish mealtime before their peers.

- Daily mealtime instructional planning should consider the five domains of the New York State Pre-kindergarten Learning Standards.

Facilities/Classroom Requirements

All buildings, premises, equipment, and furnishing used for the full day Universal Pre-Kindergarten program shall be safe and suitable for the comfort and care of the children, shall comply with all applicable requirements of the Americans with Disabilities Act and shall be provided and maintained in a state of good repair and sanitation. Buildings and classrooms operated by eligible agencies shall meet all applicable fire, safety and building codes. Section 151-1.7 of the Regulations of the Commissioner of Education sets forth the requirements which must be met by all facilities used for Universal Pre-Kindergarten classes.

Staffing Requirements

Proposers are required to be licensed and qualified to perform the services set forth herein. All individuals performing services for the School District shall be licensed under the laws of the State of New York, inclusive of the State Education Department licensing requirements. Proposers shall certify that all such individuals possess documentation evidencing such license qualifications as required by Federal, State or local statutes, rules, regulations and orders.

The successful proposer shall provide the following services, consisting of, but not limited to the following:

- A Universal Pre-Kindergarten program capable of meeting the needs of the School District students.
- The implementation of goals and objectives for the educational services provided through the Universal Pre-Kindergarten program.
- Preparation of a written annual assessment regarding the implementation of the goals and objectives for each program.
- Consultation with School District teachers, building administrators and personnel as needed.

The successful proposer understands and agrees that it shall comply and is responsible for complying with all applicable Federal, State and local statutes, rules and ordinances, including the New York State Safe Schools Against Violence in Education (SAVE) legislation. The successful proposer shall adhere to all requirements and protocols as established by the School District and the State Education Department of New York: to wit, but not limited to, fingerprinting. The successful proposer further agrees and understands that all individuals providing services to the School District must be cleared by the New York State Education Department in accordance with the provisions contained in the SAVE legislation prior to providing services to the School District. In the event that the successful proposer sends an individual to the School District who has not obtained the fingerprinting clearance with the State Education Department, the School District shall have the right to immediately terminate the contract.

Proposer Qualifications

All proposers must be licensed and qualified to provide the within services to the School District. Individuals providing services must be licensed by the State of New York and have New York State teaching certification. Proposers shall satisfy these criteria in order to qualify for award. All proposals must include a completed application and the following documentation:

- A copy of the proposer's current Day Care/Nursery School/Family Day Care License
- A copy of the proposer's Liability Insurance Certificate
- A current Financial Statement
- Proposal Submission Requirements

Three (3) copies of the proposal and other required documents must be submitted in a sealed envelope clearly labeled with the name and address of the proposer and submitted to:

**Christopher Caputo
Assistant Superintendent for Business
Malverne Union Free School District
301 Wicks Lane
Malverne, New York 11565**

One copy of the proposal must be titled "ORIGINAL" and each of the other two copies titled "COPY". Each page of the proposal must bear the following information: Name of Proposer, Malverne Union Free School District, Universal Pre-kindergarten RFP, and the page number. All materials submitted in response to this request for proposal shall become the property of this School District.

All proposals must be received on or before Tuesday, March 28, 2023 at 11:00 a.m.

There is no express or implied obligation for the School District to reimburse responding organizations for any expenses incurred in preparing proposal or attending any interview in connection with responding to this RFP. Proposals submitted after the stated time and date will not be considered and will be returned to the organization unopened. **Any questions or requests for clarification concerning this RFP must be addressed to Christopher Caputo, Assistant Superintendent for Business (ccaputo@malverneschools.org) prior to Tuesday, March 14, 2023 at 10:00 a.m.** Responses to any questions will be sent to all prospective proposers in writing as an addendum to this RFP.

Proposals

All proposals must be submitted in four parts and will be evaluated as such. **Part A** must consist of responses to organizational capacity and qualifications items. **Part B** must consist of responses to items concerning universal pre-kindergarten services; **Part C** must include a description of staff qualifications, staffing patterns, child-staff ratio, and the administrative structure of the organization; **Part D** must include a proposed budget for school year 2023-2024. Incomplete submissions will not be considered for award. Proposals should not be excessively long and should be submitted in a format that permits copying for review.

Part A - Organizational Capacity and Qualifications

- Describe the organization's history of providing quality early childhood programs. Please include information regarding services provided to children with disabilities and children with limited English proficiency.
- Indicate the organization's capacity to provide Universal Pre-Kindergarten. Please include information on the proposed facilities, classroom space and other resources that will support the provision of these services.
- Provide a written, detailed program narrative that describes how the proposer's program is aligned with the requirements of the State of New York, Next Generation Standards, and the School District's outlined instructional goals.
- Describe the current program design and experience in providing developmentally appropriate instruction.
- Provide demographic information about the population served by the proposer including, but not limited to, information regarding students with disabilities. The proposer must designate individual(s) as the UPK Teacher and provide proof of his/her certification and a resume for each individual so designated.
- Provide evidence of proposer's credentials and qualifications to provide a universal pre-kindergarten.
- Provide a list and description of similar UPK contracts and/or projects awarded by other school districts.
- Provide evidence of the individual/proposer's license to provide universal pre-kindergarten program services in the State of New York.
- Describe the proposer's experience and expertise focusing on pre-kindergarten programs provided for school districts or related entities.
- State the name(s) of the officer(s) of proposer.
- Provide a list of all executive/administrative staff members and their resumes together with a list and resumes of all staff members who will be specifically involved in the implementation of the universal pre-k program.
- State the names and credentials of all principals, employees or independent contractors that might be assigned to the universal pre-kindergarten program provided to the School District and provide their resumes.
- Provide proof that all teachers are highly qualified as per New York State requirements and regulations.
- Provide emergency management plan.
- Provide any other information that might be beneficial to the School District.

Part B - Responses About Services

- Describe the services to be provided by the proposer.
- Provide a written, detailed program narrative how the proposer will meet the nutritional needs of children during meal and snack times and how proposer will use meal and snack time to further the instructional goals outlined for the program. Proposer should similarly address nap/quiet time in the context of the program narrative, if applicable.
- Describe the early childhood services the organization will provide through the universal pre-kindergarten program and how they will meet the following required components of Part 151 of the Regulations of the Commissioner of Education:
 - Provide support services to children and families such as social and health related services.
 - Meet the needs of English language learners.
 - Encourage parental involvement in their child's education.
 - Ensure parents have ease of utilization and access to services.
 - Support transition to/continuity with the District's K-3 program.
 - Integrate preschool children with disabilities.
- Describe how students with disabilities and their families will be supported during the transition to kindergarten.
- Indicate the on-going staff development opportunities in which universal pre-kindergarten staff will be engaged.
- Indicate how the proposer would accommodate the number of students to be served, the number of classrooms to be created, the class size and the number of hours per day that the proposed program will operate.
- Indicate how the proposer will accommodate students who are not selected through the lottery system for the UPK program.
- Explain how the proposed program will meet all applicable health and safety codes and licensure requirements (including the New York Uniform Fire Prevention and Building Code). Submit documentation describing how any identified health and safety issues/violations at the site, if any, have been resolved in a timely manner.
- Describe the program design. Include how the prekindergarten learning environment and instruction are deliberately and purposefully designed to promote and increase inclusion and integration of preschool children with disabilities.
- Explain the process in place to identify the home languages and linguistic experiences of Emergent Multilingual Learners (EML), whose family speaks a language other than English at home, and how the process assists in planning for prekindergarten programming and instruction that is culturally and linguistically responsive.
- Indicate the NYSED approved valid and reliable developmental screening tool(s) that will be used to screen at a minimum each Prekindergarten student's language-literacy, cognitive, and social-emotional development.
- Describe the organization's use of research-based knowledge of learning, teaching and data management to optimize student performance. Indicate the primary NYSED valid and reliable prekindergarten progress monitoring assessments that will be used at least two times during the school year to monitor children's progress in each of the following areas, language and literacy skills, cognitive skills, and social and emotional skills and indicate how student improvement will be communicated to the District.
- Include mission/philosophy statements.
- Describe the organization's use of research to adopt best practices and improve instruction. Include how prekindergarten instruction is specially designed and differentiated to ensure students' individual needs are met.

- Description of organization's use of research to adopt best practices and improve instruction.
- Offer evidence of the organization's ability to form and implement a comprehensive professional growth plan.
- Describe the collaborative relationship your organization proposes to have with the School District.

Part C - Program Staffing

- Describe how the proposed program will be staffed. Include information about staff qualifications (including fingerprint clearance), staffing pattern, child-staff ratio, and the administrative structure of the organization. Proposers must have a teacher with a New York State Certificate in Early Childhood Education (N-6, N-3) and an aide for each UPK classroom. Please refer to NYS pre-kindergarten regulations for minimum requirements.
- Describe stability of staff, rate of turnover and ability to fill vacancies in a timely manner.
- Provide details of the experience your agency and its staff have in working with school districts with highlights of any specific experience in school districts.
- Provide a professional development plan for the 2023-2024 school year for teachers, directors, and teacher assistants, as applicable.

Part D - Proposed Budget

Provide a detailed budget for the proposed program during 2023-2024 school year. Include any cost or price information that would be included in a potential agreement with the District.

Cost Proposal

Submit a cost proposal for the services described above. The cost proposal must be submitted separately in a sealed envelope and must be an all-inclusive amount for the full range of services required for one year under the contract. No additional billing will be allowed for travel expenses, parking, participant materials or other incidentals. Submit an itemization of the cost proposal designating all costs including:

- both direct and indirect cost for personnel
- transportation of students
- student meals
- supplies and materials

Costs listed must be sufficient to serve approximately 90 students. **Costs must also be summarized on a cost per student basis.** The District will provide payment monthly on a per student basis in the amount set by the New York State Education Department. The District will not be subsidizing costs in excess of the per student amount received in State Aid.

Funding/Budget

Proposers should note that funding for the Malverne Union Free School District Universal Pre-Kindergarten Program is contingent upon available State funding, which may determine level of service requested and subsequent contract extensions. The estimated budget total is \$523,440 for 2023-2024 for approximately 90 children (\$5,816.00 per child)

Site Visit

The School District will conduct site visits to existing pre-k programs operated by each qualified proposer. The School District believes that an effective pre-kindergarten program focuses on students' language, cognitive/intellectual, social, emotional, and physical development by a highly energetic, enthusiastic, warm, and nurturing staff of professionals.

References

In addition to any other requirements for references, proposers shall provide a client list for the past five (5) years with a similar scope of services. The client list must include agency name, contact person, addresses, and telephone number. The District reserves the right to contact the clients to determine the quality of service performed and personnel assigned to those projects.

Evaluation Procedures

The School District will review qualifications of the proposals. The School District will evaluate the proposals on:

- Compliance with qualification requirements.
- Proposer's comprehension of the Scope of Services and proposal to provide such services.
- Experience of individual or business providing a Universal Pre-Kindergarten Program.
- Knowledge and experience of New York State School regulations.
- Knowledge of the Malverne Union Free School District and its community.
- Program Costs.
- Appropriateness of instructional philosophy and program design.
- Proposer's demonstrated capabilities (equipment, financial solvency, insurance, location).
- Length of time in business.
- Radial distance from Malverne High School (within 5 miles preferred).
- Client references; and
- Staffing (Evaluation of Employees' Resumes).

The Board of Education will select an organization based upon the proposals and the recommendations of the School District's administration.

Right to Reject Proposals

The School District reserves the right to reject without prejudice any and all quotations received under the RFP, to request additional information from all proposers, to negotiate with one or more of the finalists regarding the terms of the engagement and to make award offers that differ from the organization proposed level of services and/or budget. The District intends to select the organization that, in its opinion, best meets the School District's needs.

Termination of Contract

Any contract agreed to under this RFP is subject to termination by either party upon thirty (30) days written notice. In the event of termination of the contract by the District, the District's responsibility shall be limited payment for services performed and costs incurred by the organization with the District's consent, prior to termination. In the event of termination of the contract by the organization, the organization's responsibility shall be to pay for any and all costs incurred by the District.

Independent Contractor

The Provider will be retained by the District only for the purposes and to the extent set forth in this RFP, and its relation to the District shall be solely that of an independent contractor. As such, the compensation being paid pursuant to this RFP shall not be subject to withholding taxes or other employment taxes required with respect to compensation paid by the District to an employee.

The Provider shall observe all requirements imposed by any laws upon corporations. The District shall submit a Form 1099 and IT 2102.1 at year end to the Federal government, which the Provider will report for income tax purposes. Neither the Provider nor any of its employees, agents or assigns will be eligible for any employee benefits whatsoever relative to this RFP including, but not limited to, Social Security, New York State Worker's Compensation, unemployment insurance, New York State Retirement System benefits, health or dental insurance, or malpractice insurance.

The Provider will pay all expenses incurred in connection with the performance of duties hereunder, including but not limited to automobile and/or travel expenses. With regard to employees of the Provider, the Provider alone shall be responsible for their work, personal conduct, direction, compensation, and for payment of all employment and other taxes in relation thereto.

Insurance

1. Notwithstanding any terms, conditions or provisions, in any other writing between the parties, the universal Pre-K provider hereby agrees to effectuate the naming of the District as an Additional Insured on the universal Pre-K provider's insurance policies, except for workers' compensation and N.Y. State Disability insurance.
2. The policy naming the District as an Additional Insured shall:
 - a. Be an insurance policy from an A.M. Best A- rated or better insurer, licensed to conduct business in New York State. A New York licensed and admitted insurer is strongly preferred. The decision to accept non-licensed and non-admitted carriers lies exclusively with the District and may create significant vulnerability and costs for the District.
 - b. State that the organization's coverage shall be primary and non-contributory coverage for the District, its Board, employees and volunteers with a waiver of subrogation in favor of the District.
 - c. Additional insured status shall be provided by standard or other endorsements that extend coverage to the District (CG 20 26) or equivalent. The decision to accept an endorsement rests solely with the District. A completed copy of the endorsements must be attached to the Certificate of Insurance.
3. At the District's request, the universal Pre-K provider shall provide a copy of the declaration page of the liability and umbrella/excess policies with a list of endorsements and forms. If requested, the universal Pre-K provider will provide a copy of the policy endorsements and forms.
4. The universal Pre-K provider agrees to indemnify the District for applicable deductibles and self-insured retentions.
5. Minimum Required Insurance:
 - a. **Commercial General Liability Insurance**
\$1,000,000 per Occurrence/ \$2,000,000 Aggregate
\$2,000,000 Products and Completed Operations
\$1,000,000 Personal and Advertising Injury
\$1,000,000 Sexual Misconduct and Assault
\$100,000 Fire Damage
\$10,000 Medical Expense

Coverage for sexual misconduct must be affirmed. Sub-limits below the policy limits for sexual misconduct coverage are acceptable solely at the discretion of the District.

- b. **Automobile Liability**
\$1,000,000 combined single limit for owned, hired, borrowed and non-owned motor vehicles.
 - c. **Workers' Compensation and NYS Disability Insurance**
Statutory Workers' Compensation (C-105.2 or U-26.3); and NYS Disability Insurance (DB-120.1) for all employees. Proof of coverage must be on the approved specific form, as required by the New York State Workers' Compensation Board. ACORD certificates are not acceptable. A person seeking an exemption must file a CE-200 Form with the state. The form can be completed and submitted directly to the WC Board online.
 - d. **Umbrella/Excess Insurance**
\$1 million each Occurrence and Aggregate. Umbrella/Excess coverage shall be on a follow-form basis over the required Auto Liability and General Liability coverages.
6. The Universal Pre-K provider acknowledges that failure to obtain such insurance on behalf of the District constitutes a material breach of contract. The universal Pre-K provider is to provide the District with a certificate of insurance, evidencing the above requirements have been met, prior to the commencement of work.