



**PETITION FOR RELIEF FROM BIDDING AS A PROCUREMENT METHOD
(INDEPENDENT CONTRACTOR)**

Agency: **Mississippi Instructional Resource Center**
Agency Contact Name: **Dr. Jeremy Stinson**
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Agency Contact Phone Number: **601-984-8226**
Date Form Submitted to PPRB's OPSCR staff:
Requested PPRB Meeting Date: **May 1, 2019**
Briefly describe the proposed scope of work for the procurement:

Procure all services related to new braille textbook and instructional material production

1. Petition for relief from bidding (the use of Invitation for Bids) as a procurement method may be requested for one of the reasons listed below. Check the reason that prevents your agency from using Invitation for Bids (IFB) as a procurement method for this service:

- ☐ Federal and/or state law has established limitations on the use of competitive bidding for the personal or professional contracts the agency is seeking to procure;
- ☐ The agency is required to hire professionals whose members are prohibited from bidding by the rules of professional conduct promulgated by the regulating agency or agencies for that professional; or
- ☒ Competitive bidding through the use of an Invitation for Bids (IFB) is not practicable and advantageous to the business of the agency.

2. Provide a detailed explanation of the reason(s) why a procurement method other than bidding (IFB) is requested (attach supporting documentation including, but not limited to, any identified laws, orders, rules, or regulations issued by a governing body): **SEE ATTACHMENT**

[Pursuant to House Bill 1109 (Regular Session 2017) use the following factors to provide a detailed explanation of the practicable and advantageous determinations;

- The need for flexibility;
 - The type of evaluations that will be needed after offers are received;
 - Whether the evaluation factors involve the relative abilities of offerors to perform, including degrees of technical or professional experience or expertise;
 - Whether the type of need to be satisfied involves weighing artistic and aesthetic values to the extent that price is a secondary consideration;
 - Whether the types of supplies, services or construction may require the use of comparative judgmental evaluations to evaluate them adequately; and
 - Whether prior procurements indicate that a Request for Proposals may result in more beneficial contracts for the state.
- Whether quality, availability or capability is overriding in relation to price in procurements for research and development, technical supplies or services;
 - Whether the initial installation needs to be evaluated together with later maintenance and service capabilities and what priority should be given to these requirements in the best interests of the state; and
 - Whether the marketplace will respond better to a solicitation permitting not only a range of alternative proposals but evaluation and discussion of them before making the award.

This form and all attachments should be submitted electronically to the PPRB's OPSCR staff via the PPRB e-system, using the four-digit agency number and six-digit board meeting date as the contract number. For example, if the agency's four-digit agency number is 1234 and the board meeting date is March 18, 2018, then the contract number for purposes of this form would be submitted as 1234031818.



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- Whether federal law or federal court order has established limitations on the use of competitive bidding for the personal or professional contracts the agency is seeking to procure; or
 - The agency is required to hire professionals whose members are prohibited from bidding by the rules of professional conduct promulgated by the regulating agency or agencies for that profession; or
 - The agency can establish that the use of competitive bidding will be counterproductive to the business of the agency.]
3. If petition for relief from bidding is granted, a competitive procurement procedure for selecting the vendor must be established. The PPRB may audit your records to ensure competitive procedures were used to procure the required service. If the request for petition for relief from bidding (IFB) is granted, please indicate the method of procurement that will be used:

- ☒ Request for Proposals
☐ Request for Qualifications
☐ Other (Please explain):

4. When will the procurement be issued and/or advertised? **After May 3, 2019**
5. When will the vendor(s) be selected? **June 13, 2019**
6. How many contract(s) will be issued as a result of the procurement? **Up to five (5)**
7. What evaluation factors will be used and what is the weight/percentage of each factor?
[Pursuant to House Bill 1109 (Regular Session 2017) use the following factors, as appropriate to individual circumstances to draft evaluation factors for the procurement;

A. TECHNICAL FACTORS (Proposed Methodology) [30 Total Points]

Plan for performing the required services (30 points)

- Contractor has clearly defined a plan for formatting, transcribing, creating tactiles, proofing, embossing, binding, packaging, and delivering braille textbooks and instructional materials to MIRC/MSB

B. MANAGEMENT FACTORS [30 Total Points]

1. Personnel, equipment, facilities, to perform the services currently available or demonstrated to be made available at the time of contracting (5 points)

- Contractor is based in the continental United States and has ensured they will have Transcribers and/or machines available during the contract period to complete the work specified in the Scope of Work and Responsibilities.

2. Record of past performance of similar work (5 points)

- Contractor has at least five (5) years experience in formatting, transcribing, creating tactiles, proofing, embossing, binding, packaging, and delivering braille textbooks and instructional materials.
- Contractor provides a detailed quality control list from the company citing all product returns with reasons for the returns, and any company and/or product complaints in the past year were included.

3. Timeframe for braille production (5 points)

- Contractor provides proof of ability to provide complete braille services within the timelines set forth in this RFP, Section E. Time Frame.

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4. Ability to perform the services as reflected by technical training and education, general experience, specific experience in providing the required services, and the qualifications and abilities of personnel proposed to be assigned to perform the services (5 points)

- Contractor submits a minimum of three (3) references (Attachment E), in the continental United States, for whom the bidder provided services and/or goods of similar or equal quality within the past two (2) years. References include business name, address, telephone number, and name of individual customer who is familiar with bidder's supply capabilities, packaging experience, and delivery of goods
- The Contractor provides a letter of proficiency from the National Library Service in Unified English Braille (UEB) along with the following certifications for all Transcribers and Proofreaders:
 - Literary Braille Transcribing Certification issued by the National Library Services for the Blind, Library of Congress, or National Federation for the Blind.
 - Nemeth Braille Transcribing Certification issued by the National Library Services for the Blind, Library of Congress, or National Federation for the Blind.

5. Innovative technology and techniques provided. (10 points)

- Contractor provides proof of quality work by submitting one volume of a science book in UEB with tactiles and one volume of a math book with Nemeth.
- Contractor provides a standard copy of each textbook to be used by the braille committee
- Contractor provides evidence through work samples of ability to transcribe all materials in accordance with Braille Association of North America (BANA) Braille guidelines in UEB. This includes but is not limited to, dot quality, braille accuracy, quality formatting, and quality tactile graphics as determined by the braille committee. Specific BANA documents include:
 - BANA's Braille Formats: Principals of Print to Braille Transcription, 2016
 - BANA's Provisional Guidance for Chemistry Notation Using Nemeth in UEB Contexts (2018 web edition)
 - BANA's Guidance for Transcription Using the Nemeth Code within UEB Contexts, 2016
 - Guidelines and Standards for Tactile Graphics, 2010

D. PRICE [40 points]

A formula will be applied to determine the points awarded to each offeror. Points will be given based on the offeror's costs in relation to the low offer for each of the five most common types of braille transcriptions listed below.

It is anticipated that this contract will be a fixed price contract for five (5) years with payment made upon completion of tasks identified within the proposal. All textbooks will be shipped as "Free Matter for the Blind" at no cost to the MDE or the Contractor. All contracts shall be made per page of transcribed braille in Unified English Braille (UEB) and include the following:

- a. Literary price per transcribed braille page (8 points)
- b. Math/Nemeth price per transcribed braille page (10 points)
- c. Science/Social Studies price per transcribed braille page (10 points)
- d. Tactiles price per page (10 points)

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- e. Music per braille page (2 points)

Discussions may be conducted with offerors who submit proposals determined to be reasonably susceptible of being selected for award. Likewise, the MDE also reserves the right to accept any proposal as submitted for contract award, without substantive negotiation of proposed terms, services or prices. For these reasons, all parties are advised to propose their most favorable terms initially.

Awards shall be made up to the responsive and responsible five (5) Contractors whose proposal is determined to be the most advantageous to the State, taking into consideration the price and the evaluation factors set forth. Results of the evaluation and the recommendation of the evaluation team will be forwarded to the State Board of Education (if applicable), and the Public Procurement Review Board (if applicable) for approval.

8. What is the anticipated term of the contract? **September 1, 2019 – August 31, 2020**

9. Will the contract include renewal terms? If yes, how many? **Yes. With up to four (4) one-year renewals**

10. What is the anticipated total amount of funds expended under the contract? **The anticipated total each year is an estimation upward of \$150,000 among 3-5 contractors, contingent upon amount required for each textbook. Braille textbooks can take up to 9 months to produce, thus the need for 3-5 contractors. This allows MIRC the flexibility to use the contractor who is able to do the work at the time it is needed. Quotes for new braille textbooks often vary by thousands and sometimes ten thousand dollars between vendors. This RFP requires a set price per page by each winning contractor, which will allow for potential savings to MDE.**

11. Will the contract negate the need for an existing PIN/WIN? If so, please explain how the contract is more cost effective. **No, a PIN/WIN is not associated with this contract as this work is to be conducted by a Braille company.**

12. Please indicate whether procurement is associated with any new, continued, expanded, or terminated program(s): **No, procurement is not associated with any new, continued, expanded or terminated program.**

13. Please provide the names of the Evaluation Committee members and attach a Form PPRB-010, Procurement Committee Evaluator Certification, for each evaluation team candidate. **The committee will be comprised of three (3) braille experts from Mississippi School for the Blind (Shelley Franklin, Tyler Griffin, and Loleta Zollicoffer) and two (2) community braille experts (Jan Hawthorne and Margie Owens). Resumes of all committee members are attached.**

14. Has relief from bidding of this service been previously requested? ☒ No ☐ Yes

If "Yes" please explain and attach the previous approval or denial. If denied, please explain why this request is different. What was the date of the previous PPRB meeting when this was considered by the Board?


Chief Procurement Officer Signature


Date

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2. RFP Justification for New Braille Textbook and Instructional Materials Services

The Mississippi Instructional Resource Center (MIRC) was established through House Bill 638 in 2008 and is located on the campus of the Mississippi School for the Blind. MIRC is a statewide resource center designed to assist Mississippi's visually impaired students with specialized materials needed which are prescribed under the Individuals with Disabilities Education Act (IDEA), Mississippi House Bill 638 (2008), and House Bill 960 (2012). Since 2008, textbook companies have complied with Miss. Code Ann. § 37-23-199. 37, requiring textbook publishers to furnish certain electronically formatted files compatible with braille conversion for literary and nonliterary subjects. Still, all braille textbooks are not created equally. The RFP allows for greater flexibility during the multi-faceted, highly-specialized process of bidding on braille production contracts.

The most important aspect of braille textbook production is to ensure that the Mississippi Instructional Resource Center is supplying the highest quality braille materials in the industry to our students. The RFP process will require vendors to submit work samples of the two most intricately detailed braille textbooks, science and mathematics. The criteria for evaluation of proposals in the RFP places great value on the quality of work put forth by the prospective contractors as determined by a committee of braille experts who will use a rubric to evaluate quality. The ability to evaluate quality of work and discuss with the contractor before making the award is advantageous to ensure the committee's score accurately reflects the intent of the contractor.

Finally, the need for flexibility through multiple contractors is paramount to ensure timely production and delivery of braille materials. Miss. Code Ann. § 37-23-199. 37, 2(a) calls for "on-time delivery of textbooks and materials to blind and visually impaired students, so that the delivery of Braille and large print textbooks and all related supplementary materials will be commensurate with the delivery of regular print textbooks and materials for sighted students as outlined in textbook policies and procedures effective January 1, 2013." Braille transcribers are in high demand, and contractors are not always available when textbooks or instructional materials are needed. The RFP requests up to five contractors who agree to be available and produce materials in a timely manner when needed by the MIRC. Timeliness is vital in braille production as some textbooks can take up to nine months to produce. Multiple contractors will allow MIRC to have more options in choosing a contractor, while ensuring each winning contractor has equal business opportunities during the contract period.