

**REQUEST FOR PROPOSALS
FOR
SCHOLARSHIP PROGRAM MANAGEMENT**

Office of State Treasurer Young Boozer

Issue Date: March 8, 2012

Due Date: March 30, 2012

BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT COMPLIANCE

The Beason-Hammon Alabama Taxpayer and Citizen Protection Act (Act 2011-535 of the Alabama Legislature, codified as Code of Alabama, §§31-13-1 et seq) regulates illegal immigration in the State of Alabama. Effective January 1, 2012, all contracts with the State or a political subdivision thereof must comply with the following provisions of that law.

Section 9 (a) of the Act provides "As a condition for the award of any contract by the state, any political subdivision thereof, or any state-funded entity to a business entity or employer that employs one or more employees, the business entity or employer shall not knowingly employ, hire for employment, or continue to employ an unauthorized alien and shall attest to such, by sworn affidavit signed before a notary public. Exhibit F to this RFP is a form affidavit to be used to comply with this requirement. It must be submitted prior to the award of a contract.

Section 9 (b) of the Act requires "As a condition for the award of any contract to a business entity or employer that employs one or more employees, the business entity or employer shall provide documentation establishing that the business entity or employer is enrolled in the E-Verify program." A contractor's submission of a response to this RFP will constitute a representation that it is enrolled in the E-Verify program. Prior to the award of a contract, the selected contractor must submit a fully executed, completely legible, copy of the Memorandum of Understanding between the contractor and the United States Department of Homeland Security as evidence of compliance with this requirement.

1. Purpose

On behalf of the CollegeCounts Board of Directors ("Board"), State Treasurer Young Boozer ("Treasurer") solicits proposals from qualified professional firms interested in providing scholarship program management services ("Firm" or "Responder") for CollegeCounts, Alabama's 529 Fund Scholarship Program ("Program").

This Request for Proposals ("RFP") is issued in accordance with the requirements of Section 41-16-72(4), Code of Alabama (1975). This RFP is not an offer to contract but seeks the submission of proposals from qualified, professional firms that may form the basis for negotiation of a Scholarship Program Management Agreement. *The Board reserves the right to reject any or all proposals and the right to solicit additional proposals if that is determined to be in the best interests of the program.*

2. Minimum Qualifications

In order for your RFP to be considered, your firm must provide an affirmative response to the following questions. In addition, the Responder has a continuing obligation to disclose information throughout the RFP process should any qualifications or situations change that might render the Responder as an unqualified candidate.

- If selected, the Responder will comply with all state regulations to conduct business in the State of Alabama, and will register with the Secretary of State if applicable.
- The Responder and its personnel have all authorizations, permits, licenses, and certifications as may be required under federal, state or local law to perform the services specified in this RFP at the time it submits a response to the RFP.
- The firm you represent has been in operation for over three years.
- The project manager at your firm responsible for providing the services described in this RFP has at least three years of scholarship management experience.
- The Firm is committed to work closely and cooperatively with the Board and staff to facilitate the implementation of any enhancements or modifications required by the Board.
- The Firm has a company policy and practice of equal employment opportunity and non-discrimination based on age, race, creed and gender.
- If applicable, the Firm will maintain sufficient procedures and capabilities to ensure the timely and accurate backup and full recovery for all computers and other data storage systems related to this account.
- If selected, the Firm will carry errors and omissions insurance or a comparable instrument to cover the firm's negligent acts or omissions.
- If selected, the Firm will be in compliance with Section 9(b) of Act 2011-535 *The Beason-Hammon Alabama Taxpayer and Citizen Protection Act*.

3. Expression of Interest

If your firm is considering bidding on this RFP, please email: (1) your name, (2) title, (3) name of your firm, (4) phone number (5) email address, and (6) fax number to glenda.allred@treasury.alabama.gov by 5:00 pm/cst on March 16, 2012. Submission of your interest is not a prerequisite for submitting a proposal, but it is necessary to ensure a firm's receipt of RFP amendments and other communications regarding the RFP.

The Board reserves the right to amend this RFP at any time prior to the proposal due date and time. If it becomes necessary to revise this RFP, amendments will be provided to all firms or agencies that have submitted an Expression of Interest.

4. Background

The CollegeCounts (CC) Scholarship Program is being created to provide funding assistance for Alabama students who have financial need and enroll at an Alabama educational institution for the betterment of the student and the State. The Program was established pursuant to Section 16-33C-10(g), Code of Alabama 1975, which was established in the State Treasurer's office to be administered by the Board for the purpose of enhancing and providing higher education opportunities and programs and is authorized to accept contributions for such purposes.

The Program is available through the administration of the CollegeCounts 529 Fund, a 529-qualified tuition program that provides flexible investment options specifically designed to help citizens build college savings. The program offers two ways to invest - a direct to consumer "Direct Plan" and an "Advisor Plan" version for investors looking to invest utilizing the expertise and guidance of a financial professional (visit www.collegecounts529.com).

An outline of the program including criteria for the award recipient is attached hereto as **Exhibit A**.

The program expects to accept applications in Fall/Winter 2012/2013 with awarding the first recipients in Spring 2013.

5. Scope of Services

The Firm shall work with CC staff to develop a program to manage the awarding of scholarships to be used for higher education and:

- Provide guidance in defining criteria for scholarship eligibility, provide an online application portal
- Manage student selection, fund awards, and other contact with students who are chosen to receive grant funds under the program,
- Receive and process all application materials,
- Notify recipients and the respective school where each recipient is enrolled or expects to enroll,
- Confirm student's grant acceptance and school enrollment,
- Provide regular reports and progress reports as requested by CC, to summarize program activity and results

6. Proposal Required Information

Proposals should be as thorough and detailed as possible so that your capabilities to provide the required services can be properly evaluated.

To be considered, responses to this RFP must include: (1) brief transmittal letter, (2) Exhibit B, Company Information and Background, (3) Exhibit C Proposal, (4) Exhibit D, Cost Proposal, (5) Exhibit E, Minimum Qualifications and (6) Exhibit F, Affidavit. All proposals submitted in response to this RFP must include a completed Disclosure Statement as required by Section 41-16-80, et seq., Code of Alabama (1975). Copies of the Disclosure Statement, and information, may be downloaded from the Alabama Attorney General's website at <http://www.ago.state.al.us/Page-Vendor-Disclosure-Statement-Information-and-Instructions>.

7. Submission of Proposals

Issuing Office:

Office of State Treasurer Young Boozer
Alabama State Capitol
600 Dexter Avenue, Suite S106
Montgomery, AL 36104

Submission Deadline It is the responsibility of the Responder to ensure that its proposal is timely delivered and received in the Treasurer's Office on or before 5:00 p.m. on March 30,

2012. Provide an original response and an electronic version of the response. The Treasurer will not consider proposals received after the date and time specified herein. The Treasurer assumes no responsibility for late delivery by the U.S. Mail, the State's Central Mail Facility, a commercial courier service, or any other method of delivery selected by the Responder. The response may be emailed by the submission deadline with the paper documents delivered within two business days.

Questions and Inquiries The sole point of contact for purposes of this RFP is Glenda Allred. Any questions or inquiries should be emailed to glenda.allred@treasury.alabama.gov. All written questions should be submitted by March 19, 2012. Written responses to written questions and inquiries shall be posted on the Treasurer's website. Any oral communications shall be considered unofficial and nonbinding.

Rejection of all Proposals The Board reserves the right to reject any or all proposals and/or to solicit additional proposals if that is determined to be fiscally advantageous to the Program or otherwise in its best interests.

8. Evaluation and Selection

All proposals timely received will be reviewed and evaluated by the Proposal Evaluation Committee. The Committee will recommend proposals to the Board that most closely meets the requirements of the RFP. After the review and evaluation of the proposals, the Board may conduct interviews. Finalists chosen for interviews, if necessary, will be notified. The Board reserves the right to request a best and final offer for fees from finalists.

Qualifications to be considered for evaluation include the overall abilities, capabilities and experience of the firm and staff to manage scholarship programs. The Board will select the firm it determines, in its sole discretion, to be fully qualified and best suited among those submitting proposals to best meet the needs of the CollegeCounts Scholarship Program. *All proposals received in response to this RFP may be rejected and the Board may solicit additional proposals.*

Upon identification of the selected firm, if any, the Treasurer may initiate negotiations for contract terms and conditions. The Treasurer shall post the RFP on the Treasury website www.treasury.alabama.gov. Interested parties may monitor the progress and status of this RFP process on the website.

9. Efforts to Influence Selection Process Prohibited

The integrity of the RFP process is of primary importance and will not be compromised. Any written or oral communications beyond the RFP response made by responders, or others on their behalf, whether paid or unpaid, to influence the selection process, from the time the RFP is issued through its conclusion, made directly or indirectly to the Board or Treasury staff will be grounds for immediate elimination from the selection process. The sole point of contact for purposes of this RFP is Glenda Allred.

10. Agreement.

All duties of the Firm shall be set forth in a contract agreement between the selected Respondent and the Board. Contract terms are for a period of three years with a two-year extension option. The contract will incorporate reference to the requirements of the RFP and the proposal as negotiated.

State law prohibits the Board from agreeing to (1) indemnify the Respondent; (2) waive the right for jury trial; (3) grant a security interest; or (4) binding arbitration. Additionally, it is mandatory that Alabama laws apply to the performance of the contract and that jurisdiction and venue be in Montgomery, Alabama for state and federal courts.

11. Public Information

All responses received and subsequent communications, contracts, reports and other records developed during the course of the relationship, except as may specifically be exempted, will be subject to the Alabama Open Records Act, §36-12-40, Code of Alabama and may be subject to public disclosure upon request. The Open Records Act is remedial and should therefore be liberally construed in favor of the public. The Alabama Trade Secrets Act is §8-27-1 through §8-27-6, Code of Alabama. Responders are cautioned to be familiar with these statutes. The burden is on the one asserting the trade secret to show that the information sought to be protected meets the definition of a Trade Secret as defined in the Act.

Any RFP response submitted that contains confidential, trade secrets or proprietary commercial information must be conspicuously marked on the outside as containing confidential information, and each page upon which confidential information appears must be conspicuously marked as such. Identification of the entire bid proposal as confidential is not acceptable unless the Firm enumerates the specific grounds or applicable laws which support treatment of the entire material as protected from disclosure according to the foregoing statutes or other applicable Alabama law.

The owner of the confidential information shall indemnify and hold the State of Alabama, the State Treasurer, and Treasury staff harmless from all costs or expenses, including but not limited to attorney fees and expenses related to litigation concerning disclosure of said information and documents.

EXHIBIT A

COLLEGECOUNTS SCHOLARSHIP PROGRAM

Mission

To provide funding assistance for Alabama students who have financial need and enroll at an Alabama educational institution for the betterment of the student and the State.

Current fiscal considerations

- The CollegeCounts Scholarship Fund receives approximately \$600,000 annually from advisor sold administration fees
- The corpus of CollegeCounts portfolio is estimated to be approximately \$6.0 million
- Scholarship distribution may be based on the amount of the annual advisor sold administration fees plus 5% of corpus

Duration of Award

- 150 (initial year – this number would grow) non-renewable scholarships for incoming freshmen
- Scholarship value - up to \$4,000 per year
- To be distributed equitably across Alabama

Scholarship Criteria

- US Citizen
- Alabama resident
- Must have attained or will attain a high school degree or the equivalent
- Must be enrolled or planning to enroll in an Alabama eligible educational institution
- Must demonstrate financial need
- Must complete a *Free Application for Federal Student Aid* (FAFSA)
- Academic requirements
 - Grades – Minimum GPA of 2.75
 - Standardized test scores - ACT minimum score of 21
- Community/extracurricular activities
- Work history

Award restrictions

- Scholarship used to pay for qualified higher education expenses defined under Section 529 of the IRS Code. These include tuition, fees, books, supplies, etc...

EXHIBIT B

COMPANY BACKGROUND

A. Corporate Information

1. Please provide:
 - Name of firm
 - Federal tax identification number
 - Business address and phone number
 - Principle contact (phone and email address)
 - Corporate profile, including the financial condition of the firm and how long you have been in business overall business objectives, strategic plans for growth, and ownership
 - Are there any changes pending in this profile?
2. Please provide total number of staff and attach biographies of the principals of your firm, and the biographies of the proposed staff for this project.
3. Please list all services offered by the firm, excluding those which are subcontracted.
4. Please provide a list of subcontractors that may be used for this account. Include the services to be performed by each subcontractor.
5. Provide details of any legal action taken against your firm or any of its owners, principals, or personnel, in the three preceding years.
6. Provide details of any claims, disputes, litigation or other legal proceedings where your firm is involved with the State of Alabama or any of its agencies, or has been involved, in the three preceding years.
7. Describe factors or reasons why we should consider your firm more favorably than your competitors.

B. Clients

1. Provide the following information on at least 3 clients for whom similar services as described in this RFP are provided.
 - Company
 - Address
 - Contact Person & E-mail address
 - Telephone Number
 - Length of Relationship in Years
 - Services Provided
2. Provide a sample list of other clients you have provided services for in the last five years.

EXHIBIT C
PROPOSAL

1. Please list how many scholarship programs you manage now and a range of the size of benefits managed.
2. Please describe one successful project implementation in detail similar in scope to this proposal.
3. What would be a proposed annual timeline for implementation of this Program?
4. Please describe ongoing application maintenance and support the Firm offers.
5. Please provide the web addresses of three and no more than five online application portals designed by your firm, along with a contact person and a project timeline for each.
6. Please list any software products to be used in creating the online application portal as well as details on how Treasury staff could update and maintain the application.
7. Please provide two, and no more than five, logo concepts you have previously designed and implemented for clients.
8. Please give examples of online application hosting arrangements and costs associated with that.
9. Do you have any experience working with Alabama colleges/universities with other scholarship clients? If so, is that past experience or current? Please list details.
10. This Program will have a geographic component for selection of award recipients. Do you have the capability to program the application and selection process for up to 67 different pools? If so, will this be an ordinary item to program or out of the ordinary? What flexibility does the firm have for this?
11. Are there any additional services the Firm offers that we have not covered in this proposal that you would like to tell us about?

EXHIBIT D
COST PROPOSAL

1. Please provide a detailed and itemized cost proposal to complete this project. All costs must be included.
2. Please provide the number of hours you expect this project to consume before the CC Scholarship Program, including online application design, is launched?
3. The State of Alabama Treasurer's Office will make payment for services in arrears on a quarterly basis. Please provide what annual compensation per year for three years would be and please list in detail compensation for any other services beyond scope.
4. Once the new program has been launched, please provide a cost estimate for ongoing service that may include, but not limited to, management of program, processing of scholarship applications and updates to the online application.

EXHIBIT E

MINIMUM QUALIFICATIONS

- If selected, the Responder will comply with all state regulations to conduct business in the State of Alabama, and will register with the Secretary of State if applicable.
Yes _____ No _____
- The Responder and its personnel have all authorizations, permits, licenses, and certifications as may be required under federal, state or local law to perform the services specified in this RFP at the time it submits a response to the RFP.
Yes _____ No _____
- The firm you represent has been in operation for over three years.
Yes _____ No _____
- The project manager at your firm responsible for providing the services described in this RFP has at least three years of scholarship management experience.
Yes _____ No _____
- The Firm is committed to work closely and cooperatively with the Board and staff to facilitate the implementation of any enhancements or modifications required by the Board.
Yes _____ No _____
- The Firm has a company policy and practice of equal employment opportunity and non-discrimination based on age, race, creed and gender.
Yes _____ No _____
- If applicable, the Firm will maintain sufficient procedures and capabilities to ensure the timely and accurate backup and full recovery for all computers and other data storage systems related to this account.
Yes _____ No _____
- If selected, the Firm will carry errors and omissions insurance or a comparable instrument to cover the firm's negligent acts or omissions.
Yes _____ No _____
- If selected, the Firm will be in compliance with Section 9(b) of Act 2011-535 *The Beason-Hammon Alabama Taxpayer and Citizen Protection Act*.
Yes _____ No _____

EXHIBIT F

AFFIDAVIT

FORM FOR SECTIONS 9 (a) and (b) BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT; CODE OF ALABAMA, SECTIONS 31-13-9 (a) and (b)
AFFIDAVIT FOR BUSINESS ENTITY/EMPLOYER /CONTRACTOR
(To be completed as a condition for the award of any contract, grant, or incentive by the State of Alabama, any political subdivision thereof, or any state-funded entity to a business entity or employer that employs one or more employees)

State of _____

County of _____

Before me, a notary public, personally appeared _____ (print name) who, being duly sworn, says as follows:

As a condition for the award of any contract, grant, or incentive by the State of Alabama, any political subdivision thereof, or any state-funded entity to a business entity or employer that employs one or more employees, I hereby attest that in my capacity as _____ (state position) for

_____ (state business entity/employer/contractor name) that said business entity/employer/contractor shall not knowingly employ, hire for employment, or continue to employ an unauthorized alien.

I further attest that said business entity/employer/contractor is enrolled in the E-Verify program.

(ATTACH DOCUMENTATION ESTABLISHING THAT BUSINESS ENTITY/EMPLOYER/CONTRACTOR IS ENROLLED IN THE E-VERIFY PROGRAM)

Signature of Affiant

Sworn to and subscribed before me this _____ day of _____, 2_____.
I certify that the affiant is known (or made known) to me to be the identical party he or she claims to be.

Signature and Seal of Notary Public

Author: Jean Brown

Statutory Authority: Code of Alabama, sections 31-13-9 (a) and (b); Section 31-13-9 (h).

History: New Rule: **Filed December 12, 2011; effective December 12, 2011**