

Request for Information No. I
RFP No. 23/24-01 Nutrition Management System
August 9, 2023

Response to Proposers' Questions

1.1 **Question:** You have not included anything high tech, such as Artificial Intelligence concepts that may benefit schools. You should consider including upcoming technology, such as AI.

Answer: Ed Tech JPA does our best to capture the baseline requirements for an RFP that meets the needs for our diverse membership. Each section in the Functionality and Usability part of the RFP has a section to enter additional functionality for your product (such as 3.1.51 and 3.1.52 in section 3.1 Point-of-Sale).

If you are offering AI or other features or products not specifically called for in the RFP, we would encourage you to describe those additional items in the applicable criteria calling for any additional functionality of the proposed Solution.

1.2 **Question:** Is there a portal or list of 154 districts that we would have access to?

Answer: The list of members can be found here: <https://edtechjpa.org/about/our-ed-tech-jpa-members> . If Vendors have a customer they would like to use the JPA you can connect them with our team and we can help them become a member so they can use this purchasing vehicle. Information about how public agencies can become members is also available at: <https://edtechjpa.org/members/becoming-member>.

1.3 **Question:** Is the admin fee an ongoing cost for vendors?

Answer: It is an ongoing Admin Fee, as you make sales or renew agreements the Admin Fee applies. The Admin Fee for the Nutrition Management System will be \$500 for purchases over \$15,000. For purchases under \$15,000 there is no Admin Fee for this procurement.

| Individual Sale Amount | Administrative Fee |
|-------------------------------|---------------------------|
| Under \$15,000.00 | \$0.00 |
| \$15,000.00 and above | \$500.00 |

For example: IUSD purchases a Solution that costs over \$15,000.00 annually from Vendor A. Vendor A would pay the Admin Fee each year of the agreement.

The intent of the Administrative Fee is to assist Ed Tech JPA in covering operating costs, including the cost to advertise the RFP, as well as staff time and legal costs associated with the development, administration, and negotiation of the RFP and resulting contracts. The Administrative Fee is not intended to create a profit to Ed Tech JPA or any of its members.

1.4 **Question:** Can non-Californian agencies join the JPA as well?

Answer: Yes, Public agencies outside the state of California are welcome to join Ed Tech JPA. They should have their legal counsel check to see that our processes and California law meet their legal requirements, such as:

(1) The applicable state (and any other governing board the potential member is subject to) allows such a membership, and

(2) The procurement practices followed by the JPA meet all of the requirements the potential member is subject to. Some of the things to take into consideration include:

- a. The JPA is a Public Agency (California Government Code sections 6500 and 6502 authorizes the joint exercise by two or more public agencies of any power common to them as a Joint Powers Authority (JPA)).
- b. Ed Tech JPA follows California and Federal Procurement Guidelines
- c. All agreements and RFPs have been vetted by Fagen, Friedman & Fulfroost LLP (F3), our general counsel for adherence to California and federal procurement and privacy laws.
- d. RFPs are posted publicly on the Ed Tech JPA website for at least one month
- e. RFPs are advertised twice in a newspaper of wide circulation (OC Register)
- f. The Ed Tech JPA makes a multiple award and the member scores proposals for a final decision. Members are directed to use price as the primary consideration, consistent with federal law.
- g. Ed Tech JPA is governed by a board made up entirely of public officials (CBOs/CTOs from our founding members)
- h. Ed Tech JPA collects an administrative fee based on the sales of our vendors. Ed Tech JPA uses the fee to fund operating costs (e.g., insurance, RFP advertisements), and legal fees.

1.5 **Question:** How are Ed Tech JPA RFPs run and awarded?

JPA members have varying needs, and some may require services for only some modules included in this RFP. Members will evaluate Proposals based on their specific needs, so please include a clear description of what your solution offers.