

# RFP 25-006 – Regional Bilingual Education Resource Network Questions and Answers Summary

Questions related to the RBERN RFP 25-006 have been categorized and linked for your convenience.

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## General Questions

### *Submission Documents*

**Question: Non-Collusive Bidding Certification - Does the first page have to be notarized?**

**Answer:** The non collusive bidding certification does not need to be notarized.

**Question: NYS Consultant Services Form A - What is the State Agency Department ID? What is the agency business unit?**

**Answer:** The state agency department ID is 3300200 and the agency business unit is SED01. You may enter those on the Form A; however, you are not required to do so.

### *Formatting*

**Question: Are there any formatting requirements for the proposal, e.g., font, margins, etc.?**

**Answer:** There are no formatting requirements regarding fonts and margins. However, the technical and cost proposal documents should be submitted in Microsoft Office. PDF files that are editable and Optical Character Recognition (OCR) searchable are acceptable. Please do not submit the Technical or Cost Proposal as a scanned PDF.

### *Eligible Bidders*

**Question: Regarding the following sentence, “Eligible bidders can only bid for one (1) Regional RBERN award but may bid on both a regional award and the Statewide RBERN award but must submit separate proposals.” For clarification, if an agency applies for both Regional RBERN and the Statewide RBERN, can that bidder also be awarded both contracts?**

**Answer:** Yes, the same bidder can be awarded both the Regional RBERN contract for the region in which it is located and also the Statewide RBERN contract.

## M/WBE Questions

### *M/WBE Goals*

**Question: Is this definition of “total discretionary non-personal service budget” correct?**

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Discretionary non-personal service budget is defined as total annual budget, excluding the sum of funds budgeted for:

1. direct personal services (i.e., professional and support staff salaries) and fringe benefits; and
2. rent, lease, utilities and indirect costs, if these items are allowable expenditures.

**The cost proposal M/WBE Purchases Form calculates M/WBE based on total budget amount; however, the RFP establishes the goal as 30% of “total discretionary non-personal service budget.” Is the cost proposal form incorrect?**

Answer: That definition is correct. However, it is typically applicable to Grant applications, which employ a Goal Calculation Worksheet. The expenditures mentioned above are subtracted out before the MWBE utilization percentage is determined.

Our Cost Proposal Form also is correct. Please complete the Cost Proposal Form the way it was set up and do not alter it. NYSED will calculate discretionary non-personal services MWBE percentages for awarded bidders. (Bidders are reminded that MWBE utilization totals do not factor into scoring.)

**Question: For organizations that have both minority and women certification, do we get to choose how it is allocated, or do they count for both percentages?**

Answer: If a subcontractor is MBE-certified and WBE-certified, the bidder may choose how much to allocate in each category on the MWBE Purchases form.

## Fiscal Questions

### *Cost Proposal*

**Question: In the payments and reports section of the RFP at the bottom of page 18, it says, “In addition to the *yearly narrative* of how funds will be allocated by budget categories...”; however, neither the Cost Proposal and Financial Criteria sections of the RFP nor the Cost Proposal Checklist reference a budget narrative. Is a budget narrative required as part of the proposal package?**

Answer: A budget narrative is not required with the bid.

### *Statewide RBERN Subcontracting*

**Question: Considering the heavy translation requirements coupled with the cost of translation, and the double website development/management costs relative to the mandatory staffing of this contract, will NYSED consider increasing the 30% cap on subcontracting for the Statewide RBERN RFP? (Regional RBERN contracts all have larger mandatory staff allowances which will result in a larger ratio of funds allowed for subcontracting to meet deliverables that are regionally focused. The deliverables outlined for the Statewide RBERN will need to rely heavily on subcontractors because the staffing is reduced, especially as compared to the number of languages that are expected to be “on call” during business hours.)**

Answer: NYSED is increasing the subcontracting limit to 40 percent for Statewide RBERN bidders. The rate remains 30 percent for the regional RBERNs.

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## ***Evaluator Cost***

**Question: Should we include in our budget the cost of the evaluator with whom we will be cooperating?**

Answer: No. The third-party Evaluation vendor will be identified and contracted by NYSED.

## ***Salaries Not Specified in RFP***

**Question: What portion of the LEA's (contractor's) supervisor's salary can be allocated to the RFP? Is there a cap?**

Answer: If the supervisor is working directly on the RBERN project, include only the portion of time dedicated specifically to the project on the Cost Proposal Form under Salaries. If the supervisor is performing central administrative functions, include that instead on Indirect Costs on the Cost Proposal form. Bidders should use their approved Indirect Cost rate. Any expenditure for supervision should be reasonable and necessary to complete the scope of the work outlined in the RFP.

## **Program Questions - Regional RBERN**

### ***Deliverable 1.7 Supports Outside RBERN Region***

**Question: Regional RBERNs must provide above supports to all districts and schools within the RBERN region and *may be requested to provide supports to districts and schools outside of the RBERN region as identified by OBEWL*. Should the bidder budget for travel expenses associated with this possibility?**

- **If so, how often might this kind of intervention be expected?**
- **How many Resource Specialists are expected to participate in each out-of-region activity?**

Answer: The amount of outside activity will likely vary by region and cannot be predetermined. As an example of such activity, an RBERN may be asked to provide 2-3 staff members to accompany OBEWL on two-day monitoring visits for districts outside the region.

**Question: Can you provide further details about the commitment required and the limits on the duration of help to other RBERN regions?**

Answer: All RBERN staff will be required to collaborate with staff from other regions and OBEWL on development of deliverables as part of the OBEWL-led strategic planning workgroups (deliverable 3.2). This commitment generally includes 1-2 meetings and about 1 day of additional work to support per month.

Other outside activity will likely vary by region and cannot be predetermined. As an example of such activity, an RBERN may be asked to provide 2-3 staff members to accompany OBEWL on two-day monitoring visits for districts outside the region.

### ***Deliverable 1.10 Data Gathering***

**Question: Is this a formal contract or a relationship where can request the data when we need it?**

Answer: This can be either a formal contract or a relationship with the central data collection center.

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## ***Deliverable 2.4 PRHYLI***

**Question: Deliverable 2.4 PRHYLI: Deliver professional learning opportunities and technical assistance to support districts and schools in implementation of the Puerto Rican/Hispanic Youth Leadership Institute.**

- **This deliverable does not outline specific expectations for PRHYLI trainings as the previous RFP did. The wording implies that districts, not the RBERNs, will be responsible for training students. Furthermore, the PRHYLI RFP describes specific responsibilities of the RBERNs that are not reflected in this RFP (“*The program coordinator, along with the RBERN and NYCDOE delegation leaders, will facilitate a minimum of 30 hours of training per region in preparation for The Angelo Del Toro PR/HYLI.*”). Therefore,**
  - **What are the specific expectations of the regional RBERNs for recruitment and training activities associated with PRHYLI?**
  - **Should budget items for PRHYLI include the following or will those expenses be covered by the statewide PRHYLI contract?**
    - **transportation of students to Albany**
    - **Food for students at regional training sessions**
    - **Costs associated with staff attending PRHYLI trainings and chaperoning the PRHYLI trip**

**Answer: The expectations for the RBERNs concerning PRHYLI are:**

- Participate in planning and facilitating debriefing meetings with PRHYLI staff and statewide trainers and delegation leaders.
- Participate in a minimum of two “Train the Trainer” sessions led by PRHYLI staff.
- Coordinate with PRHYLI staff to select student delegates and chaperones. The regional selection process consists of but is not limited to a complete application, resume, HS transcripts, and letters of recommendation.
- Partner with PRHYLI staff and NYCPS to facilitate a minimum of 30 hours of training per region in preparation for The Angelo Del Toro PRHYLI. The RBERN has discretion to determine the training site.
- Provide food for students at the regional training sessions.
- Provide staff to serve as chaperones at the annual Angelo Del Toro PRHYLI Institute in Albany.
- Provide bus transportation for all participating students to and around the Capital Region for PRHYLI weekend.

## ***Deliverable 2.5 Supporting OBEWL programs***

**Question: To clarify whether other partnerships to support SIFE are acceptable in addition to those outlined in 2.5.**

**Answer: Yes, other partnerships to support SIFE are acceptable.**

## ***Deliverable 2.6 Translators/Interpreters***

**Question: “... Maintain an electronic directory of trained translators and interpreters...”**

- **What is the criteria for a “trained” translator/interpreter?**
- **Does NYSED have a definition of “trained” as it pertains to translators/interpreters?**
- **Is there a certification program or certifying agency for translators/interpreters?**
- **Are the Regional RBERNs expected to develop a training program for translators/interpreters?**

**Answer: A trained translator is someone who has acquired the necessary skills to accurately translate written text from one language to another, including proficiency in both languages, cultural understanding, and**

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expertise in specific subject areas relevant to their translation work, often through dedicated training programs or certifications. RBERNs are not expected to develop a training program for translators/interpreters.

### ***Deliverable 2.8 Data***

**Question: What data should the Regional RBERNs request from the RICs? Is there a standard set of data points or information that should be included in the contract? Can an individual RBERN hire an internal evaluator to support regional data collection and analysis as well as supporting statewide reports?**

Answer: Regional RBERNs should gather data that will help inform their work with their schools. If an RBERN determines that hiring an internal evaluator to support regional data collection and analysis and statewide reporting is necessary, this should be included in the proposal.

### ***Deliverable 3.2 - Strategic Planning Groups***

**Question: How many strategic planning workgroups will Regional RBERN staff be expected to participate in? Will there be travel costs associated with participating in strategic planning groups?**

Answer: Each Regional RBERN staff member is expected to participate in one strategic planning workgroup per year.

There are no additional travel costs associated with participating in these groups. The Strategic Planning Groups may meet in person as part of the agenda for the two statewide meetings already included in the RFP. All other meetings of the Strategic Planning Groups are virtual.

### ***Deliverable 4.1 Comprehensive ELL Education Plan (CEEP)***

**Question: How many CEEP reviews per year? Says OBEWL responsible for final approvals and direct communication to districts and schools re: approval or re: whole process?**

Answer: The number of CEEP reviews varies based on the number of school districts in each region. OBEWL is responsible for all communication to the districts regarding their CEEP submissions during the review process.

### ***Deliverable 4.2 - School Monitoring Visits***

**Question: In order to budget for possible travel costs, how many Resource Specialists will be expected to participate per visit?**

Answer: In general, two resource specialists from each RBERN are expected to participate in each visit.

### ***Minimum Staffing Guidelines Additional Staff***

**Question: Can RBERN include support staff and clerical staff person in addition to the minimum hiring requirements?**

Answer: Yes, RBERNs can include support staff and clerical staff in addition to the minimum hiring requirements. Clerical and/or support staff positions are allowed to be included but would need to be reasonable and necessary to complete the scope of work outlined in the RFP.

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## ***Minimum Staffing Guidelines Executive Director***

**Question: Can you clarify the expectations for the Executive Director's role in managing all aspects of the program?**

Answer: The Executive Director is the supervisor of staff within the RBERN and is expected to coordinate planning with OBEWL and leadership of BOCES or IHE which houses the RBERN.

**Question: The RFP specifies that the Executive Director must work full-time on a 12-month schedule and act as the primary regional liaison with OBEWL staff. Could you provide additional details regarding the following:**

### **1. Program Management Responsibilities:**

- **What are the specific duties involved in managing "all aspects" of the program?**
- **Does this include authority over hiring, decision-making, budget oversight, staffing, and daily operations?**
- **What level of autonomy does the Executive Director have to ensure program deliverables are met?**

Answer: The Executive Director is the supervisor of staff within the RBERN and is expected to coordinate planning with OBEWL and leadership of BOCES or IHE which houses the RBERN. Authority over hiring, decision-making, budget oversight, and daily operations is a decision of the holder of the contract. OBEWL must review budget decisions to ensure consistency with the approved budget.

### **2. Role as Primary Regional Liaison:**

- **What are the key expectations in collaborating with OBEWL staff?**
- **Does this role extend beyond communication and reporting to include facilitating regional initiatives, addressing compliance issues, or coordinating professional development?**

Answer: The RBERN is expected to collaborate with OBEWL and its staff to ensure the successful delivery of the RFP deliverables including Professional Learning, Technical Assistance, Strategic Planning and Resource Development, Monitoring and Compliance, and Partnership.

### **3. Addressing Regional Issues and Needs:**

- **How will the Executive Director's efforts in identifying and resolving regional issues or professional development needs be evaluated?**
- **Are there specific metrics or deliverables tied to this responsibility?**

Answer: OBEWL will engage an independent vendor to evaluate the work of the RBERNs.

### **4. Barriers Created by the LEA:**

- **If the assigned LEA creates barriers or obstacles that hinder the program's success or the Executive Director's ability to fulfill their role, what systems or protocols are in place to address and resolve these challenges?**

Answer: Authority over hiring, decision-making, budget oversight, and daily operations is a decision of the holder of the contract. It is expected that the holder of the contract will have systems and protocols in place to address any challenges that may arise.

### **5. Support Structures:**

- **What systems or structures are currently available to support the Executive Director in fulfilling these responsibilities effectively?**

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Answer: Executive Directors participate in one two (2)-day in-person meetings of the full RBERN staff for training, planning, information dissemination, and/or professional development in Albany each year, coordinated by OBEWL, one one-or-two (1-2) day in-person meeting of all RBERN staff, coordinated by the Statewide RBERN, during which all RBERNs will highlight major initiatives and collaborations, one (1) virtual meeting every month and two one- (1) day in-person meetings of the RBERN Executive Directors in Albany each year. Each RBERN is assigned an OBEWL liaison to provide additional support.

### ***Minimum Staffing Qualifications Specialists***

**Question: Is this in addition to the 12-month director? Does this mean we should have at least one 12-month specialist as well? Or does the 20 extra summer days for each specialist that we operate under currently satisfy this requirement.**

Answer: Each RBERN shall ensure that there is at least one Resource Specialist, in addition to the 12-month director, available (either working full-time or serving on-call) to support statewide and regional planning and to provide continued support for NYSED priorities/initiatives during all 12 months of the year.

### **Program Questions - Statewide RBERN**

**Question: The RFP seems to place coordination and approval authority on the statewide RBERN, this can create some unintended consequences, specifically:**

- **How will the statewide RBERN have the capacity to approve all resources from regional RBERNs?**
- **How will NYSED ensure that this additional approval layer by the statewide RBERN does not delay the regional work by the RBERNs?**
- **Why is one RBERN given authority/power over the other RBERNs?**

Answer: The role of the Statewide RBERN is to support the coordination of the work of the regional RBERNs. The Statewide RBERN will coordinate with NYSED to review and revise regional RBERN materials to ensure that all districts and schools receive consistent guidance and information.

### ***Deliverable 1.5 Data Management System***

**Question: Is it accurate to characterize this as a “warehouse” of professional learning content?**

Answer: Yes, this would be accurate.

### ***Deliverable 1.6. Professional Development***

**Question: Does “schools” include school districts?**

Answer: Yes, this includes school districts.

### ***Deliverable 2.1 Annual Plan***

**Question: What is meant by “devote to specific tasks”? Does tasks refer to deliverables?**

Answer: Yes, tasks refers to the deliverables.

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## ***Deliverable 1.4 & 2.4 RBERN ON Demand and Statewide RBERN website***

**Question:** Is it expected that the Statewide RBERN will maintain two websites - one for the Statewide RBERN and the other for RBERN On Demand? Can the two sites be combined to streamline information and reduce costs?

Answer: Yes, the two sites can be combined to streamline information and reduce costs.

## ***Deliverable: 3.1.2 ELL Civil Rights Complaint Telephone Hotline and Website***

**Question:** “During business hours of 9 AM to 4 PM from Monday through Friday, calls in the top five (5) languages spoken in the State and any other language for which the Statewide RBERN has internal language capacity must be answered by a live Statewide RBERN staff member, *as available*.”

- Does “as available” imply that if the top five languages are not on staff, that the protocol described in Deliverable 3.1.3 is allowable during business hours? (*Deliverable 3.1.3: For times in which a live staff member is unavailable, including off hours, and for languages in which the Statewide RBERN does not have internal staff capacity, calls will be recorded and provided to a translation service within two business days.*)
- It is unclear how it would be possible to meet this requirement if the mandatory staffing is only 4 FTE with 2 P/T?

Answer: Yes, “as available” implies that if the top five languages are not on staff, the protocol described in deliverable 3.1.3 is allowable during business hours.

## ***Deliverable 3.1 ELL Parent Hotline***

**Question:** Would it be permissible to use AI for live translation?

Answer: Any system would need to first be reviewed and approved by NYSED to ensure that it is of sufficient quality and that it complies with Education Law 2-d, among other potential criteria.

## ***Deliverable 3.1.7 & 3.2.3 ELL Civil Rights Complaint Telephone Hotline and Website***

**Question: RE:** “All responses to complaints will include interpretation or translation as needed, either via the RBERN’s internal language capacity or *via use of a certified interpreter or translator*.”

- What constitutes a “certified interpreter or translator”? Who is the certifying agency?

Answer: This would be a trained translator, someone who has acquired the necessary skills to accurately translate written text from one language to another, including proficiency in both languages, cultural understanding, and expertise in specific subject areas relevant to their translation work, often through dedicated training programs or certifications.

## ***Deliverable 3.2.1 ELL Civil Rights Complaint Telephone Hotline and Website***

**Question:** Please define “resolve”.

Answer: “Resolve” in this instance indicates that the response addresses the complaint or request to the RBERN’s full ability or that it has been referred to NYSED for further support.



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## ***Deliverable 4.3 Trained Translators/Interpreters***

**Question: What constitutes “trained”? Is there a certification program? Is the Statewide RBERN expected to train translators/interpreters across the State?**

Answer: A trained translator is someone who has acquired the necessary skills to accurately translate written text from one language to another, including proficiency in both languages, cultural understanding, and expertise in specific subject areas relevant to their translation work, often through dedicated training programs or certifications. The Statewide RBERN is not expected to train translators/interpreters across the state.

## ***Deliverable 5.1 Meeting Coordinated by Statewide RBERN***

**Question: Will this meeting take place in Albany, or can it be hosted in other regions?**

Answer: The meeting does not need to take place in Albany. The location will be determined by the Statewide RBERN, in consultation with OBEWL.