

REQUEST FOR APPLICATIONS (RFA)

**District of Columbia
Office of the Deputy Mayor for Education**



2020 Uniform Per Student Funding Formula (UPSFF) Study Grant

RFA Release Date

Monday, August 12, 2019

Pre-proposal Meeting Date

Wednesday, August 28, 2019

Application Submission Deadline

Friday, September 13, 2019

**APPLICATION CHECKLIST
2020 UPSFF STUDY GRANT**

- Five (5) hard copies of the application (3-ring bound) and one (1) electronic copy emailed to kevin.wenzel@dc.gov (all documents must be combined into one PDF file). The electronic copy may also be submitted on a flash drive. If the Applicant fails to submit five (5) hard copies and one (1) electronic copy in one PDF File, the application **will not** be reviewed.
 - The hard copies of the application must be delivered to: Kevin Wenzel, Office of the Deputy Mayor for Education, 1350 Pennsylvania Ave. NW, Suite 307, Washington, DC 20004. **Applications received at or after 5:01 p.m. EST, on Friday, September 13, 2019, will not be reviewed.**
 - Applicants will not be allowed to assemble application materials on the premises of the Office of the Deputy Mayor for Education (DME). Applications must be ready for receipt by the DME.
 - The electronic application must be in PDF format, combined into one file, and named as follows: [Organization Name - 2020 UPSFF Study RFA.pdf](#).
 - The applicant should respond to all sections of the Request for Applications (“RFA”) and the application should contain all of the requested information and attachments, as described in Section 4 of the RFA.
- Signed Application Cover Sheet.
- Proposal Narrative (not to exceed 10 pages).
- Proposed Budget with Narrative.
- If a 501(c)(3) organization, a valid 501(c)(3) designation letter from the Internal Revenue Service, documenting the organization or the fiscal sponsor’s tax exempt status as a non-profit organization, if applicable.
- A DC Clean Hands Certificate from the DC Office of Tax and Revenue showing the Applicant and/or fiscal sponsor is in good standing, if applicable, dated January 1, 2019 or later.
- A Certificate of Good Standing from the DC Department of Consumer and Regulatory Affairs showing that the Applicant and/or fiscal sponsor is in good standing, if applicable, current to within 60 days of the application submission.
- Evidence of Community Support – evidence of support from at least two community

organization(s), school(s), funder(s), or other entities familiar with the services provided by the Applicant.

SECTION 1: GENERAL INFORMATION

1.1 Introduction

The District's Uniform Per Student Funding Formula (UPSFF) was first implemented in the 1999-2000 school year, following the passage of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*), and is intended to be the mechanism to provide local funding for students in all Local Educational Agencies (LEAs). The funding formula is based on enrollment and sets forth a minimum foundational level required to adequately fund education; for the 2019-20 school year (FY20) the foundation level will be \$10,980 per student.

The formula also provides funding weights to support costs associated with:

- Grade levels;
- Students with disabilities;
- Limited English proficiency (LEP)/English language learners;
- At-risk status; and
- Students in alternative, adult, and residential schools.

In addition to the foundational funding level and percentage add-ons for particular student characteristics, the formula also provides funding to cover capital facilities costs at public charter schools on a per pupil basis. For the 2019-20 school year the facilities allotment rate will be \$3,335 for non-residential facilities and \$9,093 for residential facilities. Since its inception, the funding formula has been periodically revised, with funding categories added or removed, and funding levels adjusted.

Per D.C. Official Code § 38-2911(a)(2), the Office of the State Superintendent (OSSE) convened a working group in 2018 with representatives of DC Public Schools (DCPS), DC public charter schools, DC Public Charter School Board (PCSB), the public, and government representatives to solicit input and recommendations regarding revisions to the Formula. The final report compiled by the Office of the Deputy Mayor for Education (DME) and OSSE, with recommendations from the UPSFF Working Group members regarding revisions to the Formula, is available on the OSSE website at the following:

https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/UPSFF%20Working%20Group%20Report.pdf

This group met monthly between August 2018 and January 2019 and reviewed Washington, DC UPSFF and education budgeting policies, the 2013 comprehensive education adequacy study, *Cost of Student Achievement: Report of the DC Education Adequacy Study* (Adequacy Study), national research, examples from other jurisdictions, data on at-risk concentration and funding, and the academic achievement of various funded subgroups: at-risk students, English language learners, and students with disabilities. The Working Group's focus areas and recommendations provided the guidance, in part, to solicit this 2020 UPSFF Study.

Membership, meeting notices, presentations and notes for these meetings are available on the OSSE website at this location:

<https://osse.dc.gov/page/2018-19-uniform-student-funding-formula-upsff-working-group>

The District of Columbia, by and through the Office of the Deputy Mayor for Education (DME), is soliciting grant applications from organizations to conduct a study of the UPSFF: the 2020 UPSFF Study Grant (“Grant”). The Grant is a one-time grant of operating funds not to exceed \$300,000. The funds were allocated by the Mayor and approved by the Council of the District of Columbia pursuant to section 4032(a) of the Fiscal Year 2020 Budget Support Act of 2019 (B23-209) “for a study of the uniform per student funding formula as recommended by the February 1, 2019 report of the Uniform Per Student Funding Formula Working Group.” This study serves an important public service to the District and must provide forward-thinking, strategic recommendations to help shape the future direction of the UPSFF, while evaluating several key components of the formula as currently implemented. The study must also take into account the ever-changing shifts in education and instruction that will be necessary to ensure that DCPS and DC Public Charter School students graduate ready for college and a career.

1.2 Grant Award

A total of \$300,000 is available for award through the 2020 UPSFF Study Grant. Award amounts can range from \$200,000 to \$300,000. The Grant award will be made for a period of up to one (1) year, provided that the grantee successfully meets its performance objectives, which will be articulated to grantees via a Performance Agreement that will be executed between the grantee and the DME prior to the disbursement of any grant funds. The report timeline is further described in Section 3.2.

1.3 Eligibility

An Applicant applying for the 2020 UPSFF Study Grant is subject to the following criteria to be eligible to apply under this RFA:

- A qualified organization providing consulting and/or evaluation services related to state-level, local-level, and/or LEA-level education funding formulas. Applicants must have a demonstrated track record of completing studies similar to what is proposed in response to this RFA.
- Non-profit Applicants must verify their non-profit status by submitting a valid 501(c)(3) designation letter from the Internal Revenue Service, documenting the organization or the fiscal sponsor’s tax exempt status as a non-profit organization.
- Applicants must submit a recent DC Clean Hands Certificate (dated January 1, 2019 or later) from the DC Office of Tax and Revenue showing the organization and/or fiscal sponsor is in good standing. The application for this form can be found at <https://otr.cfo.dc.gov/page/online-clean-hands-application>.
- Applicants must submit a Certificate of Good Standing from the DC Department of Consumer and Regulatory Affairs (“DCRA”). The Certificate shall be current to

within 60 days of the application submission. The Certificate of Good Standing application can be found at <https://corponline.dcr.dc.gov/>.

- Applicant must demonstrate prior experience and success with planning studies similar to what is proposed in response to this RFA.
- Each submission to this RFA should include the following:
 - Applicant's primary Point of Contact (POC) and legal address; and
 - Brief organizational description (i.e. corporation, non-profit or charitable institution, partnership, LLC, etc.) and under which laws it is operating.

1.4 Permissible Use of Grant Funds

Grantees may only use grant funds for allowable grant project expenditures during the grant award period.

SECTION 2: SCHEDULE

2.1 RFA Release

The release date of the RFA is **Monday, August 12, 2019**. The RFA is available on-line at www.dme.dc.gov.

2.2 Contact Person

Applicants are advised that the authorized contact person for all matters concerning this RFA is:

Kevin Wenzel
Office of the Deputy Mayor for Education
1350 Pennsylvania Ave. NW, Suite 307
Washington, DC 20004
kevin.wenzel@dc.gov

Applicants should direct all questions regarding this RFA by email to the contact person listed above.

2.3 Pre-proposal Meeting

A pre-proposal meeting will be held on **Wednesday, August 28, 2019** from 1:00-3:00 p.m. in order to answer questions regarding this RFA at the Office of the Deputy Mayor for Education, 1350 Pennsylvania Avenue NW, Suite 307, Washington, DC, 20004. Interested parties must contact Kevin Wenzel (kevin.wenzel@dc.gov) in order to RSVP for this meeting by **Monday, August 26, 2019**. If a prospective Applicant would like specific questions related to the RFA to be addressed during the pre-proposal meeting, please submit them to Kevin Wenzel by **Monday, August 26, 2019**. Meeting materials and answers to submitted questions will be posted on the DME website (www.dme.dc.gov) by **Friday, August 30, 2019**.

2.4 Application Deadline

Applications are due on **Friday, September 13, 2019** by 5:00 pm and must be delivered to Kevin Wenzel at the address provided above.

2.5 Updates

Information and updates regarding this RFA will be made available on-line at www.dme.dc.gov.

2.6 Timetable for Evaluation and Award

The District will endeavor to follow the timetable set forth below; however, the activities and timetable represented below are subject to change at the District's sole discretion and without prior notice:

Issuance of RFA:	Monday, August 12, 2019
Pre-proposal meeting:	Wednesday, August 28, 2019

Applications Due:
Award Issued:

Friday, September 13, 2019
October 2019

SECTION 3: SCOPE OF PROGRAM

3.1 Program Scope

The purpose of the grant is to provide a study on the Uniform Per Student Funding Formula (UPSFF), to include the evaluation of four key funding formula areas:

1. **At-Risk Adequacy:** the adequacy of the current at-risk weight, both in absolute terms and with analysis of any interaction effects between at-risk characteristics;
2. **At-Risk Concentration:** school-level concentration effects of high numbers of at-risk students;
3. **Foundation Level Cost Drivers:** the underlying cost drivers of the foundation level; and
4. **English Language Learners (ELL) Weight Structure:** the structure of the current ELL weight.

Details for each key funding formula area follow below. The study must answer all of the below questions embedded within each of the four key funding formula areas, and be separated into two report delivery phases, as detailed in Section 3.2. Each report phase should provide analysis, options for consideration, recommendations, the proposed pros/cons for each recommendation, including associated cost analyses, and an executive summary. The District's 2013 comprehensive education adequacy study, [Cost of Student Achievement: Report of the DC Education Adequacy Study](#) ("Adequacy Study") should be used to help inform this 2020 UPSFF Study. The study should encompass a time horizon of at least five years, with a longer look at some issues as necessary, and as a result, future enrollment assumptions will need to be developed for all relevant UPSFF components.

While the questions below should serve as a guide, the Grantee may also explore other relevant recommendations regarding the four key funding formula areas. More background information, including links to the 2018 UPSFF Working Group Report, meeting materials, and the Adequacy Study is available in Section 1.1 of this document.

REPORT PHASE ONE

Applicable Funding Formula Areas

1. At-Risk Weight Adequacy

The first key funding formula area, At-Risk Weight Adequacy, refers to questions about the at-risk definition as implemented in the formula and its associated funding level(s). First implemented in FY15, the at-risk weight applies to students in at least one of five at-risk characteristic categories:

- Students who are in foster care;
- Students who are homeless;
- Students who live in low-income families eligible for TANF;
- Students who qualify for SNAP; or
- A high school student who is one year older, or more, than the expected age for the grade in which the student is enrolled.

Currently, at-risk funding is provided on a binary basis: students who meet at least one of the five categories above receive the at-risk allocation, and students who meet none of the categories do not. Further, students currently only receive one at-risk allocation amount, regardless of the number of at-risk characteristics a student demonstrates. The DME is interested in understanding if there are additional ways to provide funding to our "most" at-risk students, including funding students with multiple characteristics.

- At-Risk Weight Adequacy Scope Questions
 - Should the UPSFF include a funding weight based on higher relative need for certain characteristics?
 - Which characteristics should be considered for additional funding?
 - How much more funding is recommended?
 - Should the UPSFF include a funding weight for students with multiple at-risk characteristics, or more than one at-risk characteristic?
 - Which combinations of characteristics should be considered for additional funding?
 - How much more funding is recommended?
 - What is the updated "adequate" weight target for the 5-characteristic at-risk weight implemented since FY15, as opposed to the 3-characteristic at-risk weight considered by the 2013 Adequacy Study?

2. At-Risk Concentration

The second key funding formula area, at-risk concentration, refers to questions about the share of at-risk students at a given school. At-Risk funding, like all other UPSFF funding, is distributed to the LEA and then distributed by the LEA to its school(s); this study section contemplates providing LEAs additional funding based on a school-level at-risk share characteristic. Over the course of the 2018 UPSFF Working Group meetings, the group considered several options, all centered on a not-yet determined "tipping point" of school-level at-risk "concentration," including a model by which once a school hit that determined tipping point, the school would receive funding at a level of 100 percent at-risk for their school (similar to how the federal Community Eligibility Provision is implemented for the school lunch program). The group further considered an additional concentration weight for all schools above a certain tipping point threshold allocated on top of the "status quo" at-risk weight at the individual student level. The DME is interested in understanding if there are additional ways to provide funding to schools with high concentrations of at-risk students, what the appropriate tipping point threshold(s) would be, and how best to implement any new funding.

- At-Risk Concentration Scope Questions
 - Should the UPSFF include a funding weight for school-level at-risk concentration (i.e. funding students in schools with a higher at-risk concentration more than students in schools with a lower concentration)?

- What should the “tipping point” of concentration be? Should there be multiple tipping points? What is the appropriate level of additional funding for each tier, relative to the current at-risk weight?
- What is the impact for schools that fall just below the tipping point(s)?
- Are there unintended consequences to implementing a school-level at-risk concentration weight, specifically any that may exacerbate at-risk concentration?
- What are the benefits and deterrents of various implementation mechanisms for the additional funding (i.e. a Community Eligibility Provision for at-risk students, an additional student-level “at-risk concentration” weight, etc.)?

REPORT PHASE TWO

Applicable Funding Formula Areas

3. Foundation Level Cost Drivers

The third key funding formula area, the foundation level, refers to questions about the cost drivers experienced by LEAs, and their impact on the amount of funding per weighted student needed to provide adequate regular education services. The foundation level flows through the UPSFF weights, resulting in higher allocations for students with higher associated formula weights (e.g. a high school student’s grade level weight of 1.22 generates 122% of the foundation level amount). While UPSFF enrollment projections account for additional LEA revenue necessary for enrollment increases, the foundation level is the primary lever used to cover increasing personnel costs, new school-based initiatives, and other anticipated LEA operational costs. The purpose of this section of the study will be to collect and analyze actual LEA cost information to identify the primary cost drivers addressed by the UPSFF foundation level.

- Foundation Level Cost Drivers Scope Questions
 - What are the actual cost drivers experienced by LEAs operating in the District of Columbia, and what cost increases should we anticipate over the next five fiscal years, and at which cadence? How should the UPSFF take these costs into account (i.e. changes to the foundation level, changes to weights, or both)?
 - How do personnel costs differ across schools and LEAs? How can the UPSFF be managed across various schools and LEAs?
 - How do cost drivers differ for various school models (i.e. dual-language schools, schools with CTE programs, and dual-enrollment schools)? How can the UPSFF be managed across these various school models?

4. ELL Weight Structure

The fourth key funding formula area, the English Language Learner (ELL) weight, refers to

questions on the weight designed for students in need of ELL services. Similar to the at-risk weight, the ELL weight distributes a single, undifferentiated allocation for those students requiring ELL services. The DME is interested in understanding if there are additional ways to structure the ELL weight.

- ELL Weight Structure Scope Questions
 - Should the English Language Learner weight be tiered, reflecting differing costs by service needs, and along what line of differentiation (i.e. age, newcomer status, WIDA ACCESS level, etc.)?
 - What is the appropriate proportion of additional funding for each recommended tier, relative to the current ELL funding weight?

3.2 Report Timeline

Given the development of the District's FY21 budget beginning in October 2019, the partner's report will need to be delivered to the DME on the following timeline:

- By Friday, January 10, 2020: Report Phase One (At-Risk Weight Adequacy and At-Risk Concentration, as detailed in Section 3.1)
- By Friday, February 7, 2020: Report Phase Two (Foundation Level Cost Drivers and ELL Weight Structure, as detailed in Section 3.1)

While the final drafts of the report phases must be delivered by the dates detailed above, the DME will continue to monitor the grant recipient through bi-weekly, hour-long check-ins through April 2020. This monitoring period may include further collaborative edits to the drafts as delivered by the dates above.

SECTION 4: APPLICATION CONTENT

4.1 Description of Application Content

Three-Ring-Bound Hard Copies – The Applicant has responded to all sections of the RFA and the Three-Ring-Bound hard copies contain all the information and attachments requested.

The cover of the Three-Ring-Bound Hard Copies must clearly display the following: 1) **Application in Response to 2020 UPSFF Study RFA** and 2) the **Applicant's Name**. The Three-Ring-Bound Hard Copies must contain all of the following with the requested information.

- Signed Application Cover Sheet
- Tab One: Executive Summary
- Tab Two: Table of Contents
- Tab Three: Required Qualifications
- Tab Four: Proposal Narrative
 - Program Description
 - Applicant's Proven Excellence
- Tab Five: Proof of Ability to Conduct Study
- Tab Six: Board Governance or Corporate Structure & Key Staff
- Tab Seven: Detailed Budget with Narrative and Proposed Uses of the Grant Funds
- Tab Eight: Timeline
- Tab Nine: Required Appendices
- Tab Ten: Additional Appendices (as determined by Applicant and/or the DME)

4.2 Description of Application Sections

The purpose and content of each section is described below. Applicants should include all information necessary to adequately describe the proposed project.

4.2.1 Tab One – Executive Summary

The Applicant must use this section to: 1) provide a brief background and history of the organization, 2) describe the organization's qualifications for conducting a funding formula study, 3) name a minimum of two (2) state-level, local-level, and/or LEA-level education agencies for whom the organization has conducted funding formula studies, and 4) the outcomes of those studies or plans.

4.2.2 Tab Two – Table of Contents

The Table of Contents should list major sections of the application with a quick reference page index.

4.2.3 Tab Three – Required Qualifications

The Applicant must meet the following criteria in order to be considered for this grant:

- Must have experience completing funding formula studies for a minimum of two (2) educational agencies (state-level, local-level, and/or LEA-level) within the past ten (10) years or less from the date of advertisement.
- Must have experience completing a funding formula study for a state-level, local-level, and/or LEA-level agency serving at least 50,000 students.

4.2.4 Tab Four – Proposal Narrative

The applicant must demonstrate proof of the quality of its services. Please include the following, in ten pages or less:

- Program Description
 - A detailed description of the organization’s analytic approach(es) to the questions and considerations laid out in Section 3 of this RFA, including:
 - Proposed activities this grant will fund.
 - Key partnerships with other organizations that are central to implementing the proposed activities funded by this grant.
- Proven Excellence
 - Mission and history of organization/program.
 - Qualifications for conducting a funding formula study.
 - Names of a minimum of 2 education agencies for whom the organization has conducted a funding formula study.
 - Outcomes of any funding formula study or plans created.

4.2.5 Tab Five – Proof of Ability to Conduct Study

The following will be required in the study; the Applicant must demonstrate proof of ability to produce the following:

- A review of the UPSFF formula components described in the study scope as currently implemented, as applicable.
- A set of detailed recommendations for the UPSFF formula components described in the study scope, including responses to the questions listed in Section 3 of this RFA.
- Cost Analysis detailed for each potential study finding and/or recommendation.
- Analysis encompassing a time horizon of at least five years with a longer look at some issues as necessary.
- Future enrollment assumptions developed for all relevant UPSFF components.

4.2.6 Tab Six – Board Governance or Corporate Structure & Key Staff

This section is designed to solicit professional bios of all of the staff associated with the proposed project – Board Members or Corporate Structure, and Key Staff. Bios should be of

professional quality and provide enough detail (**one or two paragraphs**) for the District to ascertain the project team's ability to provide high quality services. This section should also include the following:

- An organizational chart or description of key personnel or team members (if a team is proposed) who will be working on the project including a description of their roles and relevant experience;
- Name, address, telephone number, and e-mail address of each team member, including the identity of each principal, partner, or entity that composes such team member;
- Legal status of each key team member, including the state under whose laws the organization/corporation is organized and operating.
- Previous experience for each team member delivering the types of services that such team members will be providing; including at least two professional references;
- A description of comparable project(s) and documentation, where available, detailing aspects of the previous projects that make it comparable to the Applicant's submission;
- Applicants should provide any other such other information Applicants believe will assist the District in evaluating the capabilities of the Applicant and any other team members who will participate in the project.
- Full disclosure of any personal or professional relationship among or between the Applicant and any team members and any person working for, appointed to a position in, or elected to an office of the District of any entity for which there may be conflict. The District, in its sole discretion, reserves the right to determine a conflict of interest or the appearance thereof.
- Applicant must provide a certification from each Applicant team member:
 1. Noting any debarments, suspensions, bankruptcy, or loan defaults on real estate development projects and/or government contracts of any team member;
 2. Stating that all tax liabilities and other government impositions are current;
 3. Stating that there is no ongoing litigation in which the District is a party that relates to any team member or to any other entity or individual having a controlling interest in the team member (or, if such litigation exists, the name and civil action numbers of such litigation and a description of the subject matter of such litigation); and
 4. Providing the names of any member, employee, or agent of the team member who, within three (3) years prior to the publication of this RFA, were District employees, consultants, or contractors to the District.

NOTE: If a related entity provides management support, bios on key individuals for that organization are also required.

4.2.7 Tab Seven – Proposed Budget and Budget Narrative

The Applicant must submit a complete proposed budget, along with a detailed description of the proposed use of funds.

4.2.8 Tab Eight – Timeline

Any submission to the RFA must include a timeline by which the Applicant proposes to complete required sections of the 2020 UPSFF Study, including the following parameters:

- October 1, 2019, or award date: Beginning of the study;
- January 10, 2020: Delivery of Report Phase One; and
- February 7, 2020: Delivery of Report Phase Two.

4.2.9 Tab Nine – Required Appendices

- Appendix 1 – Articles of Incorporation
- Appendix 2 – Audited Financial Statements (most current fiscal year)
- Appendix 3 – If a 501(c)(3) organization, a valid 501(c)(3) designation letter from the Internal Revenue Service.
- Appendix 4 – DC Clean Hands Certificate from the DC Office of Tax and Revenue (OTR) dated January 1, 2019 or later.
- Appendix 5 - Certificate of Good Standing from DC Department of Consumer and Regulatory Affairs (DCRA) current to within 60 days of the application submission.
- Appendix 6 – Letters of Endorsement or Recommendation for state-level, local-level, and/or LEA-level education agencies for whom the applicant has conducted funding formula studies.
- Appendix 7 – Commitment letters from Key Partners referred to in the Proposal Narrative
- Appendix 8 – Affidavit of No Conflict (per Section 7.2 of this RFA)

4.2.10 Tab Ten – Additional Appendices

To be provided as deemed necessary by the applicant and/or the DME.

SECTION 5: REVIEW PANEL AND APPLICATION SCORING

5.1 Review Panel

The 2020 UPSFF Study will be completed through a competitive process. A Review Panel for the grant will be convened to review, score, and rank each Applicant's proposal. The Review Panel for this RFA will be composed of neutral, qualified professional individuals who have been selected for their relevant experiences. All evaluation and award decisions are final, with no review or protest.

5.2 Scoring Rubric/Evaluation Criteria

Please see chart below for evaluation criteria.

2020 UPSFF Study Evaluation Criteria <i>(A maximum of 100 points will be awarded.)</i>
The organization meets required qualifications and experience guidelines <i>(40 points max)</i>
The proposal demonstrates the organization's ability to meet the described goals and objectives of the study <i>(45 points max)</i>
The budget outlines a strong financial plan to maximize the use of funds <i>(10 points max)</i>
The timeline commits to deliver the report phases within the required parameters <i>(5 points max)</i>

SECTION 6: GENERAL PROVISIONS

6.1 Monitoring & Reporting

Upon award of the 2020 UPSFF Study Grant, DME will be primarily responsible for monitoring the terms of the Grant Performance Agreement and for reviewing and approving requests for reimbursement (see Section 6.5 on payments below). At any time or times before final payment and five (5) years thereafter, the District may have the Grantee's expenditure statements and source documentation reviewed. DME will monitor the grant recipient through bi-weekly, hour-long check-ins from the date the award is issued through April 2020. Check-ins may occur in-person at the DME office or virtually via video conference call. The specific schedule for check-ins and submission of reports will be included in the Grant Performance Agreement, to be agreed upon by DME and Grantee after award.

6.2 Nondiscrimination in the Delivery of Services

In accordance with the D.C. Human Rights Act of 1977, as amended, (D.C. Law 2-38, D.C. Official Code §§ 2-1401.01 et seq.), it shall be an unlawful discriminatory practice for a District government agency or office to limit or refuse to provide any facility, service, program, or benefit to any individual on the basis of an individual's actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, disability, matriculation, political affiliation, source of income, or place of residence or business. Additionally, all benefits or advantages issued by or on behalf of the government of the District of Columbia pursuant to this RFA and subsequent 2020 UPSFF Study Grant requires, and is conditioned upon, full compliance with the provisions of the D.C. Human Rights Act and failure or refusal to comply with any provision of the Act is a basis for revocation of such benefit or advantage.

6.3 Document Retention

Recipients and sub-recipients of these funds are required to maintain complete documentation of grant activities including financial records, supporting documents, statistical records, and all other records pertinent to this award for a period of three years from the end date of the program period to ensure that such documentation is available to the DME and/or other authorized entities for review, upon request.

6.4 Audits

At any time or times before final payment and five (5) years thereafter, the District may have the applicant's expenditure statements and source documents audited.

6.5 Payments

Awardees will receive an advanced payment of 50% of total grant amount within 30 days of the executed Performance Agreement, an interim payment of 25% for Report Phase One, and a final payment of the remaining 25% for Report Phase Two. Payment amounts, dates, and report requirements will be specified in the Performance Agreement.

SECTION 7: RESERVATION OF RIGHTS AND MISCELLANEOUS PROVISIONS

7.1 Rights Reserved

The District reserves the right to:

- Cancel or withdraw the RFA at any time prior to or after the submission deadline;
- Issue modifications or clarifications to the RFA prior to the submission deadline;
- Reject any application it deems incomplete or unresponsive to the submission requirements;
- Reject all applications that are submitted under the RFA;
- Modify the deadline for submissions or other actions; and/or
- Reissue the RFA or a modified RFA whether or not any applications have been received in response to the initial RFA issuance.

The District may exercise one or more of these rights, in its sole discretion, as it may deem necessary, appropriate, or beneficial to the District.

7.2 No Conflicts of Interest

In its response to this RFA, the Applicant should represent and warrant the following to the District:

- No person or entity employed by the District or otherwise involved in preparing this RFA on behalf of the District (i) has provided any information to potential Applicants which was not made available to all entities potentially responding to this RFA, (ii) is affiliated with or employed by or has any financial interest in any potential Applicant, (iii) has provided any assistance to potential Applicant in responding to this RFA, or (iv) will benefit financially if any Applicant is selected in response to this RFA.
- The Applicant has not offered or given to any District officer or employee any gratuity or anything of value intended to obtain favorable treatment under this RFA or any other solicitation or other contract, and Applicant has not taken any action to induce any District officer or employee to violate the rules of ethics governing the District and its employees. Applicant has not and shall not offer, give or agree to give anything of value either to the District or any of its employees, agents, job shoppers, consultants, managers or other person or firm representing the District, or to a member of the immediate family (*i.e.*, a spouse, child, parent, brother or sister) of any of the foregoing. Any such conduct shall be deemed a violation of this RFA. As used herein, "anything of value" shall include but not be limited to any (a) favors, such as meals, entertainment, transportation (other than that contemplated by this RFA, if any, or any other contract with the District), etc., which might tend to obligate a District employee to Applicant, and (b) gift, gratuity, money, goods, equipment, services, lodging, discounts not available to the general public, offers or promises of employment, loans or the cancellation thereof, preferential treatment or business opportunity. Such term shall not include work or services rendered pursuant to any other valid District contract.

- The Applicant shall report to the District directly and without undue delay any information concerning conduct which may involve: (a) corruption, criminal activity, conflict of interest, gross mismanagement or abuse of authority; or (b) any solicitation of money, goods, requests for future employment or benefit of thing of value, by or on behalf of any government employee, officer or public official, any Applicant employee, officer, agent, subcontractor, or labor official, or other person for any purpose which may be related to the procurement of this RFA by Applicant, or which may affect performance in response to this RFA in any way.

7.3 Change in Applicant Information

If information provided in a submission changes (*e.g.*, change or addition to any of the Applicant's team members or new financial information) the Applicant shall provide updated information in the same format for the appropriate section of the RFA and the District may consider the modified submission.

7.4 Ownership and Use of Submissions

All submissions shall be the property of the District. The District may use any and all ideas in any submission, whether the submission is selected or rejected. No Applicant shall be entitled to compensation or reimbursement of costs in connection with their submission of a response to this RFA.

7.5 Further Efforts

The RFA Review Panel may request that Applicants clarify their submissions and/or submit additional information pertaining to their submissions; the RFA Review Panel may request best and final submissions from any Applicant and/or request an oral presentation from any Applicant.

7.6 Restricted Communications

Upon release of this RFA, potential Applicants shall not communicate with the Review Panel or any District staff about the RFA or issues related to the RFA except as authorized in this RFA.

7.7 Confidentiality

Submissions and all other information submitted in response to this RFA are subject to the District's Freedom of Information Act (D.C. Official Code § 2-531 *et seq.*) ("FOIA"), which generally mandates the disclosure of documents in the possession of the District upon the request of any person, unless the content of the document falls within a specific exemption category. An example of an exemption category is "trade secrets and commercial or financial information obtained from outside the government, to the extent that disclosure would result in substantial harm to the competitive position of the person from whom the information was obtained." If an Applicant provides information that it believes is exempt from mandatory disclosure under FOIA ("exempt information"), the Applicant shall include the following legend on the title page of the submission:

THIS PROPOSAL CONTAINS INFORMATION THAT IS EXEMPT FROM MANDATORY DISCLOSURE UNDER THE DISTRICT'S FREEDOM OF INFORMATION ACT

In addition, on each page that contains information that the Applicant believes is exempt from mandatory disclosure under FOIA, the Applicant shall include the following separate legend:

THIS PAGE CONTAINS INFORMATION THAT IS EXEMPT FROM MANDATORY DISCLOSURE UNDER THE DISTRICT'S FREEDOM OF INFORMATION ACT

On each such page, the Applicant shall also specify the exempt information and shall state the exemption category within which it believes the information falls. The District will generally endeavor not to disclose information which in the opinion of the District is exempt from disclosure. The District may, in its discretion, contact the Applicant to provide notice that their submission materials have been requested and provide the Applicant with the opportunity to further identify exempt information. The District will independently determine whether any information, whether designated by the Applicant or not, is exempt from mandatory disclosure. The District has the ultimate decision as to whether the information is exempt from disclosure. Moreover, exempt information may be disclosed by the District, at its discretion, unless otherwise prohibited by law, and the District shall have no liability related to such disclosure.

7.8 Non-Liability

By participating in the RFA process, the Applicant agrees to hold the District, its officers, employees, agents, representatives, and consultants harmless from all claims, liabilities, and costs related to all aspects of this RFA.