

RFP Questions and Clarifications Memorandum

To: Vendors Responding to RFP Number 3731 for the Mississippi Board of Cosmetology (BOC)

From: Craig P. Orgeron, Ph.D.

Date: December 20, 2013

Subject: Responses to Questions Submitted and Clarifications to Specifications

Contact Name: Tangela.Harrion

Contact Phone Number: 601-432-8112

Contact E-mail Address: Tangela.Harrion@its.ms.gov

RFP Number 3731 is hereby amended as follows:

1. **Section VII Technical Specifications, Item 2.6 is being modified to read:**

“Vendor’s examinations must either be from a currently developed industry examination or developed by the Vendor and must be legally defensible. Vendor must submit samples of each type of their proposed Written Examinations with their proposal response and explain how it is legally defensible.”

2. **Section VII Technical Specifications, Item 2.6.1 is being added:**

“The samples of the Written Examinations may come from expired/noncurrent or live examinations. The samples must consist of 5 questions from each Examination type (i.e., Cosmetology, Manicurist and Esthetician to include instructor examination.)”

3. **Section VII Technical Specifications, Item 5.3 is being modified to read:**

“Candidate testing must begin on Tuesday, April 1, 2014. Should Vendor believe that this time frame is not acceptable, the Vendor must propose a date for testing to begin. The State reserves the right to reject this proposed time frame.”

4. **Section VII Technical Specifications, Item 7.2.4 is being added:**

“Vendor must describe their process for establishing a new test site to include the amount of time it takes to become fully operational.”

5. Section VII Technical Specifications, Item 7.3.5 is being modified to read:
“Vendor must initially mail the Candidate’s Written Examination results to the Candidate within two weeks of Candidate completing the test. As a follow up, Vendor may email the Candidate’s Written Examination results.”
6. Section VII Technical Specifications, Item 7.3.6 is being modified to read:
“Vendor must initially mail the Candidate’s Written Examination results to the Candidate’s school within 30 days after completing the test. As a follow up, Vendor may email the Candidate’s Written Examination results.””
7. Section VII Technical Specifications, Item 7.3.7 is being added:
“Vendor must describe their process on the frequency of the revisions and/or updates to the Written Examinations and Practicals. Vendor must also state the frequency in which the Written Examinations and Practicals are replaced with new versions.”
8. Section VII Technical Specifications, Item 7.4.5 is being modified to read:
“Vendor must initially mail the Candidate’s Practical results to the Candidate within two weeks of completing their test. As a follow up, Vendor may email the Candidate’s Written Examination results.””
9. Section VII Technical Specifications, Item 7.4.6 is being modified to read:
“Vendor must initially mail the Candidate’s Practical results to the Candidate’s school within 30 days of completing their test. As a follow up, Vendor may email the Candidate’s Written Examination results.””
10. Section VII Technical Specifications, Item 7.4.11.3 is being added:
“Basic Facial w/Steam simulation or Wet Towel simulation”
11. Section VII Technical Specification, Item 7.5.6 is being modified to read:
“Vendor must initially mail the Instructor Candidate’s Practical results to the Candidate within two weeks of completing their test. As a follow up, Vendor may email the Candidate’s Written Examination results.””
12. Section VII Technical Specification, Item 7.5.7 is being modified to read:
“Vendor must initially mail the Instructor Candidate’s Practical results to the Candidate’s school within 30 days of completing their test. As a follow up, Vendor may email the Candidate’s Written Examination results.””

Vendor must include in their proposal a response to each amended requirement as listed above. Vendor must respond using the same terminology as provided in the original requirements.

The following questions were submitted to ITS and are being presented as they were submitted, except to remove any reference to a specific vendor. This information should assist you in formulating your response.

Question 1: 2.2.4 – What is the current cost for candidates retaking portions of the practical exams?

Response: **Currently, there are no set costs for retakes.**

Question 2: 2.2.6 - How many questions must be submitted to qualify as a sample written examination? Are these test items required for each profession?

Response: **Refer to Clarification Numbers 1 and 2 of this Memorandum.**

Question 3: *p. 32, 2.3.1* The current fees in the Candidate Information Bulletin published by Pearson exceed these fee maximums. Is the BOC planning on increasing the fee caps?

Response: **No, the Board does not plan to increase the fee cap.**

Question 4: On page 32 of the RFP, 2.3.1 and 2.3.2, we note that there is a fee cap of \$50 for written examinations and \$75 for practical examination and a cap of \$75 for the written instructor examinations and \$100 for instructor practical examinations. However, we also note that the “current” pricing as indicated in Pearson Vue’s Candidate Handbook is listed at \$65 for written examinations and \$95 for practical examinations. Is this cap mandated by rule, regulation or policy? Would the State consider lifting these caps if not mandated in order for potential vendors to be able to submit an effective, responsive proposal?

Response: **The fee cap is not mandated by rule, regulation or policy. However, the Board set this fee schedule and does not plan to lift the caps.**

Question 5: *p. 32, 2.6* If a currently developed industry examination is used, is the BOC willing to accept the content outlines, cut scores, etc. (based on a national job analysis and legally defensible) in lieu of the specifications listed later in this RFP?

Response: **No, the Board will not accept any content other than what has been specified in the RFP.**

Question 6: Section VII - Technical Specifications, paragraph 2.6 (page 32). This paragraph requires vendors to "submit a sample of their proposed Written examination with their proposal response." Due to the secure and confidential nature of live examination items, and in light of Section III - Vendor Information, paragraph 3 (page 10), which states “All written proposal material becomes property of the State of Mississippi,” would ITS be willing to accept either a) copies of expired/non-current examination item samples or b) presentation of live and current examination items through a virtual or in-person meeting?

Response: Refer to Clarification Numbers 1 and 2 of this Memorandum. BOC may request the Vendors to bring complete examinations to the Vendor presentations.

Question 7: Section VII - Technical Specifications, paragraph 2.6 (page 32). In performance of the services under any resulting contract, contractors will utilize significant existing proprietary test items, tests, and other intellectual property that have been previously developed by the contractor or its 3rd party licensor (“Contractor Intellectual Property”), some of which may be trade secret, copyright, patent, and trademark protected. We presume ITS understands that the contractor or its licensors will retain all intellectual property rights to Contractor’s Intellectual Property, including derivative or customized works. Is our presumption correct?

Response: Intellectual property developed by the Vendor or its third party licensor previous to or independently of its efforts under the contract with the State, including but not limited to all copyright, patent, trade secret, and trademark rights shall be owned by the Vendor or its third party licensor, as applicable.

Question 8: *p. 33, Section 3 General Overview and Background.* How often are the Instructor exams administered? The current announcement on Pearson’s website under “Important Dates” seems to indicate available dates in June. Please provide clarification.

Response: The Board has no policy on the frequency of instructor examinations.

Question 9: *p. 35, 4. Procurement Project Schedule.* We understand that there have been delays in issuing this RFP. However, we feel that the start date is unfair, should a new vendor be selected. Even if the contract is negotiated immediately, it would only allow 5 weeks for a transition. This greatly favors the incumbent. Is the BOC amendable to a more realistic implementation schedule (4-6 months)?

Response: Refer to Clarification Number 3 of this Memorandum.

Question 10: 7.7.1.6 – Is the BOC currently involved in the approval process for granting special accommodations for ADA candidates?

Response: No, the Board is not currently involved in the approval process for granting special accommodations for ADA candidates.

Question 11: 7.7.1.7 –Does the BOC require the written exams be administered in any language other than English?

Response: No, the Board does not require the written exams to be administered in any language other than English.

Question 12: *p. 39, 7.2.3.3.7.* How many exams are administered annually in the Central Mississippi Correctional Facility?

Response: 8 examinations were given in 2012. The Board has no policy on the frequency of exams administered at the Central Mississippi Correctional Facility.

Question 13: *p. 41-42, 7.4.9.* For a number of the techniques listed in this section (e.g., Scissor/Razor, Virgin/Retouch, Lib/Brow), do you require separate fixed forms for each topic or one exam form covering both topics (for example, one for Virgin Color and one for Color Retouch, or one exam for both)?

Response: The Board will allow one exam form covering both topics as described in the example above.

Question 14: Section VII - Technical Specifications, paragraphs 7.4.9, 7.4.10, and 7.4.11 (pages 41-42). Is the vendor required to test each candidate on every skill listed each time the candidate takes the exam?

Response: For the Candidate's first examination all skill levels must be administered. Refer to Section VII Technical Specifications, Items 7.6.1 and 7.6.2.1 for retake examinations requirements.

Question 15: *p. 42, 7.4.11.3 Steam Simulation.* Will this require the 8 & 1 facial machine or will wet towel work for simulated steam?

Response: Refer to Clarification Number 10 of this Memorandum.

Question 16: On page 45 of the RFP, Section 7.7.2, it states that Vendor must submit proposed examiners to BOC for verification two weeks after contract execution. Typically, upon award, we would request that the State provide us with a list of eligible licensees and contact information. Upon receipt, we then send out information to licensees with requirements, an application, etc. For those we deem eligible to be an examiner, we invite them to a scheduled Examiner Training. Only upon passing the training, is someone allowed to become an examiner. Thus, two weeks following contract award is not ample time to accomplish same. Would the State consider extending this time period? Upon award, we would discuss with the State and come to an agreed upon time frame.

Response: The Board is not able to provide a list of eligible licensees. Also refer to Clarification Number 3 of this Memorandum.

Question 17: 7.7.3.5, 7.7.3.6 –Is an electronic format acceptable for transmitting examination results?

Response: Refer to Clarification Numbers 5 and 6 of this Memorandum.

Question 18: 7.7.4.5, 7.7.4.6 – Is an electronic format acceptable for transmitting examination results?

Response: Refer to Clarification Numbers 8 and 9 of this Memorandum.

Question 19: 7.7.5.6, 7.7.5.7 – is an electronic format acceptable for transmitting examination results?

Response: Refer to Clarification Numbers 11 and 12 of this Memorandum.

Question 20: *p. 45, 7.7.13.1* Would an examiner who holds a cosmetology instructors license be eligible to score all disciplines?

Response: Yes, an examiner who holds a cosmetology instructor's license would be eligible to score all disciplines.

Question 21: 7.7.9.3 – Does the BOC currently have this capability?

Response: Yes, BOC currently has the capability to log in to the Vendor's website to view Candidate examination information.

Question 22: Section VII - Technical Specifications, paragraph 10.1 (page 48). If possible, please provide the names of the members of the Evaluation Team.

Response: The names of the evaluation team members will not be provided.

Question 23: *p. 53, Pricing Table* What are current retake fees? Are there fee caps for retakes?

Response: a) Refer to the response to Question #1.

b) Refer to Section VII Technical Specifications, Item 7.6.2.1 of the RFP.

Question 24: Section IX - References, paragraph 1.1 (page 55). Please provide the dates on which vendor and subcontractor references will be contacted.

Response: The dates that references will be contacted is not known at this time. References will be contacted as part of the evaluation but prior to the notification of the award.

Question 25: *General.* Is the current CIB on Pearson's website the most recent one (from December 2011) or is an updated one available?

Response: The Board cannot clarify information on Pearson Vue's website.

Question 26: *General.* Does the State own the current item bank of questions? If so, will these items be made available to the Proposer and in what form?

Response: No, the Board does not own the current bank of questions.

Question 27: *General.* Does the State own the current item bank of questions? If so, will these items be made available to the Proposer and in what form?

Response: Refer to the response to Question #26 above.

Question 28: Will the State consider extending the deadline for responding to this RFP until January 30, 2014, so that we may thoughtfully make a determination and then have enough time to craft a proposal?

Response: Refer to Clarification Number 3 in this Memorandum.

Question 29: If the scope of content and length of examinations for the licensure exams is not mandated by regulation, is the Board receptive to adopting examinations for which the content and length of examinations is based on national job studies; though the topics covered in the national examinations may be slightly different than the licensure examinations currently administered for the state?

Response: No, the Board has established its requirements/guidelines for length of examinations.

Question 30: Can the state please provide the number of candidates who test at each practical location annually? Seven sites with multiple administrations is a unusually high requirement given the total candidate volume. Would the state consider fewer sites if a vendor can assure that all candidates will be able to test no more than a one hour drive from their location and within two weeks from being deemed eligible to test?

Response: a) The following Practical Sites delivered are based upon 2012 statistics:

Jackson (Clinton): 321

Gulfport/Biloxi: 271

Hattiesburg: 228

Tupelo (Horn Lake): 119

Meridian: 90

Senatobia (Pontotoc): 278

Central MS Correctional Facility: 8

b) No.

Question 31: The current examination content used nationally for practicals is designed for compensatory scoring, or rather an overall passing score. Candidates are required to pass the entire practical examination and must retake the entire examination if an overall passing score is not achieved. The national pass rate for practical examinations is over 80%. Would the State or can the State consider using this model for practical examinations?

Response: No, the Board will not consider this model as an option.

Question 32: The RFP requires that a sample of written exam is to be included with proposal. Since examination content is proprietary, can vendors supply content outlines for each examination offered and then, upon award, provide the Board an opportunity to review the content in a secured manner?

Response: Refer to Clarification Numbers 1 and 2 of this Memorandum. Also refer to the response to Question #6 above.

Question 33: Is it mandated by policy, rule or regulation that examiners be "Instructors"? If not, will the State and/or Board consider allowing licensed professionals in cosmetology, manicuring and/or esthetics examine for practical examinations? It has been our experience that, given the rigorous training and certification program that each examiner must pass annually that non-instructors make

excellent examiners and are more than capable of fulfilling the responsibilities of an examiner.

Response: No, it is not mandated by statute, rule or regulation that examiners be instructors. However, the specifications in the current RFP state that they must be a licensed instructor. Also refer to the response to Question #20 above.

RFP responses are due January 7, 2014, at 3:00 p.m. (Central Time).

If you have any questions concerning the information above or if we can be of further assistance, please contact Tangela.Harrion at 601-432-8112 or via email at Tangela.Harrion@its.ms.gov.

cc: ITS Project File Number 40290