

**Request for Proposal (RFP)
RFP ALSDE 2025-11
Alabama State Department of Education
Special Education Services Section**

ALABAMA STATE DEPARTMENT OF EDUCATION



**Request for Proposal
RFP ALSDE 2025-11
Annual Performance Report (APR) External Evaluator
Alabama State Department of Education
Special Education Services Section**

Inquiries and response submissions related to this RFP are to be EMAILED to:

Cindy Gillespie
Office of Operations
Alabama State Department of Education
Email: rfpproposals@alsde.edu

Deadline: NEW ELECTRONIC PROCEDURES FOR SUBMISSION

Proposals must be received no later than 4:00 p.m. on June 4, 2025

It is required that each vendor clearly note the RFP Number & Vendor Name in the subject line and email to: rfpproposals@alsde.edu

The proposal package must contain the following and be submitted electronically.

1. The proposal must be signed by an official authorized to legally bind the vendor to the information provided.
2. Must be currently registered with the Alabama Department of Finance, Division of Procurement as a State vendor and provide vendor number. <http://www.purchasing.alabama.gov>
3. The vendor must complete the affidavit for business entity/employer/vendor. Verification of enrollment in E-verify shall be presented on the form found in Appendix A.

Pursuant to Alabama Administrative Code Rule 355-4-3-03(12), proposal openings are not open to the public.

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Section 1.00 Administrative Overview

1.1 Purpose and Background

Purpose:

The State Performance Plan (SPP)/Annual Performance Report (APR) for Part B describes and evaluates the state's efforts to implement the requirements of the *Individuals with Disabilities Education Act* (IDEA) Part B. The Alabama State Department of Education (ALSDE), Special Education Services (SES) Section is seeking proposals from vendors to serve as an external researcher, evaluator, assessment analyst, and assessment reporter (i.e., External Evaluator) for specific portions of Alabama's SPP/APR. The ALSDE is seeking to contract for: Option 1. External Evaluator for Indicator 7: Preschool Outcomes, and/or Option 2. External Evaluator for Indicator 17: State Systemic Improvement Plan (SSIP), Indicator 14: Post-School Outcomes, and Indicator 8: Parent Involvement.

The External Evaluator will be responsible for the collection of qualitative and quantitative data, and the use of formative and summative evaluations. Additionally, the External Evaluator will oversee the evaluation activities and work closely with the ALSDE/SES Section Staff, school districts, and Special Education Coordinators/Directors to manage the data collection of training, coaching, fidelity, and outcome data.

Background:

The SPP/APR consists of 18 required indicators designed to promote accountability and continuous improvement. The U.S. Department of Education (USDOE), Office of Special Education Programs (OSEP) requires states to report their performance on each indicator and detail the plans for ongoing progress in the annual SPP/APR.

[Link: Alabama State Performance Plan/Annual Performance Report \(SPP/APR\), FFY 2022, Submitted February 1, 2024](#)

Applicants who wish to address more than one Option must submit a separate proposal for each Option.

Option 1: External Evaluator for Indicator 7: Preschool Outcomes
<p>Indicator 7: Preschool Outcomes, measures the percent of preschool children with improved positive social-emotional skills; acquisition and use of knowledge and skills; and use of appropriate behaviors.</p> <p>The major goals of this project are:</p> <ul style="list-style-type: none">• Timely and effective review of Indicator 7: Preschool Outcomes data from each local education agency (LEA) and preschool special education service provider using the state selected preschool outcomes measurement tool;• Data analysis and preparation of the data to meet state reporting requirements for Indicator 7; and• Disaggregation of LEA/service provider data to meet federal OSEP public reporting requirements. <p>The successful applicant must possess:</p> <ul style="list-style-type: none">• Extensive knowledge of reporting requirements for Indicator 7: Preschool Outcomes.• Ability to network with the ALSDE to make improvements to the data collection, submission, analysis, reporting, and/or disaggregation of Indicator 7 data as necessary.• Thorough knowledge of and the ability to apply knowledge on policies and procedures regarding special education services for preschool students, the reports and features of the preschool outcomes

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<p>measurement tool and policies and procedures regarding the completion of both the Entry and Exit preschool outcomes measurement tool for students with disabilities.</p> <ul style="list-style-type: none"> • Ability to work with a previous preschool outcomes measurement tool (Early Learning Progress Profile, ELPP) for the Entry and the new preschool outcomes measurement tool for the Exit (SmartTeach GOLD®), which results in a mix of data assessment(s) and ratings during the transition period.

<p>Option 2: External Evaluator for Indicator 17: State Systemic Improvement Plan (SSIP), Indicator 14: Post-School Outcomes, and Indicator 8: Parent Involvement</p>
<p>The <u>SSIP</u> aims to increase the number of students with disabilities who achieve positive post-school outcomes and engage in higher education or competitive employment opportunities. The SSIP focuses on improving post-school outcomes for students with disabilities by working to increase the likelihood that students with disabilities will have the skills and support to attend school, graduate, and subsequently enroll in college and/or obtain competitive employment. The state specifically seeks to improve structures and support for Alabama students with disabilities to prepare them for each level of education and post-school success. Although the process is based upon the differentiated needs of the LEAs, there is a need for consistent structures to be in place to ensure that quality reviews result in the identification of the prioritized needs of the LEAs.</p> <p>Additionally, the analyses of SPP/APR Part B Indicators 8: Parent Involvement and 14: Post-School Outcomes data are used to drill down and determine the root causes of state and local SSIP results. These analyses provide data for the state’s Annual Performance Report to OSEP.</p> <p><u>Indicator 8:</u> Parent Involvement measures the extent to which schools facilitate meaningful parent engagement as a key component of improving student outcomes. The state’s efforts focus on strengthening family-school partnerships, ensuring that parents have the knowledge and tools to support their child’s education and transition planning. As such, the successful applicant must have extensive knowledge of reporting requirements for Indicator 8: Parent Involvement. Moreover, the applicant must demonstrate experience in data collection, analysis, and interpretation related to parent involvement. This includes developing and implementing valid sampling methodologies, ensuring compliance with federal and state reporting standards, and providing actionable insights based on data findings. The vendor must also support the state in identifying and addressing gaps in parent engagement and in developing strategies to enhance meaningful participation at the school and district levels.</p> <p><u>Indicator 14:</u> Post-School Outcomes examines the percentage of youth with disabilities who, within one year of leaving high school, are enrolled in higher education, engaged in competitive employment, or participating in other postsecondary training programs. This data is critical in assessing the effectiveness of transition services and supports provided during high school. By closely reviewing Indicator 14 trends, the state can identify gaps in transition planning, employment preparation, and access to postsecondary education opportunities. These insights help inform policy decisions and program improvements to ensure students with disabilities are equipped for long-term success. The successful applicant must have extensive knowledge of reporting requirements for Indicator 14: Post-School Outcomes, as well as expertise in developing statistically sound sampling plans to ensure data accuracy and representativeness.</p>

There is no requirement to address both Options. Applicants may address one or more Options and must submit a separate proposal for each Option he or she chooses to address.

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1.2 Anticipated Time Table

May 21, 2025 Question Submission Deadline

May 22, 2025 Question Responses Due

June 4, 2025 Proposal Submission Deadline

NOTE: All Questions must be emailed to rfpqanda@alsde.edu by the deadline noted above. All Q & A's will be posted in STAARS and on the Alabama Achieves website [Alabama State Department of Education - Alabama Achieves - ALSDE](#) on the designated date noted above.

1.3 Proposal Evaluation

An Evaluation Team will review the proposals and make recommendations. The criteria listed below will be used to evaluate the proposals for the purpose of ranking them in relative position based on how fully each proposal meets the requirements of this RFP.

Evaluation Criteria:

Vendor Qualifications and Experience	35 points
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Detailed Description/Delivery of Services	35 points
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Budget/Cost Proposal	30 points
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Vendor Qualifications and Experience: Please detail (a) number of years of experience working as an external evaluator of OSEP-funded initiatives, including the annual SPP/APR; (b) number of years of experience working with a SSIP, Indicator 7: Preschool Outcomes, and/or the GOLD®; (c) number of years of experience developing tools, protocols, and methods for evaluation data collection; and (d) number of years of experience working with core elements specific to the unique context of Alabama's SSIP and/or Alabama's preschool outcomes data.

Detailed Description/Delivery of Services : Provide a detailed description of the plan outlining the delivery of services (e.g., data analysis to be performed, how reporting will be accomplished, established evaluation tools and methods, ability to provide technical assistance).

Budget/Cost Proposal: Provide a detailed description and explanation of project costs by project task and/or hourly rates.

Best and Final Offers:

The ALSDE may either accept any vendor's initial proposal by award of a contract or enter into discussions with vendor(s) whose proposal(s) are deemed to be reasonably acceptable of consideration for award. After discussions conclude, the vendor(s) may be allowed to submit a "Best and Final Offer" for consideration in a manner and method prescribed by the ALSDE. By submitting proposal(s), each vendor accepts and agrees to all conditions and requirements herein.

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The ALSDE will make all decisions regarding evaluation of the proposal(s). The ALSDE reserves the right to judge and determine whether requests are compliant with and satisfactorily meets the requirements of the RFP. The ALSDE reserves the right to waive technical and other defects if, in its judgment, the interest of the ALSDE so requires. Any further information disclosed about the RFP during this process will be provided to all vendors in a manner and method prescribed by the ALSDE.

Rejection of Proposal:

ALSDE reserves the right to reject any or all proposals it deems as non-responsive, late in submission, or unsatisfactory in any way. ALSDE shall have no obligation to award a contract for any work, goods and/or services as a result of this RFP.

Qualified bidders aggrieved in connection with the solicitation of a contract may protest to the Chief Procurement Officer (CPO). See generally State of Alabama Department of Finance Administrative Code Regulations at <https://finance.alabama.gov/media/rnii4ga1/administrative-code-355-4-1-01-thru-06.pdf>.

Confidentiality:

All information contained in the RFP is considered to be the exclusive property of the ALSDE. Recipients of this RFP are not to disclose any information contained within the RFP unless such information is publicly available. This RFP is provided for the sole purpose of allowing vendors to respond to these specifications.

Selection Process:

The ALSDE will select the vendor(s) that provide the most technically sound and cost-effective proposal(s) that best fit the needs of the ALSDE. Final selection of the successful vendor(s) will not be based solely on cost. The vendor product(s) will be evaluated primarily on the scope of the activities linked to associated costs as detailed in the RFP. RFPs will be reviewed to ascertain that minimum requirements have been met. The ALSDE reserves the right to conduct discussions with potential vendors in order to clarify information contained in their proposals, but the ALSDE has no obligation to do so. This may include requesting a presentation of top finalists for final scoring. The vendor(s) will provide notice to the ALSDE of any partnership with another firm to provide parts of the solution; however, the vendor(s) must provide management of the partner and is responsible for all project performance. Any subcontractor(s) or partner(s) will be subject to the same vetting process as the vendor(s), and the vendor(s) are responsible for ensuring that each subcontractor acknowledges and is contractually bound by the staffing plan and other commitments listed in this RFP.

Unless provided by law, nothing in this RFP shall be construed to create any legal obligation on the part of the ALSDE or any respondents. The ALSDE reserves the right, in its sole discretion, to amend, suspend, terminate, or reissue the RFP in whole or in part, at any stage. In no event shall the ALSDE be liable to respondents for any cost or damages incurred in connection with the RFP process, including, but not limited to, any and all costs of preparing a response to this RFP or any other costs incurred in reliance on this RFP. No respondent shall be entitled to repayment from the ALSDE for any costs, expenses, or fees related to the RFP. All supporting documentation submitted in response to the RFP will become the property of the ALSDE. Respondents may also withdraw their interest in the RFP, in writing, at any time, as more information becomes known. If, within the confines of this RFP, the contents of the RFP, including any intellectual property the vendor provides to the ALSDE as part of the RFP, is subject to *Open Records Act* laws and thus is subsequently in the public domain.

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This RFP may be awarded to multiple vendors.

Intent to Award

Division of Procurement will send out an intent to award to participating suppliers, defining the protest period. The CPO (Chief Procurement Officer) is the awarding authority and as such is a signatory on the agreement/contract.

Disclaimer Notice:

The ALSDE shall not be liable for any costs associated with the preparation of proposals or negotiations of any contract incurred by any party.

Availability of Funds:

It is expressly understood and agreed that the obligations of the ALSDE to proceed are conditioned upon the continued availability of funds that may be expended for these purposes.

1.4 Conditions and Terms

Contract Terms:

The ALSDE intends to execute an initial contract with Contractor(s) for a period of up to two (2) years, with contract renewals equaling no longer than five (5) total years for the initial contract and renewals combined, pending written agreement of the vendor and the ALSDE dependent upon required state approvals, availability of funds, performance evaluations of the project, at the full discretion of the ALSDE. The contract will commence pending CPO signature, Legislative Review Committee approval, and the Governor's signature. Each contract renewal will be presented to the Legislative Oversight Committee for approval.

The vendor(s) shall be fully prepared to commence work after full execution of the contract by parties and the receipt of required governmental approvals.

Proposals must reference each element in the RFP by number on the cover of each copy and be arranged in the same sequence. All fees and costs are to be stated in United States currency. Vendors must reply to each element of the RFP.

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Section 2.00 Scope

2.1 Scope of the Vendor's Work and Responsibilities

Option 1: External Evaluator for Indicator 7: Preschool Outcomes

The external evaluator will engage in program evaluation efforts designed to accomplish multiple purposes associated with the Indicator 7: Preschool Outcomes goals and objectives, to include:

- Review, analyze, and disaggregate data collected with the preschool outcomes measurement tool for all LEAs and preschool special education service providers annually to satisfy federal reporting requirements for Indicator 7: Preschool Outcomes.
- Provide troubleshooting and technical assistance to pertinent ALSDE staff, LEAs, and/or preschool service providers during the submission period and throughout the school year regarding the selected preschool outcomes measurement tool.
- Work with a mix of data assessment(s) and ratings (from a previous preschool outcomes measurement tool) for the Entry and (from the new preschool outcomes measurement tool) for the Exit until all data is collected with the new preschool outcomes measurement tool.
- Provide the ALSDE with finalized spreadsheet data reflecting the state-wide components of Indicator 7 data in a timely manner to meet SPP/APR federal reporting timelines.
- Disaggregate LEA/service provider data to meet public reporting timelines, per OSEP requirements.
- Network with the ALSDE to make improvements to the data collection, submission, analysis, reporting, and/or disaggregation of Indicator 7 data, as necessary.

Option 2: External Evaluator for Indicator 17: State Systemic Improvement Plan (SSIP), Indicator 14: Post-School Outcomes, and Indicator 8: Parent Involvement

The external evaluator will engage in program evaluation efforts designed to accomplish multiple purposes associated with the AL SSIP goals and objectives, to include:

Indicator 17, SSIP

- Oversee data collection for SSIP sites.
- Develop and/or review evaluation instruments and assessments needed to implement the SSIP evaluation plan.
- Analyze and report on formative evaluation data.
- Monitor SSIP site activities related to the evaluation plan and reporting performance measures.
- Update SSIP evaluation data collection schedule and SSIP Activity Log.
- Present data to the ALSDE's SSIP Team to show the progress of schools, districts, and the state.
- Present data to SSIP stakeholders, as requested.
- Collaborate with the ALSDE, SES staff to meet the SSIP requirements set forth by OSEP.
- Assist with report development for activities supporting the State Identified Measurable Results (SiMR), as appropriate.
- With input from stakeholders and the ALSDE's SSIP Team, develop and submit the SPP/APR Part B Indicator 17 report sections.

Indicator 14, Post-School Outcomes:

- Review Post-School Outcome Survey items (SPP/APR Indicator 14) and formulas in the APR Part B Measurement Table.

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- Assist with sampling as needed.
- Discuss and/or review strategies to increase data quality and representativeness.
- Conduct follow-up verification calls with a sample of students in the dataset, as requested by the ALSDE/SES. Compare verification results with reported data, and draft findings for ALSDE/SES staff.
- Analyze survey data for each input data and report on Alabama's SPP/APR Indicators 14a, 14b, and 14c for the state.
- Analyze survey data by schools/districts and report on Indicators 14a, 14b, and 14c for each participating LEA.
- Prepare a list of cases needing decision rules. Present and discuss decision rules with staff.

Indicator 8, Parent Involvement:

- Review Alabama Parent Involvement survey items (SPP/APR Indicator 8) and formulas in the APR Part B Measurement Table.
- Review the Child Count data for representativeness. Review the demographic analytics of the survey data.
- Create online surveys for direct entry, including English and three other translated languages.
- Enter hard-copy Parent-Involvement surveys into secure database. Translate comments as needed.
- Clean, conduct verification checks of entered data, and record data for analyses.
- Analyze LEA survey data and report on Indicator 8 for each participating district.
- Present SPP/APR Part B Indicators 8 findings as requested.
- Report on outcome data in the SPP/APR Indicator 8 reports.
- Draft SPP/APR Part B Indicators 8 report section using the OSEP template.

2.2 Scope of the Alabama State Department of Education's Work and Responsibilities

Option 1: External Evaluator for Indicator 7: Preschool Outcomes

The ALSDE worked collaboratively with the Department of Early Childhood Education (formerly the Department of Children's Affairs) to develop the Alabama Developmental Standards for Preschool Children. Contained within these Standards are items that provide accountability data to determine the effectiveness of Part B preschool programs. These items correlate with the objectives measured with the preschool outcomes measurement tool. The ALSDE is responsible for setting submission deadlines and for the collection and submission of these data from each LEA and preschool special education service provider annually. The ALSDE provides technical assistance throughout the year on policies and procedures regarding the completion of Entry and Exit data collections and the timely submission of the data. The ALSDE will work collaboratively with the selected vendor to troubleshoot and provide technical assistance to LEAs and service providers as indicated. The ALSDE will receive the analyzed and disaggregated data and prepare and submit the final report to OSEP according to the SPP/APR requirements.

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Option 2: External Evaluator for Indicator 17: State Systemic Improvement Plan (SSIP), Indicator 14: Post-School Outcomes, and Indicator 8: Parent Involvement

The ALSDE, SES Section will work collaboratively with the selected vendor to organize information, collect, and distribute resources, and provide technical assistance to LEAs as needed. The ALSDE, SSIP staff will work with the External Evaluator to identify specific district/school reforms needed, communicate identified needs to the schools/districts, develop support (i.e., on-site coaching, virtual meetings, emails) according to needs and participate in professional training to build capacity. The ALSDE is responsible for initiating contracts, processing and paying invoices, articulating deadlines, communicating with the LEAs, and evaluating projects.
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Section 3.00 General Requirements

3.1 Requirements of Proposal

Any vendor must provide the following mandatory information. **Failure to provide this information may be cause for the proposal(s) to be rejected.** Qualifications, experience, and cost will be evaluated for contract award. The proposal(s) may be submitted under the same cover with Vendor Requirements and Cost Proposal in two distinct sections. E-verify information is required to be submitted for all employees to include contractors of the vendors if necessary and applicable.

Part I

Signed Cover Letter:

The cover letter shall serve as the first page of the vendor's proposal(s). The vendor shall complete the cover letter and attach it to the proposal(s) in response to the RFP. The cover letter must be signed by an official authorized to legally bind the vendor. It will state that the vendor is a legal entity that will meet the specifications. The cover letter must accompany the submitted proposal(s). The letter accompanying the proposal(s) must have original signatures and must include contact numbers and email addresses for the authorized official signing the letters.

Part II

Vendor Qualification and Experience:

Vendor shall provide satisfactory evidence of the vendor's capability to coordinate the types of activities and to provide the services described in the RFP in a timely manner. Special attention should be given to the discussion of qualifications. The discussion shall include a description of the vendor's background and relevant experience as related to the required activities in the RFP.

Part III

The vendor shall provide a detailed plan describing how the services will be performed to meet the requirements of the RFP. The description shall encompass the requirements of this RFP. The response must be prepared and organized in a clear and concise manner that is easily understandable.

Vendor Organization:

Describe your organizational structure and explain how your organization qualifies to be responsive to the requirements of this RFP.

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References:

The vendor shall provide a minimum of three (3) references that can support and validate training and/or projects and outcomes, including names or persons who may be contacted, position of person, addresses, and phone numbers where similar training and/or projects to that described in this RFP have been conducted.

Executive Summary:

An executive summary is required. This summary will condense and highlight the contents of the vendor's proposal(s).

Part IV

Cost Proposal:

The vendor shall include the fee structure and pricing for the services to be provided. The vendor shall submit a cost proposal in addition to other required information.

Subcontractor Disclosure:

If the execution of work to be performed requires hiring subcontractors, **you must clearly state this in the bid proposal and provide qualifications for such individuals.** Subcontractors must be identified and the services they will provide or work they will perform must be clearly defined. The ALSDE will not refuse any proposal based upon use of a subcontractor; however, the ALSDE reserves the right to refuse the subcontractor(s) a vendor selects. The contractor and associated personnel shall remain solely responsible for the performance of all work, including work that may be subcontracted.

A vendor must describe its rationale for utilizing subcontractors including relevant past experience partnering with stated subcontractor(s). Providing documents for E-verification of subcontractors is the sole responsibility of the contractor and must be available upon request to ensure compliance.

Subcontractors **may not** be employees/agents of the ALSDE or LEA, nor any entity or agency receiving education trust funds.

Section 4.00 General Terms and Conditions

4.1 Governance

This RFP and its terms shall be governed and construed according to the laws of the State of Alabama. Any dispute arising out of this RFP shall be brought in the State of Alabama, with venue in Montgomery County, Alabama. Vendors agree to comply with all applicable federal and state laws and regulations.

Per the current FPPM: Non-appropriation and Proration (Section 41-4-144(c)).

<https://comptroller.alabama.gov/fiscal-policy-procedures/>

When funds are not appropriated or otherwise made available to support continuation of performance in a subsequent fiscal period, the contract shall be cancelled, and, to the extent permissible by law, the supplier shall be reimbursed for the reasonable value of any non-recurring costs incurred but not amortized in the price of the supplies or services delivered under the contract. To the extent permissible by law, this cost of cancellation may be paid from any appropriations available for that purpose.

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In the event that proration of appropriated funds from which the State is to pay the supplier is declared by the Governor pursuant to Section 41-4-90 of the *Code of Alabama*, the contractor shall have the option, in addition to the other remedies of the contract, of renegotiating the contract to extend or change payment terms or amounts, or terminating the contract. In all circumstances, it is agreed that the terms and commitments of this contract shall not constitute a debt of the State of Alabama in violation of Section 213 of the Constitution of Alabama, as amended.

4.2 Immigration

The proposal must contain a statement that the vendor is aware of and in compliance with the requirements of the Beason-Hammon Alabama Taxpayer and Citizen Protection Act; a statement that the vendor is enrolled in the E-Verify as required by Section 31-13-9 (b), *Code of Alabama 1975*, as amended:

BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT COMPLIANCE

The *Beason-Hammon Alabama Taxpayer and Citizen Protection Act* (31-13-1 et seq, *Code of Alabama, 1975* as amended by Act 2012-491) regulates illegal immigration in the state of Alabama. All contracts with the State or any political subdivision thereof must fully comply with each provision as provided by law.

Any proposal must include a statement that the vendor(s) have knowledge of this law and is in compliance. Before a contract is signed, the vendor(s) awarded the contract must submit a Certificate of Compliance using the form at Appendix A. E-Verify enrollment can be accomplished at the website of the United States Department of Homeland Security at <http://www.uscis.gov>.

See Section 10 for additional language required by Section 10(k) of the Act to be included in the contract.

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4.3 Conflict of Interest

Any vendor attests that no employee, officer, or agent of the vendor shall participate in the selection, award, or administration of a contract if a real or apparent conflict of interest may be involved. A conflict would arise when the employee, officer, agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein has a financial or other interest in the organization selected for an award. The officers, employees, and agents of the vendor, if selected as the career planning system vendor, shall neither award nor offer gratuities, favors, nor anything of monetary value from vendors or subcontractors.

4.4 Discrimination

Alabama Non-Discrimination Statement:

No person shall be denied employment, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any program or activity on the basis of disability, gender, race, religion, national origin, color, age, genetic information, or any other category protected under the law. Ref: Sec. 1983, *Civil Rights Act*, 42 U.S.C.; Title VI and VII, *Civil Rights Act of 1964*; *Rehabilitation Act of 1973*, Sec. 504; *Age Discrimination in Employment Act*; the *Americans with Disabilities Act of 1990* and the *Americans with Disabilities Act Amendments Act of 2008*; *Equal Pay Act of 1963*; Title IX of the Education Amendment of 1972; Title II of the *Genetic Information Nondiscrimination Act of 2008*. Title IX Coordinator, P.O. Box 302101, Montgomery, Alabama 36130-2101 or call (334) 694-4717.

4.5 Artificial Intelligence (AI) Systems

AI Model Development and Use Attestation:

The proposal(s) shall include a written statement attesting to the following:

- a. Pretrained AI System: The AI System to be provided in the performance of this RFP has been pretrained.
- b. Responsibility in AI System Development: The vendor used all responsible measures necessary during the development of the AI System to be provided in the performance of this RFP.
- c. Human-in-the-Loop AI System Training: A human-in-the-loop approach was used, wherever possible, in training the AI System, ensuring human oversight and intervention were integral parts to the AI System training process.
- d. Unbiased Data Selection and Algorithm Development: The process of data selection for AI System training was conducted in an unbiased manner, wherever possible, adhering to the principles of fairness and non-discrimination.
- e. Expected Outcomes: The results produced by the AI System meet the expected outcomes as identified and defined by the vendor.

The vendor further attests and agrees that any violation of this subsection will be considered a material breach of this RFP, and may result in its termination, legal action, or both, at the sole discretion of the ALSDE.

If the vendor's software solution does not use, contain or incorporate AI, the proposal(s) shall include a written statement attesting that the software solution does not use, contain, or incorporate any AI.

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APPENDIX "A"

State of _____)
County of _____)

CERTIFICATE OF COMPLIANCE WITH THE *BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT* (ACT 2011-535, as amended by ACT 2012-491)

DATE: _____

RE Contract/Grant/Incentive (describe by number or subject):

_____ by and between
_____ (Contractor/Grantee) and
_____ (State Agency, Department or Public Entity)

The undersigned hereby certifies to the State of Alabama as follows:

1. The undersigned holds the position of _____ with the Contractor/Grantee named above, and is authorized to provide representations set out in this Certificate as the official and binding act of that entity, and has knowledge of the provisions of THE *BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT* (ACT 2011-535 of the Alabama Legislature, as amended by ACT 2012-491) which is described herein as "the Act."
2. Using the following definitions from Section 3 of the Act, select and initial either (a) or (b), below, to describe the Contractor/Grantee's business structure.

BUSINESS ENTITY. Any person or group of persons employing one or more persons performing or engaging in any activity, enterprise, profession, or occupation for gain, benefit, advantage, or livelihood, whether for profit or not for profit.

a. Self-employed individuals, business entities filing articles of incorporation, partnerships, limited partnerships, limited liability companies, foreign corporations, foreign limited partnerships, and foreign limited liability companies authorized to transact business in this state, business trusts, and any business entity that registers with the Secretary of State.

b. Any business entity that possesses a business license, permit, certificate, approval, registration, charter, or similar form of authorization issued by the state, any business entity that is exempt by law from obtaining such a business license, and any business entity that is operating unlawfully without a business license.

EMPLOYER. Any person, firm, corporation, partnership, joint stock association, agent, manager, representative, foreman, or other person having control or custody of any employment, place of employment, or of any employee, including any person or entity employing any person for hire within the State of Alabama, including a public employer. This term shall not include the occupant of a household contracting with another person to perform casual domestic labor within the household.

____ (a) The Contractor/Grantee is a business entity or employer as those terms are defined in Section 3 of the Act.

____ (b) The Contractor/Grantee is not a business entity or employer as those terms are defined in Section 3 of the Act.

3. As of the date of this Certificate, the Contractor/Grantee does not knowingly employ an unauthorized alien within the State of Alabama and hereafter it will not knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama;
4. The Contractor/Grantee is enrolled in E-Verify unless it is not eligible to enroll because of the rules of that program or other factors beyond its control.

Certified this _____ day of _____ 20____.

Name of Contractor/Grantee/Recipient
By: _____
Its _____

The above Certification was signed in my presence by the person whose name appears above, on
this _____ day of _____ 20____.

WITNESS: _____

Printed Name of Witness