



**Kennebec Valley Community College
92 Western Avenue
Fairfield, ME 04937**

**Competitive Bid
Request for Proposals
This is Not an Order**

Learning Management System

Issue Date:	February 23, 2018
Proposal Due On:	March 30, 2018
Return Proposal To:	Kevin Casey, Dean of Technology Chief Security Officer Kennebec Valley Community College 92 Western Avenue Fairfield, Maine 04937
Phone:	207-453-5141

Competitive Bid Request for Proposal Learning Management System

Table of Contents

1.0 Introduction 3

2.0 Background 4

3.0 Schedule & Deadlines 4

4.0 Examination of Specifications and Schedule 4

5.0 Submission Instructions 4

6.0 Bid Review and Evaluation Criteria 7

7.0 Scope of Services..... 7

8.0 Interpretation of Contract Documents 15

9.0 Withdrawal of Bids..... 16

10.0 Taxation and Compliance 16



Competitive Bid Request for Proposals: Learning Management System

1.0 Introduction

Kennebec Valley Community College requests proposals for the planning, configuration, implementation and ongoing support of an online learning platform to be used as the sole supported LMS at the College.

Respondents to this Request for Proposals (RFP) should propose services and systems which:

1. Facilitate the teaching and learning functionality described herein
2. Provide course and content migration from the current KVCC-hosted Blackboard system
3. Integrate with other academic and administrative technologies used at KVCC
4. Convey an understanding of the existing technology infrastructure already in use by KVCC
5. Provides the College with a student-centered mobile and online learning platform with state-of-the-art functional and technical capabilities

This document outlines pertinent background information, provides a description of KVCC's specific objectives and goals, describes desired functionality, and specifies requirements and instructions for all submitted proposals.

The anticipated duration of the contract resulting from this competitive bid process will be three years with potential renewals, these being made with reasonable inflationary increases, and by mutual agreement.

A detailed explanation of the scope and specifications is contained in **Section 7.0, Scope of Services**. Preference will be given to proposals conforming to the specifications provided; however, alternate recommendations may be considered. If a vendor chooses to make inquiries on the specifications provided, the rules set forth in **Section 8.0, Interpretation of Contract Documents** apply. KVCC reserves the right to accept or reject any or all of the proposals received, in part or in whole.

Additionally, please refer to **Enclosure 1: Standard Terms and Conditions Applicable to All MCCA Contracts**.

2.0 Background

Kennebec Valley Community College (KVCC) is a comprehensive community college offering technical, career, and transfer education in addition to customized training for businesses and industries in Kennebec, Somerset, Waldo and Knox Counties. The College is located on two campuses in mid-Maine. Its 70-acre main campus in Fairfield, Maine is reached by taking Exit 132 off Interstate 95. The new 600-acre Harold Alford Campus is located seven miles north of the Fairfield campus on U.S. Route 201 in Hinckley, Maine.

3.0 Schedule & Deadlines

Event	Date and time
KVCC issues RFP	February 23, 2018
Questions from Bidders Due	March 27, 2018 – 4 PM EST
RFP Due Date	March 30, 2018 - 4 PM EST
Selected Vendor Presentations	April 16 – April 20, 2018
Recommendation Submitted to Executive Committee	May 4, 2018 – 4 AM EST
Notification of Award	May 11, 2018
Contract Start Date	TBD

Please note: KVCC retains the right to change any and all dates and/or times.

4.0 Examination of Specifications and Schedule

Each bidder or his or her authorized agent is expected to examine the bid specifications, contract documents, and all other instructions pertaining to this RFP. Failure to do so will be at the bidder's own risk, and the bidder cannot secure relief on the plea of error in the bid. KVCC reserves the right to accept or reject any and all bids in part or in whole.

5.0 Submission Instructions

5.1 Proposal Transmission

While hardcopy proposals are also accepted (note mailing address below), email is the preferred method of delivering your proposal.

- Hardcopy proposals can be mailed to:

Kevin Casey
 Dean of Technology
 Kennebec Valley Community College
 92 Western Ave.
 Fairfield, ME 04937

- Email proposals should be sent to: kcasey@kvcc.me.edu
- The mailed/emailed proposal must be RECEIVED by 4 PM EST on March 30, 2018

- The email subject line must read: **“KVCC LMS RFP RESPONSE”**
- KVCC recommends sending the email with acknowledged receipt request. It is the bidder’s responsibility to insure that its proposal is received in its entirety by the proposal due date and time. Any bid received after the date and time specified will not be accepted, read, or evaluated.
- KVCC will not be responsible for computer, server, Internet or any technical problems, errors, delivery delays, or failures beyond its physical control. Bidders are advised to send their bid responses prior to the bid deadline to avoid potential delays.
- We are able to receive emails up to 20 MB in size. If your response is larger than 20 MB, please split your response into separate emails, and indicate in the subject line that you are doing so. All emails containing any part of your bid response must be received prior to the bid deadline.

5.2 References

Please provide references from five (5) peer Institutions of Higher Education as part of your response, including the following information:

- Institution Name
- Technology Contact: Name, phone number and e-mail
- Academic Contact: Name, phone number and e-mail

By submitting this information, the bidder authorizes KVCC to contact these clients for purposes consistent with the review of their proposal.

5.3 Evaluation Environment

Please provide the College with the logon credentials and URL for at least one test course environment. This test course will be used by College personnel as part of the evaluation and selection process, and should include:

- Access to as many relevant tools and technologies, and features/functionality as possible which are outlined in your proposal
- Valid, complete student data, grades and content; data may be live, but accessing this data should not constitute any FERPA or other confidentiality or privacy issues
- The ability for KVCC personnel to create, delete and modify content
- Working communication tools
- A complete listing of any features or LMS elements that are not technically or logistically able to be included in this test environment
- The ability to view this same course from a student’s perspective, using a separate logon, if necessary

Because of the centrality of this testing environment to the College’s evaluation of proposals, access should be provided as soon as is practicable, and can precede the submission of the actual proposal.

5.4 Vendor Presentations

Vendors may be requested to provide an on-site presentation of their proposal, which would include a detailed analysis of how each of the bid requirements would be addressed should the bidder receive the award. Vendor presentations are tentatively scheduled for the week of April 15, 2018. Such presentations will not be open to the public.

If special accommodations are required in order to attend a site visit, email Kevin Casey at kcasey@kvcc.me.edu no later than seven (7) days before the event.

5.5 Pre-Award Discussions

After the proposals are opened, but prior to award, the College may elect to engage in discussions with any or all of the proposal respondents for purposes of:

- Resolving minor differences and information
- Clarifying necessary details and responsibilities
- Emphasizing important issues and points
- Receiving assurances from said respondents

Selection may be made without further discussion; therefore, bidder shall offer the most favorable terms in response to this RFP. Bidder must demonstrate an understanding of the scope of service to be provided and the ability to accomplish the tasks and goals outlined in this RFP. KVCC reserves the right to request additional information or clarification on any matter included in the proposal responses, in order to arrive at the best award decision.

5.6 Proposal Requirements

In order to be considered complete, each proposal must include the following information:

- Cover page with company name, proposal principal authors, date, company address and company URL
- Primary contact(s) with phone number and e-mail address(es)
- The bid should be dated and signed by an officer of your company with the authority to approve the submission of the proposal
- Bidders shall provide detailed information on how its proposed LMS meets or performs each requirement or goal, or matches each attribute listed in Section 7. Each element should be discussed in detail, with examples provided, as appropriate.

6.0 Bid Review and Evaluation Criteria

All proposals (hardcopy or email) will be opened and recorded at 8:00 AM EST on April 2, 2018

The evaluation of all RFP responses and the recommendation of a vendor will be made by the KVCC LMS RFP Team. The award shall be made to the vendor whose proposal, in the opinion of the LMS RFP Team, is deemed the highest rated, based upon the weighted criteria outlined below:

Category	%
Functional Attributes and Features	45
Technical Attributes and Features	25
Vendor Information	10
Cost	20
Total	100

7.0 Scope of Services

The College is interested in receiving creative, thorough and realistic proposals that provide the most cost effective and operationally efficient LMS system for its students, faculty, and support staff.

7.1 Functional Attributes and Features

7.1.1 Access and Accessibility

1. Describe how the system handles student authentication and helps ensure that the student who registers in the distance education or mediated course or program is the same individual who participates each time in the course, and completes and receives the academic credit.
2. Describe in detail how the Learning Management System addresses web accessibility issues, including a statement of the current level of compliance with the W3C Accessibility Initiative and/or Section 508.
3. Describe in detail how your system integrates with software programs like JAWS or DRAGON to allow students and faculty to maneuver and fully utilize your system.
4. How does your LMS adhere to Title II of the Americans with Disabilities Act and its amendments, and regulations of Section 504 of the Rehabilitation Act of 1973?
5. Does the proposed LMS have the capability to integrate closed captioning for video and audio?

7.1.2 Student Interface Features

Describe in detail student-centered features such as:

1. Areas for displaying student and group project work
2. Areas for student personal web pages/content
3. Peer evaluation functionality
4. Student e-portfolios
5. Student portal features
6. A single sign-on connected to campus network authentication

Please address the following:

- Describe how the student view differs from the instructor view. How do students access course information? Do they see all of their online course(s) announcements, information and notifications on a single homepage?
 - Describe how the LMS enables instructors and students to search and navigate easily across relevant content, student records, assignments, etc., across different courses and sections.
 - How do students view summary and graphical displays of student grade book status and course grading statistics?
 - Describe how students can review their own course progress, including which course content they have accessed, what homework has been submitted and when it has been graded, what tests are pending or completed, etc.
 - Can the student access one gradebook for multiple courses?
 - Describe how a student might integrate private text, audio, or video notes into their copy of the course material.
 - Describe how a student would input music, math, science symbols and diacritical marks into tests, assessments, chatrooms, discussions, etc.
 - How can a student create working groups of other students within a course and across courses?
 - What is the method for students to create home pages and/or collaborative projects?
 - Does the system enable students to click on a link to return to the last place they visited in the course?
 - List any third party student portal or similar student-centered systems with which the proposed LMS has been proven to integrate, and describe any relevant information about those products.
- Does the proposed LMS support mobile learning?
 - Describe the mobile learning app availability for mobile devices (iOS, Android, Windows), including security features.
 - Is the mobile learning application an additional cost or part of the base product?
 - Does the mobile learning app support faculty use?
 - Does your mobile learning app have the same features as your LMS for faculty and for students? If not please explain the differences.
 - Can the Colleges customize the mobile learning app?

7.1.3 Support

Please address the following specific areas:

- Identify the types of materials, such as help manuals, contextual help for user screens, tutorials, and online resources that are available to assist both students and instructors/developers (electronic manual format should be specified as html, pdf, etc.).
- Describe the on-going support available on a 24-hour/7-day basis to both technical staff and end users, including toll free numbers, day and time availability, and any restrictions. Minimum technical support response time should be indicated, with any differences in support response time for different users or time of day clearly noted. In the Cost section, specify options and complete descriptions for different levels of support (e.g., gold, platinum, etc.).
- Describe support staff – location, accessibility, number of staff per customer, etc. Describe the extent and nature of any vendor-sponsored or sanctioned user communities or user-generated resources and how they are accessed, maintained, and disseminated.
- Describe how technical updates or informational releases for users are distributed or made available to clients.

- Describe methods for ensuring that LMS works with all current major browsers and tools, how long after a browser upgrade release will system be compatible, please include documentation about your compatibility for the past 3 releases of Firefox, IE, Safari and Chrome.
- Describe maximum amount of space and accessibility of file storage for individual users, including any relevant fees.
- Describe the QA process for the Bidder's LMS, including how incidents, bugs, and other issues are escalated and resolved.
- Provide from the last 12 months a history of significant incidents, bug reports, and QA issues, describing the severity of the issue, resolution or fix times, impacts, and any outstanding issues or incidents that have not yet been resolved. Indicate the total number of updates and patches released for the LMS over the past 12 months.
- Describe the technical support, help desk, and other support options for administrators.
- Describe the consulting services offered for typical types of work.
- List and describe support modes and venues (i.e., phone, web, email, etc.) for administrators, faculty, staff and students, and describe the order in which customers are routed to them.
- Explain the location, language and technical proficiency of your support staff who would be responsible for responding to incidents.
- Describe how the LMS provides for printing of content pages.
- Describe any provision for accessing content offline (such as replication capabilities).
- Describe how instructors are able to view and test course materials in the role of students.

7.1.4 Course Content Design, Management and Organization

Instructors and others (student services staff, lab assistants, etc.) with a wide spectrum of technical skills and expectations will create content in this environment. It is important that the LMS can provide or smoothly integrate with tools that allow for flexibility and meet the different needs of these users.

- Describe in detail how content can be created, assessed, and modified.
- Does your LMS allow for faculty single sign-on, i.e. authentication thorough the College's network?
- Describe how faculty can integrate different LMS functions (e.g., content, assignments, quizzes, discussion forums and links) into a single course lesson or module.
- What live conferencing tools are available, and how are the conferences archived and stored? Who has access to these archives?
- Describe how instructors can copy, move, display, and re-order a variety of files, course modules, and other content into and out of a unit, course, or multiple courses simultaneously.
- Describe in detail the file and content management features of the LMS including but not limited to smart recognition of common file types, import/export tools, movement of student work into and out of the LMS.
- Can content and resources be shared across courses and among instructors, both instructor created as well as (e.g.) content created by Library or other staff?
- Describe how instructors can use drag and drop features and where they are available and integrated into the calendar, the gradebook, the units, etc.
- Describe how instructors can create and manage small groups within a larger class so that these group members can interact with each other.
- Can instructors release content selectively by date/time, student status, groups, test scores, and

other criteria? Describe the ability to control the progression of a class or specify the date and duration of the release of course content, resources, tests, discussions, etc. based on user, performance, or other criteria.

- Describe how instructors can import and cross link course materials and use all of the available LMS tools without knowledge of HTML.
- How can instructors customize the look and feel of course pages?
- How do instructors input music, math, science symbols and diacritical marks into lectures, chatrooms, discussions, etc.
- Describe how instructors can use interactive elements such as forms and flash animation, and which of these options are built in to the courseware.
- How does the system provide and support plagiarism detection and validation tools for both students and instructor?
- Are faculty given choices (such as Creative Commons and local Library resources) from which to provide their content, and are students reminded of their responsibilities relative to copyrights?
- How does the system utilize and integrate e-packs or course cartridges from publishers and third party content providers? List the publishers that have pre-configured course content available for this LMS. Provide the approximate number of publishers of e-packs or cartridges for this LMS.
- Are open standards incorporated wherever appropriate in the LMS in order to maximize the use of these options? To what extent are proprietary components are present that require separate licensing or lock in data?
- List any third party content development products with which the proposed LMS has been proven to integrate and describe any relevant information about those products.
- Describe what automatic notifications are available (e.g. add or drop confirmation, changes in assignments, what's new, change of class meeting time and place, and uncompleted work).
- Describe how adding and deleting students from a course is handled. What management of student and guest student roles, access, and permissions are available to the instructors?
- How can instructors track student progress (e.g., login frequency, duration, course activity, content accessed, tests completed, discussion participation)?
- What access do instructors have to student-student and student-instructor communications? Are all communications archived and searchable?
- Can instructors make modifications easily across multiple sections of a course that shares common content, such as course content, announcements, discussion topics, and quizzes?
- Is an instructor able to backup/restore/reset an entire course? Describe the LMS's end user available backup resources and services, including the ability to:
 - o Back up courses to their desktop
 - o Back up selective areas of a course
 - o Restore content from their backup
 - o Restore and repurpose content with another application

7.1.5 Communication Tools

Describe in detail the communication tools found in the software or supported by it.

- Is course e-mail internal or does it use/allow external addresses?
- What other methods of communication between instructor and student are supported by LMS?
- What archive is kept of communications between instructor and student?
- How do synchronous public or private discussions occur? What archives of these are made?

- What support exists for authoring in foreign languages and using international keyboards?
- What visual editor tools are readily available? Is there spellchecking, auto correct and individual dictionary building capability?
- Is there a method to handle anonymous discussion topics, threads, subject postings and replies?
- What parts of a threaded discussion are archived? Does the instructor or student have the ability to import and export, monitor, modify or delete all or part of discussions? Can students edit their own entries? If student editing is possible, are instructors notified when edits occur?
- What search capabilities are available for threaded discussions?
- What synchronous chat/audio-visual conferencing is available and how are they archived?
- Does the system allow private chats accessible to student-level role participants only?
- Does the system offer instant messaging? What is archived and who has access to the archive?
- What whiteboard capabilities are present?
- Is there printing, image capture, and keyboard navigation support?
- What tools are available to support collaborative working groups of students or instructors?
- What file exchange capabilities and file types are supported? Describe any significant features or limitations of these tools, in particular any synchronous tools, with respect to properly operating among or across different PC platforms, such as Windows 10, Mac OS, Linux, etc., or across different browsers.
- List any third party communication tools with which the proposed LMS has been proven to integrate and describe any relevant information about those tools.

7.1.6 Calendar

Describe in detail how the course calendar functions as an effective course organizational tool for faculty and students, including:

- How it links to course areas and student portals.
- Is there drag and drop functionality? How does it work?
- Can students add personal entries?
- List any third party calendar products with which the system has been proven to synchronize, and describe any limitations or known issues with those products.

7.1.7 Testing and Assessment

Describe how your system tracks learning outcomes in the individual class and across the institution.

Describe in detail the test/quiz/survey and assessment features of the software, including:

- Types of questions supported including multiple choice, true/false, matching, short essay, long essay, fill-in-the-blank questions, etc.
- The type of feedback that can be integrated into assessments. Are these question specific? Exam specific? Variable depending on response?
- Test security, including restricting access, test release time and duration, browser lockdown, retake options.
- Regarding graded and ungraded testing and self-tests, can assessments be removed from the gradebook?
- Does the system offer the opportunity to deploy secure and anonymous surveys and evaluations from within a course?

- Is there the ability to enhance tests with HTML/hyperlinks, and with multi-media elements such as images or video, audio, scientific notation, embedded equations, etc.?
- How does the system randomize quiz questions, to select test questions randomly from a test bank, and to randomize possible answers (A,B,C) in multiple choice questions?
- Can instructors assign weights to individual questions?
- Can instructors assign weights to each assignment?
- What test development features are available, such as the batch importing of questions from publishers' test banks or other common file formats?
- Describe the ability to share, reuse, modify and organize existing tests and individual questions both within and across courses.
- Does the system provide easy and/or automatic exportation of results to grade book, and can the instructor control when the test results become available to students?
- Describe how the system associates tests and specific test questions with a specific learning outcome or objective.
- What are the capabilities for detailed item analysis of test items, including student performance tracking and results notification/breakdown?
- Is there the ability to provide audio and video comments on an assignment (both instructor and student)?
- Are all instructor and student comments and communications on an assignment visible in a single window?
- Are there clickable rubrics which integrate into the gradebook with options for commenting and scoring? Describe how these are accessed.

7.1.8 Grading

- Regarding gradebook set up, how does it link with the content, rubric, feedback, etc., and what options are available for creating audio and video feedback for students?
- Is there a way to integrate assessments with institutional and program level Student Learning Outcomes?
- Can key assessments across multiple courses and programs be reported on?
- Describe how gradebook information for dropped students is handled; is it available to the instructor after the student drops the course?
- Describe what steps are necessary, if any, to restore student work and grades for reinstated students.
- Describe the LMS's ability or method for students to submit projects and for the instructor to pick up the projects and grade them and return them.
- Can the gradebook be exported to common forms of spreadsheets?
- How does the system allow for easy modification of auto-graded items? Is a notification sent when a graded item is modified?
- How does the gradebook integrate with the Jenzabar EX gradebook? Does it allow for the submission of final grades via the LMS?
- Are activities/exams automatically added to grade book upon completion?
- Can instructors set up automatic notices for students when an item has been graded?
- Describe the security controls used to ensure the privacy of student grades. List any third party grade book software products with which the proposed LMS has been proven to integrate and describe any relevant information about those products.

7.2 Technical Requirements

7.2.1 Integration with Jenzabar's EX SIS

- Can your tools/system integrate with the Jenzabar EX enterprise student information system?
- Does your LMS integrate with the Jenzabar JICS student portal?
- Describe the integration, providing examples, typical costs. Is integration real time?
- Does the vendor have a strategic business or product relationship with Jenzabar?
- Will the vendor provide the College with references who have integrated their LMS with Jenzabar's EX?

7.2.2. Technical Course Administration

- How do faculty add observers/graders/etc., to their courses?
- How are courses created? How can faculty copy content from one semester to another?
- Describe the process by which temporary and "one off," ad hoc courses are created.
- Can courses be created in a way which persists beyond a given term or academic year?
- What roles does your LMS support to differentiate between types of administrators, faculty, and department chairs?
- Please describe the system functions the campus must perform versus the system functions that you the Bidder will perform, e.g. course management, course migration and maintenance, assessment system management, and faculty/student evaluation process tasks.
- Please describe the process to migrate course information at the end of the contract to College resources.
- What is the anticipated scheduled annual downtime for system maintenance, etc.?
- Please provide the following information concerning the hosting facility(s):
 - o Describe the facility disaster recovery plan, as well as details of all associated environmental controls and physical security for the facility.
 - o Provide a detailed description of how customer data and content is segregated from that of other customers.
 - o Address the individual security requirements for your hosted service environment.

7.2.3 Implementation Planning

Provide an Implementation Plan, including typical institutional variations. Describe the recommended or required procedures and steps that are to be taken to ensure a successful installation of the proposed LMS.

- Provide current release/version number(s) and date(s) for the system.
- Provide an estimated implementation/delivery schedule.
- Summarize the roles of the vendor and KVCC during the conversion and implementation process and the expected human resources to ensure a good transition.
- Describe how the vendor will quickly and competently identify and solve problems that arise during the implementation process.
- Describe how the vendor proposes to manage the project implementation in concert with KVCC.

7.2.4 Training Planning

Provide a detailed Training Plan that includes class descriptions, the timing as it relates to the Implementation Plan, and ongoing recommendations for classes for testing, commissioning, and operation of the proposed LMS. Describe availability and cost of:

- Training provided with the purchase of the proposed LMS, including class descriptions and training objectives for end-users, technical staff, and others, including methods used (instructor led, distance learning, train-the-trainer, etc.), locations, and frequency of offerings. Identify the standard training and any customized training that is available to reflect individual institution needs, and include any limitations such as class sizes, locations, and time limits. Please include training requirements for system/software upgrades in your response. Any additional costs associated with add-on or customized training should be listed separately in the Cost Proposal.
 - Training materials (for all roles – System administrator, LMS Administrator, Help Desk, Course Designer, Student, etc.), and the training formats available (print, web, Bidder delivered, etc.).
 - LMS Product certification options, train-the-trainer materials.
- Describe recommended amount of training for end users, administrators, Help Desk, and support staff, and the typical shelf-life of each training unit.

7.2.5 System Administration

- Describe the tasks that will need to be performed by KVCC staff on a daily, weekly, monthly, academic term, and yearly basis to provide ongoing operational and administrative support of the LMS once the conversion is complete. How many staff will be required to complete these tasks?
- Describe how security is administered. Include a description of the system's ability to delegate administration to host or domain institutions, departments, courses, sections, and users; how users and roles are added and deleted; how passwords are maintained, and whether or not or which elements any of the administration can be automated.
- Can the institution customize the look and feel of course pages globally?
- Does the system offer the opportunity to deploy secure and anonymous surveys and evaluations from the administrative interface?
- Describe the processes and limitations of offline data archiving. Please consider the following:
 - o What tools are supplied for moving data to the archive(s)?
 - o What methods are in place to supply security for the archive(s)?
 - o Describe how data is selected for movement to the archive(s).
 - o Explain the process for accessing and/or restoring archived data.

7.2.6 Reporting

Describe the reporting the LMS provides to analyze system usage from a student, instructor, and/or institutional or system-wide perspective:

- Provide a complete list of all standard reports.
- Describe the custom report development features.
- Describe any reports/features that support student retention and success.

- Describe the electronic formats of reports.
- Describe the LMS's ability to preview reports on line, including customized reports from live data.
- Describe how security and authorization applies to reporting.
- Describe how user information can be tracked and reported on (e.g., login frequency, duration, course activity, content accessed, tests graded, discussion participation, etc.).

7.3 Vendor Information

- Provide a brief history of your company and its experience, qualifications, and success in providing the type of system described in this RFP.
- Identify any negative future prospects and known threats (law suits, IP protection expiry, etc.).
- Provide an audited financial statement for the most recent complete fiscal year for your company.
- Has the vendor published its ongoing vision for both the technical and pedagogical aspects of the product?
- Describe your company's current market position relative to the previous three years, outlining changes in customer base in terms of installations or enrollments.
- Describe any customer satisfaction measures, metrics or third-party surveys or assessments.

7.4 Costs and Fees

Please identify all fees and costs associated with the proposal submitted for the acquisition, implementation and continued support of your system at KVCC, assuming the same student and faculty FTEs stated above. The costs and fees schedule should include:

- Total implementation costs:
 - Direct costs: licenses, start-up/one-time costs, professional services, migration, support, training, etc.,
 - Indirect costs: estimates (or specifications for third party purchases) for required hardware/software, staffing,
 - Third party costs: additional services, subcontracted services, etc.;
- Total monthly and annual costs for licensing, service and maintenance, technical support and escalation and delivery
- Hourly rates for professional services
- Estimated detailed breakdown of all costs, fees, charges etc. should the College exceed estimated use outlined in this RFP
- Optional peripheral systems, services and software solutions, including analytics packages, retention and CMS systems, assessment systems, one-card/payment/off-campus merchant solutions, etc.

8.0 Interpretation of Contract Documents

No oral interpretation will be provided to any bidder as to the meaning of the specifications or other contract documents. Every request for such interpretation shall be made in writing at least three (3) or more days before the proposal due date and submitted to:

Kevin Casey, Dean of Technology and Chief Security Officer
Kennebec Valley Community College
92 Western Avenue, Fairfield, Maine 04937
or via email at kc Casey@kvcc.me.edu

Any interpretation made to a bidder will be issued in the form of an addendum to the contract/bid documents which, if issued, shall be sent as promptly as practicable to all persons to whom the specifications have been issued. All such addenda shall become part of the contract/bid documents.

9.0 Withdrawal of Bids

All proposals must be valid for at least ten (10) business days after the proposal due date, after which time proposals shall expire unless the bidder had been notified and agrees to an extension.

KVCC reserves the right to modify or withdraw this invitation, to reject any or all proposals, and to terminate any subsequent negotiations at any time. KVCC also reserves the right to choose the proposal that best meets the needs of its facilities.

10.0 Taxation and Compliance

MCCS d/b/a KVCC is an educational institution organized under the laws of the State of Maine, and so its purchase of goods is exempt from state, federal, and local sales and use taxes. The successful bidder agrees to comply with all applicable federal, state and local statutes, laws, codes, rules, regulations, ordinances and orders in the performance of the Contract.

Dated:
February 23, 2018

By:
Kennebec Valley Community College
Kevin Casey, Dean of Technology and Chief Security Officer
92 Western Avenue
Fairfield, Maine 04937

Enclosure: 1. Standard Terms and Conditions applicable to All MCCS Contract

February 23, 2018

Kennebec Valley Community College
Competitive Bid Request for Proposal
Learning Management System
Enclosure 1

**NOTICE TO ALL BIDDERS REGARDING CONDITIONS ON BIDS
STANDARD TERMS AND CONDITIONS APPLICABLE TO ALL KVCC
CONTRACTS**

The following Kennebec Valley Community College (KVCC) standard contracting terms and conditions are incorporated and shall become a part of any final contract that will be awarded by any college or other operating unit of KVCC. These terms and conditions derive from the public nature and limited resources of KVCC.

KVCC DOES NOT AGREE TO:

1. provide any defense, hold harmless or indemnity;
2. waive any statutory or constitutional immunity;
3. apply the law of a state other than Maine;
4. procure types or amounts of insurance beyond those KVCC already maintains or waive any rights of subrogation;
5. add any entity as an additional insured to KVCC policies of insurance;
6. pay attorneys' fees or costs for any other entity;
7. promise confidentiality in a manner contrary to Maine's Freedom of Access Act;
8. permit an entity to change unilaterally any term or condition once the contract is signed; and
9. automatic renewals for term(s) greater than month-to-month.

By submitting a response to a Request for Proposal, bid or other like offer to do business with KVCC, YOUR ENTITY UNDERSTANDS AND AGREES THAT:

1. The above standard terms and conditions are thereby incorporated either expressly or by reference to this notice into any agreement entered into between KVCC and your entity, and that your entity will not propose or demand any contrary terms;
2. The above standard terms and conditions will govern the interpretation of such agreement notwithstanding the expression of any other term and/or condition to the contrary;
3. Your entity will not propose to any college or other operating unit of KVCC any contractual documents of any kind that are not in at least 11-point font and completely contained in one Word or PDF document, and that any references to terms and

conditions, privacy policies or any other conditions referenced outside of the contract will not apply; and

4. Your entity will identify at the time of submission which, if any, portion or your submitted materials are entitled to “trade secret” exemption from disclosure under Maine’s Freedom of Access Act; that failure to so identify will authorize KVCC to conclude that no portions are so exempt; and that your entity will defend, indemnify and hold harmless KVCC in any and all legal actions that seek to compel KVCC to disclose under Maine’s Freedom of Access Act some or all of your submitted materials and/or contract, if any, executed between KVCC and your entity.