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**SOLICITOR FOR CHESTER UPLAND
SCHOOL DISTRICT**

**IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW**

**IN RE: APPOINTMENT OF A RECEIVER : NO. CV 2012-009781
FOR THE CHESTER UPLAND SCHOOL :
DISTRICT :**

PRAECIPE TO FILE OF RECORD

TO THE OFFICE OF JUDICIAL RECORDS:

Kindly file of record on behalf of the Chester Upland School District the following:

Request For Proposal: Proposed Outsourcing of Functional Areas;

Request For Proposal: Special Education Audit Services;

Request For Proposal: Audit Services For District Organizational Chart;

Framework for Chester Upland School District's Strategic Initiative

Respectfully submitted:
DiORIO & SERENI, LLP

Date: April 15, 2020

BY: /s/ Robert M. DiOrio
ROBERT M. DiORIO, ESQ.
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Media, PA 19063
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REQUEST FOR PROPOSALS

**PROPOSED OUTSOURCING OF
FUNCTIONAL AREAS AT
CHESTER UPLAND SCHOOL
DISTRICT**

ISSUED BY
CHESTER UPLAND SCHOOL
DISTRICT RECEIVERSHIP

Chester Upland School District
232 W. 9th St. | Chester, PA 19013
Phone: 610-447-3600

RFP NUMBER

2020-CUSD-0001

DATE OF ISSUANCE

MAY 1, 2020

SUBMISSION DEADLINE

JUNE 1, 2020

I. PRIMARY INFORMATION

I-1. Purpose. This request for proposals (“RFP”) provides to those interested in submitting proposals (“Offerors”) sufficient information to enable them to prepare and submit proposals for the consideration by the Chester Upland School District (“CUSD”) and related CUSD Receivership (“Receivership”) to satisfy the potential need for outsourcing of functional areas of the CUSD, including Human Resources, Federal Programs, Transportation, Business Office, Information Technology, Child Accounting, Maintenance, and Security. This RFP contains instructions governing the requested proposals, required elements, general evaluation criteria, and other matters specific to this RFP.

I-2. Point of Contact. The Receiver (“Receiver”) of the CUSD Receivership has issued this RFP on behalf of the CUSD. The sole point of contact in the Receiver's Office for this RFP shall be _____ (the “Point Person”). **All inquiries about this RFP shall be directed to the Point Person and must be submitted in writing, preferably by electronic mail to _____.**

I-3. Background.

- A. The CUSD has been in Receivership and under Court supervision for nearly 10 years and under Commonwealth of Pennsylvania control for many years before the Receivership.
- B. The CUSD has lacked adequate financial and human resources to manage its Human Resources, Federal Programs, Transportation, Business Office, Information Technology, Child Accounting, Maintenance, Security and other functional areas that are essential to having a high performing and viable School District.
- C. The Receivership itself is currently in transition and a new Receiver has been appointed by Honorable Judge Barry C. Dozer effective May 27, 2020.
- D. The Receiver has submitted a draft December 2019 Revised Recovery Plan that will be updated after credible actual financial results are available for the school year ended June 30, 2019.
- E. The draft December 2019 Revised Recovery Plan concludes there is a lack of apparent financial viability over the five-year horizon, before consideration of substantial claims against CUSD, estimated costs of facility improvements or replacements, and the 2025 expiration of a court-approved settlement agreement with certain brick and mortar charter schools.
- F. The Receiver has recommended certain initiatives, including that all options be considered to impact a meaningful recovery of CUSD, to have a path to financial

viability, and eventually a return of control to the elected CUSD Board of School Directors.

I-4. Anticipated Outsourcing Proposals and Key Criteria. The CUSD, under supervision of Honorable Judge Barry C. Dozer, has determined it will consider proposals under which it will outsource some or most functional areas to one or more providers.

- A. This RFP seeks bids from qualified providers seeking to assume control and responsibility for one, more, or all of the functional areas of the CUSD.
- B. The CUSD intends to evaluate all timely submitted proposals for outsourced services on a competitive basis.
- C. Offerors may be an existing authority, governmental agency, or a private for profit or non-profit entity. Each Offeror must be able to establish proficiency in any and all proposed functional areas to provide high quality and cost-efficient services. Each Offeror must have prior experience with schools and be capable of complying with laws and regulations.
- D. Each Offeror's history and record of performance will be assessed by the CUSD when evaluating bids. Such history may include past work by Offeror's personnel in prior situations.
- E. Each Offeror also will be evaluated based on the proposed fee structure to be set initially, the duration of any rate structure, and the required approval of any changes to the rate structure.
- F. Offerors are encouraged to review public filings of the CUSD. Additional information is available on the CUSD website and other information may be found in governmental filings and filings with EMMA, designated by the U. S. Securities and Exchange Commission as the official source for municipal securities data and disclosure documents.

I-5. Identification of Prospective Offerors and Questions. Offerors are requested to identify themselves by submitting their entity name, primary contact name, email address, and telephone number to the Point Person on or before noon, May 15, 2020.

If an Offeror has any questions regarding this RFP, the Offeror must submit the questions via email (with subject line "2020-CUSD-0001) to the Point Person. All questions must be submitted before noon, May 15, 2020. If the CUSD chooses to answer or respond to a question, the additional information will be provided via email to all Offerors who have registered under I-7, if legal counsel for the CUSD deems it appropriate.

All answers are considered an addendum to and part of this RFP. The CUSD shall not be bound by any oral information or by any written information that is not included in this RFP or as an addendum. If the CUSD deems it appropriate to amend any portion of this RFP, it will do so via email to all registered Offerors.

I-6. Response Date. To be considered for selection, proposals must arrive at the office of Receivership legal counsel, Robert M. DiOrio, Esq., DiOrio & Sereni, LLP, 21 W. Front Street, Media, PA 19063, on or before 3PM, on June 1, 2020. Proposals via email or facsimile will not be accepted. Offerors who send proposals by mail or other delivery service should allow sufficient delivery time to ensure timely receipt of their proposals. The CUSD will reject late proposals without review. (Note: If the DiOrio & Sereni, LLP physical law office has not been permitted by the Governor to reopen by June 1st, an alternative method to submit proposals will be provided).

I-7. Proposal Requirements.

A. Proposal Submission. To be considered, Offerors should submit a complete response to this RFP to Receivership legal counsel, Robert M. DiOrio, Esq., DiOrio & Sereni, LLP using the format provided in this Section I-12.C, providing both eight printed copies, and PDF copies submitted on a CD or a standard USB flash drive. Spreadsheets included in the PDF should also be provided in Excel, and Offerors may not lock or protect any cells or tabs. The CD or flash drive should clearly identify the Offeror and include the name and version number of the virus scanning software that was used to scan the CD or flash drive before it was submitted. An official authorized to bind the Offeror to its provisions must sign the proposal. For this RFP, the proposal must remain valid for 120 days or until a contract is fully executed. If the CUSD selects the Offeror's proposal for award, and such award is approved by the Court, the contents of the selected Offeror's proposal will become contractual obligations, except to the extent the contents are changed through negotiations.

Each Offeror submitting a proposal specifically waives any right to withdraw or modify it, except that the Offeror may withdraw its proposal by written notice received at the Receivership legal counsel, Robert M. DiOrio, Esq., DiOrio & Sereni, LLP for proposal delivery prior to the hour and date specified for proposal receipt. An Offeror or its authorized representative may withdraw its proposal in person prior to the exact hour and date set for proposal receipt, provided the withdrawing person provides appropriate identification. An Offeror may modify its submitted proposal prior to the exact hour and date set for proposal receipt only by submitting a clearly identified revised submission, which should contain any written pages of errata and a complete revised electronic submission on CD or flash drive marked as "Revised Proposal" which complies with the RFP requirements.

B. Proposal Format: Except as expressly required herein, Offerors are encouraged to communicate their proposal in a form that best meets their needs. Offerors should provide any other information thought to be relevant, but not applicable to the enumerated categories, as an appendix to its proposal. Offerors are encouraged to prepare their proposals simply and economically, providing a straightforward, concise description of the Offeror's ability to meet the requirements of this RFP.

Each proposal shall contain at least the following elements:

- 1) Summary of key economic terms. Such summary shall set forth:
 - a) The total cost for the services to be provided, broken down by functional area, by person, and by billing rates and out of pocket expenses, if any.
 - b) The amount of the initial deposit or payment, the timing thereof, and any material conditions or terms relating thereto;
 - c) Any subsequent deposit(s) or payment(s) to be made prior to closing, the timing thereof and any material conditions or terms relating thereto;
 - d) Any cap on rate increases (and the baseline for such increases) for any period of years, and the process by which the rates will be increased thereafter;
 - i. It is expressly requested that Offeror compare the total change in estimated revenues from funding sources based on Offeror's proposed outsourced model for school 2020-2021 and 2021-2022 to those previously budgeted by the CUSD;
 - ii. These dates and rates are acknowledged to be estimates, but are requested for the purpose of making like comparisons between proposals; and
 - e) The cap, if any, on economic exposure for the CUSD.
- 2) A history of Offeror's experience with school districts and other educational systems. The qualifications of Offeror and its key personnel. This section shall be as comprehensive and complete as is necessary to ensure the CUSD that the Offeror has appropriate experience and qualifications, including, but not limited to, Offeror's financial capabilities for the functional area(s), and the proposed value initiative to the Receivership.
- 3) The CUSD reserves the right to request additional information which, in its opinion, is necessary or advisable to assure that the Offeror's competence, number of qualified employees, business organization, and financial resources are adequate to perform the requirements of this RFP.
- 4) The CUSD may make investigations as deemed necessary to determine the ability of the Offeror to complete the anticipated outsourced services, and provide high quality services, and the Offeror shall furnish to the CUSD all requested information and data. The CUSD reserves the right to reject any proposal if the evidence submitted by, or investigation of such Offeror fails to satisfy the CUSD that such Offeror is properly qualified and has sufficient resources.

I-8. Alternate Proposals. While the CUSD has identified the basic approach to meeting its requirements, it encourages Offerors to be creative and propose their best ideas for meeting the requirements set forth herein. The CUSD may, at its sole discretion, accept alternate proposals that do not meet the strict requirements set forth herein.

I-9. Discussions for Clarification. Offerors may be required to make an oral or written clarification of their proposals to the CUSD to ensure thorough mutual understanding and responsiveness to the solicitation requirements. The CUSD will initiate requests for clarification. Clarifications may occur at any stage of the evaluation and selection process.

I-9. Best Offers. While not required, the CUSD reserves the right to conduct discussions with one or more Offerors for the purpose of obtaining "last and best offers." To obtain last and best offers from Offerors, the CUSD may, in any combination and order, schedule oral presentations or meetings, request revised proposals, enter into pre-selection negotiations, or take such other actions as it deems necessary and prudent.

II. CRITERIA FOR SELECTION

11-1. Mandatory Requirements. To be eligible for selection, a proposal must both be timely received from the Offeror and be properly signed by an officer of the Offeror who may legally bind the Offeror. These requirements are the only RFP requirements that the CUSD will consider to be non-waivable. The CUSD reserves the right, in its sole discretion, to (1) waive any other technical or immaterial nonconformities in an Offeror's proposal, (2) allow the Offeror to cure the nonconformity, or (3) consider the nonconformity in the scoring of the Offeror's proposal.

11-2. Evaluation Criteria. Evaluation of the proposals involves a weighing of different economic and non-economic interests, and thus there is no single numeric metric that will be applied. In evaluating the proposals to determine the best responsible offer, a non-exclusive list of elements likely to be considered by the CUSD include:

A. Economic Factors.

- i) Total purchase price for the outsourced services, and timing thereof.
- ii) Deposits or preliminary payments, and timing and conditions thereof.
- iii) Rate concessions for residential ratepayers, including the initial level and duration of such concessions and the process applicable to rate setting after such period.
- iv) Tax implications to the CUSD from the Offeror's proposal.
- v) Financial structure of Offeror, and ability to perform obligations under the contract, and whether such abilities are conditioned on market or other conditions.
- vi) Other economic factors.

B. Technical Quality.

- i) History of performance with similar school districts or other educational systems.
- ii) Record of legal compliance in operation of similar school districts or other educational systems.
- iii) Customer service record in other operations.
- iv) Requirements for approval and expected likelihood of approval of outsourced services by the Court.
- v) Other technical factors.

C. Contract Structure.

- i) Conditions on economic terms.
- ii) Maximum cap on CUSD liability.
- iii) Other terms of the proposed agreement.

D. Other Factors.

- i) Long-term responsiveness to concerns of all CUSD constituents.
- ii) Commitments to gender and racial diversity in recruitment, employment, and contracting.
- iii) Track record and experience working with small diverse businesses.
- iv) Workforce treatment history.

11-3. Evaluation Process and Determination of Best Responsible Offeror. The CUSD has designated a team of staff and outside professional advisors to provide advice on this decision and negotiate a contract and related terms.

III. ADDITIONAL TERMS

111-1. Use and Disclosure of Proposals.

- A. **Confidential Information.** The CUSD is not requesting, and does not require, confidential proprietary information or trade secrets to be included as part of Offerors' submissions to evaluate proposals submitted in response to this RFP. Accordingly, except as provided herein, Offerors should not label proposal submissions as confidential or proprietary or trade secret protected. Any Offeror who determines that it must divulge such information as part of its proposal must submit the signed written statement described in paragraph III-1.B. below and must additionally provide a redacted version of its proposal, which removes only the confidential proprietary information and trade secrets, for required public disclosure purposes.
- B. **Public Disclosure.** After the award of a contract pursuant to this RFP, all proposal submissions are potentially subject to disclosure in response to a request for public records made under the Pennsylvania Right-to-Know-Law, 65 P.S. § 67.101, et seq. If a proposal submission contains confidential proprietary information or trade secrets, a signed written statement to this effect must be provided with the submission in accordance with 65 P.S. § 67.707(b) for the information to be considered exempt under 65 P.S. § 67.708(b)(1) from public records requests. If financial capability information is submitted in response to this RFP, such financial capability information is exempt from public records disclosure under 65 P.S. § 67.708(b)(26).

- C. **CUSD Use.** All material submitted with the proposal shall be considered the property of the CUSD. The CUSD has the right to use any or all ideas not protected by intellectual property rights that are presented in any proposal regardless of whether the proposal becomes part of a contract. Notwithstanding any Offeror copyright designations contained in proposals, the CUSD shall have the right to make copies and distribute proposals internally and to comply with public record or other disclosure requirements under the provisions of the CUSD's policies, any applicable law, or rule or order of any court of competent jurisdiction.
- 111-2. **News Releases.** Offerors shall not issue news releases, Internet postings, advertisements or any other public communications pertaining to this RFP without prior written approval of the CUSD.
- 111-3. **Notification of Award.** Offerors whose proposals are not selected will be notified when contract negotiations have been successfully completed and the CUSD has received the final negotiated contract signed by the selected Offeror.
- 111-4. **Cancellation of RFP; Rejection of Proposals.** The CUSD reserves the right, in its sole and complete discretion, to cancel this RFP or to reject any proposal received in response to this RFP.
- 111-5. **Incurring Costs.** The CUSD is not liable for any costs the Offeror incurs in preparation and submission of its proposal, in participating in the RFP process or in anticipation of award of a contract.
- 111-6. **Inclusion of Contract.** Offerors shall provide with their bid a proposed form of contract for providing outsourced services for any or all outsourced functional services. The CUSD, in its sole discretion, may undertake negotiations with Offerors whose proposals, in the judgment of the CUSD, show them to be qualified, responsible, and capable of providing the anticipated outsourced services. It is anticipated that the Offeror's representations and authorizations in Section III- 7 below will also be restated in the final contract. Nothing herein shall preclude the CUSD from negotiating the form of any contract.
- 111-7. **Offeror's Representations and Authorizations.** By submitting its proposal, each Offeror understands, represents, and acknowledges all of the following:
- A. All of the Offeror's information and representations in its proposal are material and important, and the CUSD may rely upon the contents of such Offeror's proposal in awarding the contract. The CUSD shall treat any misstatement, omission or misrepresentation as fraudulent concealment of the true facts relating to the Proposal submission, punishable pursuant to 18 Pa. C.S. § 4904.

- B. The Offeror has arrived at the price(s) and amounts in its proposal independently and without consultation, communication, or agreement with any other Offeror or potential Offeror.
- C. The Offeror has not disclosed the amount of the proposal, nor the approximate price(s) or amount(s) of its proposal to any other firm or person who is an Offeror or potential Offeror for this RFP, and the Offeror shall not disclose any of these items prior to the deadline to submit this RFP nor will it share such information with other Offerors or their agents during the process of negotiations.
- D. The Offeror makes its proposal in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other noncompetitive proposal.
- E. To the best knowledge of the person signing the proposal for the Offeror, the Offeror, its affiliates, subsidiaries, officers, directors, and employees are not currently under investigation by any governmental agency and have not in the last five (5) years been convicted or found liable for any act prohibited by state or federal law in any jurisdiction, involving conspiracy or collusion with respect to bidding or proposing on any public contract, except as the Offeror has disclosed in its proposal.
- F. To the best of the knowledge of the person signing the proposal for the Offeror and except as the Offeror has otherwise disclosed in its proposal, the Offeror has no outstanding, delinquent obligations to the CUSD or the Commonwealth of Pennsylvania.
- G. The Offeror is not currently under suspension or debarment by the CUSD, the Commonwealth of Pennsylvania, any other state or the federal government, and if the Offeror cannot so certify, then it shall submit along with its proposal a written explanation of why it cannot make such certification.



**Delaware County Intermediate Unit
Education Service Center
200 Yale Avenue
Morton, PA 19070-1918**

**Phone: 610-938-9000
Fax: 610-938-9887**

Maria Edelberg, Ed.D
Executive Director

**Proposal for DCIU Special Education Audit Services
2020-2021**

**Dr. Joyce Mundy, Director of Curriculum, Instruction, and Professional Learning
Dr. Kevin Kane, Assistant to the Director of Student Services**

ORGANIZATION: Chester Upland School District
232 W. 9th Street
Chester, PA 19013

CONTACT INFO: Dr. Juan Baughn
Superintendent
jbaughn@chesteruplandsd.org
610-447-3600

I. Audit Overview

This proposal covers the preparation and services to be included as part of a comprehensive special education audit for the Chester Upland School District incorporating the following components:

1. Review of district special education data, including the most recent Special Education Plan and Audit Summary Report, Corrective Action Plans, Penn Data Reports, the 14 indicators on the State Performance Plan, and the School Performance Profile.
2. Conduct on line surveys of parents, school-based administration, and pupil services/special education staff.
3. Interviews with receiver, superintendent, and Director of Pupil Services.
4. Focus groups with principals, assistant principals, and special education teachers/pupil services staff.
5. Review of continuum of services and programs provided in the Chester Upland School District for special education.
6. Based on December 1, 2018 Child Count review 5-10% of files of eligible students.
7. Conduct Education Benefit Reviews of 15 randomly selected student to evaluate effectiveness of Individualized Education Plans.
8. Observations and review of supplemental aids and materials in special education programs.
9. Final report with findings and recommendations moving forward.

The total cost of the special education audit for the Chester Upland School District is \$15,000.

Major Audit Deliverables

Deliverables	Timeline
Report with findings.	December 2020
Recommendations for future considerations.	December 2020

II. Audit Breakdown Structure

Service:	Date(s):
Initial meeting with DCIU and CUSD Receiver, Superintendent and Director of Pupil Services to discuss the purpose and goals of the special education audit	September 2020
Documentation and Data Review <ul style="list-style-type: none"> • Special Education Plan (current) • Special Education Audit (Most recent) • Identified Corrective Action requirements from PDE • Penn Data Report • School Performance Profile • District Special Education Procedural Manuals • Review of existing program and services (interviews, observations, review of Supplemental and Intervention Materials) • Education Benefit Review of 15 IEPs randomly chosen across grade levels • Review Progressing Monitoring Tools and Procedures • Review schedules of special education teachers 	October – November 2020
Interviews <ul style="list-style-type: none"> • Receiver • Superintendent • Director of Pupil Services • Supervisors of Special Education • Assistant Superintendent 	October – November 2020
Focus Groups <ul style="list-style-type: none"> • Principals and Assistant Principals • Special Education Teachers • Regular Education teachers 	October – November 2020
On-line Surveys (will need district support for distribution of surveys) <ul style="list-style-type: none"> • Parents of students with special needs • Special Education Teachers • School based administration 	October – November 2020
Classroom visits and observations	October – November 2020
Report Development	December 2020
Present Report with Recommendations to Receiver, Superintendent, Director of Pupil Services	January 2021



**Delaware County Intermediate Unit
Education Service Center
200 Yale Avenue
Morton, PA 19070-1918**

**Phone: 610-938-9000
Fax: 610-938-9887**

Maria Edelberg, Ed.D
Executive Director

**Proposal for DCIU Audit Services for District Organizational Chart
2020-2021**

ORGANIZATION: Chester Upland School District
232 W. 9th Street
Chester, PA 19013

CONTACT INFO: Dr. Juan Baughn
Superintendent
jbaughn@chesteruplandsd.org
610-447-3600

I. Audit Overview

This proposal covers the preparation and services to be included as part of a comprehensive district organization audit for the Chester Upland School District incorporating the following components:

1. Review of the district organizational chart and reporting structures.
2. Analysis of the CUSD Strategic Plan.
3. Review of current School Improvement Plans to assess alignment with current organizational capacity in designated district roles.
4. Review of the current job descriptions for Cabinet and Act 93 administrators.
5. Interviews with Cabinet level administrators on the current distribution of roles and responsibilities as related to departmental and district goals. Additionally, discussion of current meeting schedules for departments and leadership teams.
6. Focus groups with principals, assistant principals, and teacher leadership groups.
7. Final report with findings and recommendations moving forward.

The scope of the district organization audit is anticipated to be approximately 50 hours at a rate of \$185.00 for a total cost of \$9,250.00.

II. Major Audit Deliverables

Deliverables	Timeline
Report with findings.	December 2020
Recommendations for future considerations.	December 2020

III. Audit Breakdown Structure

Service:	Date(s):
Initial meeting with DCIU and CUSD Receiver, Superintendent and to discuss the purpose and goals of the district organization audit.	September 2020
Documentation and Data Review <ul style="list-style-type: none"> • Organizational Chart and reporting structures (current) • Cabinet and Act 93 job descriptions (Most recent) • Comprehensive Plan and Special Education Plan • Federal Programs grants • School Improvement Plans for CSI and TSI • Review of FRPAI and District Data. 	August 2020
Interviews <ul style="list-style-type: none"> • Receiver • Superintendent • Director of Special Education and Pupil Services • Assistant Superintendent for Curriculum and Instruction • Director of Human Resources • Business Manager • Chief Operating Officer 	September 2020
Focus Groups <ul style="list-style-type: none"> • Principals and Assistant Principals • Teacher leaders K-5; 6-8; 9-12 	October – November 2020
Report Development	December 2020
Present Report with Recommendations to Receiver, Superintendent, Director of Pupil Services, Assistant Superintendent for Curriculum and Instruction	January 2021

Framework for Chester Upland School District Strategic Options Initiative



April 15, 2020

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Purpose of Framework

The CUSD Strategic Options Initiative (SOI) is proposed by the Receiver, as an innovative approach to address the district's substantial near-term and long-term challenges, including lagging academic results; financial constraints; substantial amounts of deferred maintenance; inadequate operational and administrative work processes. The SOI aims to find, vet, and contract with Education Management Organizations or Charter Management Organizations that are the "best fits" and "best matches" for CUSD's various needs. It is envisioned that the chosen organization will assume responsibility for the day-to-day management for CUSD's Pre-Kindergarten – 12th grade schools, under predetermined terms and conditions. The framework for the Strategic Options Initiative is herein presented to describe the major goals, action steps, and milestones for successful execution of the process, which would commence on or about June 1, 2020.

Strategic Options

In order to execute the SOI, CUSD will leverage the experience of subject matter expertise on district reorganizations and best practice examples from several urban school districts that have embarked upon similar initiatives to restructure the delivery of education to their students. The strategic options outlined below offer CUSD a range of feasible approaches to address the most severe challenges facing the district. CUSD envisions three primary potential strategic options for reorganization:

Option A: Outsourced Management for Selected CUSD Schools

Option A calls for outsourcing management of individual selected CUSD schools, under contract with an external third party, non-CUSD organization with the expected outcome of dramatically improving academic outcomes and operations. Under this scenario, the successful provider may be a for-profit Education Management Organization or non-profit entity (such as a charter school operator), selected because of its proven track record in turning around failing or struggling schools.

Under Option A, CUSD would mandate the academic, budgetary, operational, and administrative guidelines for each school and engage the contractor to provide services and functions to meet or exceed those guidelines. The guidelines would include academic growth and corrective action plans. The district may maintain responsibility for some of its schools, and retention of current CUSD staff would be expected. The contracted providers will be supplementary and/or substitutional of existing CUSD functions, reporting to CUSD and its Receiver, who will maintain management oversight and establish performance targets for each contractor.

Option B: Outsourced Management for All CUSD Schools

Option B calls for a greater degree of restructuring through the outsourcing of every CUSD school to a single or multiple Education Management Organization(s) or Charter Management Organization. Under this scenario, the provider will have greater decision-making autonomy over the schools within its purview. Similar to Option A, the successful provider(s) will be selected because of proven track records in turning around portfolios of failing or struggling schools.

Under Option B, CUSD would establish annual academic, budgetary, operational, and administrative guidelines. The contractor would be responsible for developing and implementing solutions that meet the needs of each respective school in the portfolio. The guidelines would include academic growth and corrective action plans and direct and indirect services for students. Retention of current CUSD staff would be subject to the review of individual staff member performance records, and it is possible that new staff would be hired or existing staff repositioned, depending upon the needs of the school. The provider would be responsible for all aspects of a school's operations and would report directly to CUSD and its Receiver who will maintain management oversight and establish performance targets.

Option C: Full Outsourcing of CUSD Operations

Option C calls for an Education Management Organization to be engaged to be fully responsible for all aspects of district operations. Under this scenario, the successful provider will undertake the academic, administrative, operational, and financial aspects of the district. Collectively bargained contracts for represented employees would be restructured or transferred, and management and oversight of CUSD employees transferred to the provider.

Option C substantially moves day-to-day district functions to the provider, including school leadership; curriculum, instruction, and assessment; operations, facilities, food services, and transportation; finance, accounting and internal controls; grants management; and all other direct and auxiliary district services. The successful provider may sub-contract services to other providers depending upon their respective competencies and capabilities. The provider would report directly to CUSD and its Receiver who will maintain oversight and establish performance targets.

Process to Launch CUSD Strategic Options Initiative

At the direction of the Receiver, CUSD will issue: (1) a Request for Information, and (2) a Request for Proposals.

I. RFI Development and Distribution

CUSD and its Receiver will engage an independent strategic advisor to develop of initial list of potential providers and to begin cultivating interest in the SOI. The consultant will obtain information

and level of interest from education management organizations, charter management organizations, and private education companies based on their respective affirmative reputations for turning around schools similar to CUSD's and knowledge of the Chester Upland area and demographics. It is anticipated that providers within and outside of Pennsylvania will be approached.

The Request For Interest (RFI) will be a document which summarizes CUSD's background, outlines the case for the Strategic Options Initiative, and lays out the opportunities for provider engagement. The RFI will also list the minimum qualifications for engagement. Following approval of the RFI from the Receiver and Court of Common Pleas as needed, the consultant will issue the RFI to potential providers. The RFI document will include a Request for Information and an Intent to Reply form that providers will be expected to submit to proceed to the next phase.

II. RPF Development and Distribution

The CUSD Strategic Options Initiative Request for Proposals (RFP) will encompass detailed steps, terms and conditions, expectations, and timetables for implementation of the SOI.

The district's strategic advisor will be responsible for developing the RFP, a multiple page document that describes the district's needs, individual school profiles, and comprehensive data on district functions. Within the RFP will be the following sections:

Background on CUSD

- Demographics, Community, and Catchment Area
- Academic Progress, e.g.:
 - PSSA scores by school and cohorts
 - PVAAS trends by school and cohorts
 - Future Ready Indices
 - Graduation progress
 - Attendance records
 - Operating statistics (Facilities, Transportation, Food Services)
 - Financial statistics (Budgets, Forecasts, Reserves)

Provider Information

Each bidding provider will be required to submit detailed reports that captures the organization's demonstrated previous successes, reputation, and track record in several domains, including

- Academic curriculum
- Instruction and Instructional support
- Facilities
- Operations
- Pupil Services
- Security
- Food services
- Transportation
- Procurement
- Alternative Education
- Special Education
- English Language Learners

- Student mobility
- Admissions
- Graduation requirements
- MTSS
- Grants solicitation/Grants management
- Other non-academic operations
- Effectiveness and efficiency of solutions
- Financial stability
- Access to capital

Requirements for Responding Providers:

Bidding providers will be required to submit documentation, case examples of their engagements, and references that include:

- Strategic growth plan for the proposed school;
- An overview of the proposed school model, highlighting those aspects of the school model critical to its success, and citing research and evidence of success with similar student populations or, for innovative or untested models, a strong rationale for the likelihood of success;
- An explanation of how the key design elements reflect the school’s mission, vision, and educational philosophy;
- Identification of educational standards by subject area and grade level that will guide the school’s academic program;
- Alignment with PA state standards;
- Plan for boosting PSSA’s and improving PVAAS;
- Plan for meeting and aligning with Future Growth Index;
- Curriculum maps, Unit plans, and sample Lesson plans;
- Quantifiable goals, including targeted assessment scores, attendance levels, and additional metrics for the first 3 – 5 years of operation;
- Academic, financial, and operational capacity to successfully open, operate, and oversee the proposed new school;
- Proposed facilities maintenance upgrades and capital expenditures;
- An explanation of how the school model aligns with community assets and needs, including any need to improve educational outcomes in the community; and
- Costs for school operation (on per pupil and per school bases).

Each bidding provider will be required to conduct site visits/walk-throughs of CUSD schools, facilities, and meetings with CUSD key personnel, and eventually meet with school communities. There will also be at least one meeting with all potential bidders to respond to questions and concerns before final RFP documents are submitted.

Selection Rubric and CUSD RFP Review Group

The district’s strategic advisor will prioritize proposals based on proven capacity to effectively and efficiently serve CUSD’s needs using a “CUSD SOI Provider Selection Rubric”. The Rubric will score provider responses to each of the required areas.

The advisor will form and facilitate a CUSD RFP Review Group that will include administrators, community members, District faculty and staff. The RFP Study group will conduct in-person capacity interviews, and possibly visit the schools where bidding providers can demonstrate the effectiveness of their programs.

Selected bidding providers will present their respective ideas to the Receiver and the RFP Review Group. Using the Rubric, Review Group recommendations, and site visit data, the district's strategic advisor will evaluate the RFP documentation, and then recommend the "best fit, best match" providers to the Receiver. Due diligence checks will be conducted by the Receiver and the RFP Review Group.

Post Selection Process

Following the approval of the Court, the Receiver and strategic advisor will begin to prepare the successful bidder(s) for transitions. The preparations will include intensive reviews of school and district staffing and implementation planning. There will be regular (monthly) progress monitoring by the advisor, reporting to the Receiver and the Court of Common Pleas as needed.

Potential Terms of Engagement

The CUSD SOI provider contracts should be a minimum of three years. There will be required monthly progress reviews, and an annual review.

Timetable

The timetable for the RFI and RFP processes will depend upon Court approvals. It is estimated that the entire process will require three to six months to complete.

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**SOLICITOR FOR CHESTER UPLAND
SCHOOL DISTRICT**

**IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW**

IN RE: APPOINTMENT OF A RECEIVER : NO. CV 2012-009781
FOR THE CHESTER UPLAND SCHOOL :
DISTRICT :

CERTIFICATE OF SERVICE

I, Robert M. DiOrio, Esquire hereby certify that on behalf of the Chester Upland School District, the three Requests for Proposals and the Strategic Options Initiative were filed of record and served upon the following via email on the date below:

James R. Flandreau, Esquire	Via Email
George B. Dawson, Esquire	Via Email
Sean E. Fields, Esquire	Via Email
Francis J. Catania, Esquire	Via Email
James J. Byrne, Jr., Esquire	Via Email
Michael V. Puppio, Jr., Esquire	Via Email
Rocco P. Imperatrice, III, Esquire	Via Email
Kevin M. McKenna, Esquire	Via Email
Brian H. Leinhauer, Esquire	Via Email
Kathleen O'Connell-Bell, Esquire	Via Email
Michael Churchill, Esquire	Via Email
William Jacobs, Esquire	Via Email
Kenneth Schuster, Esquire	Via Email
Darlene Jo Hemerka, Esquire	Via Email

DiORIO & SERENI, LLP

Date: April 15, 2020

BY: /s/ Robert M. DiOrio
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