

**RFP NO. 22-030 RR, INVESTIGATIVE SERVICES – TITLE IX
ADDENDUM #1**

November 1, 2021

Please note the following questions regarding the proposal:

1. Please clarify the nature of the cases to be investigated. In addition to noting that these will be Title IX investigations, the document also uses various terms throughout the document some of which are broad (e.g. workplace investigations, misconduct, civil rights, policy violations, public complaints).

Answer: Primarily these cases would fall under sex/gender discrimination/harassment but could include both employees and students. Some cases that may fall under Title IX may also include additional civil rights violations and/or in the midst of an investigation, it may be determined that a case does not fall under Title IX but other policies and/or civil rights laws. The allegations could be broad and need to be narrowed through an investigation as well.

2. Is there any flexibility in the timelines noted relative to submission of the investigation report? Absent additional context about what is meant by upon completion of investigation, a 5 day timeframe may not be feasible and/or compliant under the 2020 Title IX regulations.

Answer: There is flexibility in the timelines depending on the circumstances of the case. The internal procedure document was for general reference and cases that meet the strict definitions of the 2020 Title IX regulations are afforded 10 days to review evidence in accordance with the regulations.

3. Please clarify whether the investigator will be responsible for making a determination or a recommendation of whether APS policy has been violated.

Answer: The investigator will not be making a determination but a recommendation is appreciated when appropriate.

4. The RFP indicates the need to obtain APS review of the investigation plan, methodology, and budget for each case in advance. How will any needed subsequent revisions be addressed?

Answer: Should revisions be necessary, the contractor and APS EOS would together determine appropriate revisions. Typically, these can be resolved in a conversation between the contractor and APS EOS in order to ensure EOS is confident in the investigation and its outcomes and that the contractor is confident in their ability to perform a neutral and professional investigation.

5. What is the average caseload of investigations for each type of misconduct to be included within the scope of the RFP?

Answer: Approximately 7-10 investigations would be open at any given time. The type of misconduct could vary and could include, but not be limited to, sexual harassment, gender discrimination, sexual assault, stalking, dating violence, discrimination: harassment and/or differential treatment on the basis of sex, gender, sexual orientation, gender identity, gender expression, sex stereotyping, pregnancy, and/or lactation. Cases could also include allegations of retaliation.

6. Are you seeing an increase in cases this school year?

Answer: Yes

7. What is the average number of administrative, court hearings or other meetings resulting from investigations that would require the investigator's participation?

Answer: These additional meetings are rare among our investigators but we like to inform potential investigators that this may be required for certain cases.

8. Who would the investigator(s) report to within APS?

Answer: Title IX Director (Heather Cowan), EOS Director (currently vacant), and/or Sr Director of Equity and Engagement (Tanya Campos)

9. The RFP notes that travel to locations throughout Bernalillo County may be required. Is this travel related to obligations outside the scope of the investigation services? If so, please indicate the purpose of such travel.

Answer: This travel would solely be related to investigative services.

10. Is there a preference for in person versus virtual investigations?

Answer: No preference as long as face to face interviews are offered.

11. The RFP scope of work includes the review and/or revision of District policies and procedures. Is APS anticipating that the investigator(s) would do this? This is typically beyond the scope of investigation services.



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Answer: APS welcomes comments and critiques related to our policies and procedures. It is not an expectation that an investigator revise policies. APS does expect that investigator(s) would review and become familiar with APS policies and procedures in order to conduct compliant investigations.

12. Are investigation services (e.g., interviews) allowed to be done virtually?

Answer: Yes, interviews and other investigative services may be done virtually.

13. To price this RFP proposal, how many investigations a year should we price for?

Answer: It is hard to determine an exact number of investigations annually and many of our contractors offer an hourly rate for investigative services and an hourly rate for administrative services. For each investigation, we will request a quote from the contractor based upon the allegations presented to APS for that specific investigation.

ACKNOWLEDGE ADDENDUM WITH BID:

Addenda not signed and returned may consider the Bid non-responsive and may be rejected.

COMPANY/FIRM NAME

SIGNATURE

DATE

Robert Russell, Director Procurement