

MEETING SUMMARY

**JOINT MEETING
OF THE
HOUSE AND SENATE INTERIM COMMITTEES ON EDUCATION**

ADEQUACY

Monday, September 30, 2019

1:30 P.M.

Room A, MAC

Little Rock, Arkansas

Senator Jane English, the Chair of the Senate Committee on Education, called the meeting to order at 1:30 p.m.

MEMBERS OF THE SENATE INTERIM COMMITTEE ON EDUCATION IN ATTENDANCE: *Senators:* Jane English, Chair; Joyce Elliott, Vice Chair; Eddie Cheatham; Linda Chesterfield; Lance Eads; and Mark Johnson.

MEMBERS OF THE HOUSE INTERIM COMMITTEE ON EDUCATION IN ATTENDANCE: *Representatives:* Bruce Cozart, Chair; Reginald Murdock, Vice Chair; Fred Allen; Rick Beck; LeAnne Burch; Jana Della Rosa; Jim Dotson; Brian Evans; Denise Garner; Mark Lowery; and Dan Sullivan.

OTHER MEMBERS OF THE GENERAL ASSEMBLY IN ATTENDANCE: *Senators:* Trent Garner; and Kim Hammer. *Representatives:* Stan Berry; Kenneth B. Ferguson; Charlene Fite; Aaron Pilkington; Johnny Rye; Jamie Scott; Keith Slape; James Sorvillo; Dwight Tosh; and Carlton Wing.

Presentation on Procurement of Education Adequacy Consulting Services

Presenters:

Ms. Jillian Thayer, Counsel to the Director, Bureau of Legislative Research, and **Ms. Lori Bowen**, Legislative Analyst, Bureau of Legislative Research, were recognized. Ms. Thayer reviewed the contents of a binder containing two proposals received, one from Augenblick, Palaich and Associates, Inc. (APA) and the other from Shuls and Associates. She said a third proposal had been received from Total Employee Sourcing, which was determined to be nonresponsive because, among other issues, an original bid had not been received. Ms. Thayer discussed the process that took place from the time the RFPs were released up to receiving proposals by the deadline. She said summaries of proposals received and references for the consultants would be presented today; and, then it was up to the Committees to make the determination of which consultants to invite back to make oral presentations at the meeting on October 8. In her discussion, Ms. Thayer included references to the RFP, Summaries of Response to the RFP, Official Proposal Price Sheets, and Reference Call Summaries. She said the total max bid from APA is \$659,580, and that of Shuls and Associates is \$499,236. She noted both consultants had requested a November 2020 date for presentation of a final report.

Ms. Bowen discussed all references for the entities, which she had checked.

Handout:

Education Adequacy Consultant Services RFP/Contract, Binder

Discussion by Members of the Senate and House Committees on Education

Following the presentation, a lengthy discussion ensued. Issues included:

- hiring of a local subcontractor by APA,
- resume and work samples of Dr. James Shuls,
- impact both consultants' previous work may have had on clients,

- final approval of personnel and/or subcontractors resting with Committees,
- requesting preliminary reports on targeted areas before the consultant submits a final report,
- consultant having access to previous Adequacy Study data from the Bureau of Legislative Research (BLR),
- ethnic makeup of the consulting companies,
- consultants addressing any complaints against them in the proposals,
- rationale for a “nonresponsive” determination,
- whether there is latitude for a consultant to correct omissions or to supplement information without running into a challenge situation,
- funding of the Office of Education Policy (OEP),
- requirements for submission of proposals,
- triggering event for statement about consultant not providing “canned recommendations,”
- tax ID# and other certifications for OEP and for University of Arkansas,
- source of recommendations for consultants,
- differences between this RFP submitted by APA and the one submitted by them in May 2019; differences between current RFPs of APA and Shuls and Associates, and
- process for issuing an RFP.

Relevant Action:

Representative Jim Dotson was recognized, and made a motion for the Committees to extend an invitation to Augenblick, Palaich and Associates, Inc. (APA) and Shuls and Associates to appear at the October 8 meeting of the Education Committees and give oral presentations, and to request that they provide hourly rates for all subcontractors prior to that date. The motion was seconded by Representative Rick Beck.

Pursuant to the motion by Representative Dotson, the motion was carried without objection on a voice vote.

Next Scheduled Meetings:

Monday, October 7, 2019, at 1:30 p.m. in MAC, Room A, Little Rock (*Joint Education/Adequacy*)
Tuesday, October 8, 2019, at 9:00 a.m. in MAC, Room A, Little Rock (*Vendor Presentations*)

Adjournment:

The meeting adjourned at 3:00 p.m.