



STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE

**REQUEST FOR PROPOSALS # 33501-249103  
AMENDMENT # 1  
FOR DEVELOPMENT AND ADMINISTRATION OF  
LICENSE EXAMINATIONS FOR THE TENNESSEE  
REAL ESTATE COMMISSION**

**DATE: MAY 24, 2024**

**RFP # 33501-249103 IS AMENDED AS FOLLOWS:**

1. This RFP Schedule of Events updates and confirms scheduled RFP dates. Any event, time, or date containing revised or new text is highlighted.

EVENT	TIME (central time zone)	DATE
1. RFP Issued		April 24, 2024
2. Disability Accommodation Request Deadline	2:00 p.m.	April 29, 2024
3. Pre-response Conference	10:00 a.m.	May 2, 2024
4. Notice of Intent to Respond Deadline	2:00 p.m.	May 7, 2024
5. Written "Questions & Comments" Deadline	2:00 p.m.	May 10, 2024
6. State Response to Written "Questions & Comments"		May 24, 2024
7. Response Deadline	2:00 p.m.	June 7, 2024
8. State Completion of Technical Response Evaluations		June 24, 2024
9. State Opening & Scoring of Cost Proposals	2:00 p.m.	June 25, 2024
10. Negotiations	4:30 p.m.	June 26-July 1, 2024
11. State Notice of Intent to Award Released <u>and</u> RFP Files Opened for Public Inspection	2:00 p.m.	July 8, 2024
12. End of Open File Period		July 15, 2024
13. State sends contract to Contractor for signature		July 17, 2024
14. Contractor Signature Deadline	2:00 p.m.	July 19, 2024

**2. State responses to questions and comments in the table below amend and clarify this RFP.**

Any restatement of RFP text in the Question/Comment column shall **NOT** be construed as a change in the actual wording of the RFP document.

RFP SECTION	PAGE #	QUESTION / COMMENT	STATE RESPONSE
	1	<p>Can the State clarify the launch date for the program? While RFP # 33501-249103 does not specify a program implementation/launch date (the date where the awarded Contractor would commence licensure exam delivery), the RFP Schedule of Events indicates a State Notice of Intent to Award date of July 8, and a Contractor Signature deadline of July 19. However, the Contract (included in the RFP) between the State of Tennessee and Contractor makes references to several key deliverable dates that conflict with the Schedule of Events: (1) June 1, 2024 for the Contractor to distribute the candidate information bulletin to approved schools and to the State (RFP, pg. 34), (2) a July 1, 2024 date for the Contractor to meet with education providers to explain the examination program in seminars (RFP, pg. 34).</p>	<p>The contract awarded from this RFP is set to become effective on August 1, 2024. The selected contractor will have approximately two (2) months to prepare the examination materials and will be expected to begin administering examinations on October 1, 2024.</p> <p>The selected contractor will be required to meet with education providers to explain the examination program on September 16, 2024. In addition, the selected contractor will be required to distribute the candidate information bulletin to approved schools and to the State by September 16, 2024.</p> <p>Pursuant to this Amendment's Item 6 and 7 below, the dates in RFP Attachment 6.6., Sections A.3.e. and A.3.f., have been revised.</p>
	2	<p>To promote a fair and equitable bidding process, and to ensure a smooth implementation should the State award to a bidder beyond the incumbent, would the State consider a program launch date of January 1, 2025? As a point of reference, typical transition requires numerous contractual, technical, procedural, content development, psychometric, publishing, quality control, and other administrative requirements to be completed before exams can be administered.</p>	<p>The State will not consider a program launch date of January 1, 2025. The selected contractor will have approximately two (2) months to prepare the examination materials and will be expected to begin administering exams on October 1, 2024.</p>

		3	Accordingly, if the incumbent is not re-awarded the contract, does the State retain the contractual right with the incumbent to direct that it coordinate with the follow-on contractor in a reasonable transition process, subject to review by the Tennessee Department of Commerce and Insurance, in order to avoid any potential disruption in exam delivery?	The State does not retain the contractual right with the incumbent contractor to direct it to coordinate with the follow-on contractor in a transition process.
RFP Attachment 6.2, Technical Response and Evaluation Guide. C.5.	23	4	The vendor is asked to provide a narrative for each state and federal exam program developed and delivered within the past five years. Our company has developed hundreds of licensure examinations for state and federal entities. Providing the required narrative for all of them would be unwieldy for a proposal. Is there a cap on the number of clients that you would deem sufficient to evaluate this response (e.g., 15 real estate client narratives)?	The State will consider fifteen (15) client narratives to be a sufficient response.
RFP Attachment 6.2, Technical Response and Evaluation Guide. C.5. iv	23	5	You ask for "the entity/client's level of satisfaction with the Respondent's development and administration of the examination." What kind of metric is the State expecting for this requirement? Would the answers you receive from the Reference Questionnaires in Attachment 6.4 suffice to demonstrate our clients' satisfaction?	For Item C.5.(iv), a short narrative describing the entity/client's level of satisfaction (e.g., unsatisfied, satisfied, highly satisfied) will suffice. The answers received from the Reference Questionnaires in RFP Attachment 6.4. will serve to bolster the response(s) to Item C.5.(iv).
Pro Forma Contract. A.6. Post Examination Procedures.	40	6	The post-exam procedures for delivering score reports seem to be strictly for test center delivery (e.g., score reports on security paper immediately following the exam). Can you please confirm that for online exam delivery securely emailing score reports immediately after the examination is an acceptable process?	This is confirmed. Pursuant to this Amendment's Item 9 below, RFP Attachment 6.6., Section A.6.a. has been revised to clarify that providing score reports to examination candidates via email is permitted/required.
		7	Does TREC currently own or license any Tennessee real estate test questions? If so, will they be shared with the selected test vendor? If so, can you please provide the following information? a) How many state-specific items are available per license line? b) Are the item banks for state-specific items currently linked to test outline specifications, blueprints, or domains? c) Will TREC provide the cut score for each license line? d) Will state-specific item banks be provided in an electronic	TREC does not currently own or license any Tennessee real estate examination questions.

		<p>format? Please specify the format.</p> <p>e) Do any state-specific items use graphics or audio files?</p> <p>f) Are item statistics available for current state-specific items? If so, will TREC provide the statistics for each item?</p> <p>g) Are the statistics Rasch (IRT) or Classical (p-values)?</p>	
	8	<p>Could TREC provide an Excel file containing the zip codes of the testing candidates for 2022 and 2023? Specifically, this Excel file would contain records that reflect the year of testing and the corresponding home address zip code of each candidate that tested (2011, 04333, etc.; 2012, 04333, etc.). If this information is not available, could TREC provide candidate volume by test center location, city, metro area, county, or other geographical category?</p>	<p>The State does not possess any data responsive to this request.</p>
	9	<p>Could TREC provide the total number of examinations administered in each of the past two years, broken down by exam type?</p>	<p><u>The total number of examinations administered in 2022: 25,238</u></p> <ul style="list-style-type: none"> <li>• Real Estate Broker (National): 836</li> <li>• Real Estate Broker (State): 934</li> <li>• Affiliate Broker (National): 12,605</li> <li>• Affiliate Broker (State): 10,130</li> <li>• Time-Share Salesperson: 625</li> <li>• Acquisition Agent: 308</li> </ul> <p><u>The total number of examinations administered in 2023: 23,570</u></p> <ul style="list-style-type: none"> <li>• Real Estate Broker (National): 895</li> <li>• Real Estate Broker (State): 912</li> <li>• Affiliate Broker (National): 11,363</li> <li>• Affiliate Broker (State): 9,022</li> <li>• Time-Share Salesperson: 730</li> <li>• Acquisition Agent: 375</li> </ul>
	10	<p>Per RFP p. 21, Section B.15. (b), can TREC confirm that Business Relationships listed should include all current contracts with business enterprises owned by minorities, women, service-disabled veterans, persons with disabilities, and small business enterprises in the US?</p> <p>a) Do the listed businesses need to be certified by the Governor's Office of Diversity Business Enterprise if they are not being used as subcontractors for this RFP?</p>	<p>Section B.15. (b) is an example of one to three projects where diversity businesses were used as subcontractors or in some aspect of the project.</p> <p>a) No, the listed businesses do not need to be certified by the Governor's Office of Diversity Business Enterprise. However, they should be certified through another organization, city, state or national entity.</p>

		<p>11</p> <p>Per RFP Attachment 6.3 Cost Proposal &amp; Scoring Guide, there is a single line for Proposed Cost per exam. Would TREC be amenable to revising the cost proposal to include a separate Proposed Cost for National and State Exam Portions, allowing candidates to take one or both portions?</p>	<p>Yes, the State would be amendable to this. Pursuant to this Amendment's Item 4 below, RFP Attachment 6.3. (Cost Proposal &amp; Scoring Guide) has been revised to include a separate proposed cost for National and State real estate broker and affiliate broker examinations.</p> <p>Pursuant to this Amendment's Item 5 below, Section A.3.a. of RFP Attachment 6.6. has been revised to clarify that the selected contractor will be required to develop and administer a National and State real estate broker examination and affiliate broker examination.</p> <p>Further, pursuant to this Amendment's Item 10 below, Section C.2. of RFP Attachment 6.6. has been revised to include a separate cost for National and State real estate broker and affiliate broker examinations.</p>
		<p>12</p> <p>Per Section C.8. (RFP p. 24), Respondents must provide a web-based platform that allows education providers to pre-register candidates for examinations; per Section C.9. (RFP p. 24), Respondents must screen candidates to ensure that each candidate meets the qualifications for examination and licensure.</p> <p>a) Can TREC describe the eligibility screening process it requires from its current contractor? Will there be any changes to this process?</p> <p>b) Per the incumbent's candidate bulletin, education providers are providing eligibility electronically for the Affiliate Broker exam. What other criteria does TREC require its contractor to screen for? Is there any flexibility to these requirements? Will any of these requirements change under the new contract? What document(s) are provided/uploaded electronically for review?</p>	<p>a) The screening processes must comply with the requirements set forth in the Tennessee Real Estate Brokers Act of 1973 (Tenn. Code Ann. § 62-13-101, et. seq.), the Tennessee Timeshare Act (Tenn. Code Ann. § 66-32-101, et. seq.) and all rules, regulations, and procedures lawfully adopted by the Tennessee Real Estate Commission (Tenn. Comp. R. &amp; Regs. 1260-01., et seq.) The screening processes are subject to change.</p> <p>Affiliate broker candidates and broker candidates must complete certain pre-licensing requirements (detailed below) in order to be eligible to sit for an examination.</p> <p>To be eligible to sit for the <b>affiliate broker examination</b>, candidates must complete a total of ninety (90) hours of real estate education, sixty (60) of those must cover the topic of hours real estate principles and fundamentals. The remaining</p>

			<p>30- hour "Course for New Affiliates" must be completed before a license will be issued. (T.C.A. § 62-13.303(b)(2); Rule 1260-05- .03). The pre-licensing education provider sends a candidate's eligibility to the current vendor electronically.</p> <p>To be eligible to sit for the <b>real estate broker examination</b>, candidates must submit a completed real estate broker examination application to TREC. Candidates must meet one (1) of the following criteria:</p> <ul style="list-style-type: none"> <li>• If licensed as an affiliate broker ON OR BEFORE May 12, 1988: <ul style="list-style-type: none"> <li>○ Engaged as a real estate licensee for at least twenty four (24) months, or</li> <li>○ Holds a baccalaureate degree with a major in real estate for at least twelve (12) months.</li> </ul> </li> <li>• If licensed as an affiliate broker AFTER May 12, 1988: <ul style="list-style-type: none"> <li>○ Held active real estate license for at least thirty-six (36) months, or</li> <li>○ Holds a baccalaureate degree with a major in real estate, for at least twenty-four (24) months.</li> </ul> </li> </ul> <p>In addition to experience, real estate broker candidates must have successfully completed one hundred twenty (120) classroom hours of approved real estate education, thirty (30) hours of which must be an "Office/Broker Management" course taken at a school approved by the Tennessee Real Estate Commission. Broker candidates must submit the completed Broker Examination Application to the</p>
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			<p>Tennessee Real Estate Commission. Commission approval is necessary before the broker candidate may make an examination appointment.</p> <p>There are no pre-licensing education requirements for <b>timeshare</b> and <b>acquisition agent candidates</b>.</p> <p>b) Education providers provide eligibility electronically to the current vendor on behalf of candidates seeking to take the affiliate broker examination. Eligibility for broker candidates is determined by TREC after a review of the candidate's education and experience documentation; this information is shared with the current vendor. The current vendor does not screen any eligibility requirements for candidates seeking to take the timeshare salesperson exam or the acquisition agent exam. There are no other criteria that TREC requires the contractor to screen for and there is no flexibility to these requirements. The State does not anticipate these requirements changing under the new contract, however, these requirements are subject to change upon the passage of new legislation and/or revisions to the rules and regulations governing TREC.</p> <p>More information concerning examination and licensure requirements can be found here: <a href="https://www.tn.gov/commerce/regboards/trec/license.html">https://www.tn.gov/commerce/regboards/trec/license.html</a></p> <p>The current contractor's candidate information bulletin can be viewed here: <a href="#">Tennessee Real Estate Commission Candidate Information Bulletin (tn.gov)</a></p>
		<p>13 Regarding Section C.14. Could TEC please provide a narrative that describes the Respondent's ability to provide Live</p>	<p>The selected contractor will be required to provide Live Remote Proctoring ("LRP") services to enable</p>

		<p>Remote Proctoring (“LRP”) services to the State and administer online proctored exams?  a) In light of the inherent security risks administering remote online proctored exams, would TREC consider making this an optional requirement (for accommodations purposes only or in the event of significant environmental or technical issues that necessitate the adoption of remotely proctored exams), to create for a more secure, controlled, and uniform testing environment? Especially if a Respondent has an expansive physical test center footprint in and out of state?  Note: TREC could still require its vendor to offer remote proctored exams as an individual accommodation or as a general business continuity option, in the event of a future disaster or catastrophic event.</p>	<p>candidates to take examinations fully online, in view of a proctor. The selected contractor will need to provide a LRP software capable of supporting such examinations. The LRP services must be made available to examination candidates through a click-through license on a publicly available website. The selected contractor will be required to verify the identity of the examination candidate. In addition, the selected contractor will be required to link the examination candidate to the proctor using a secure browser that the candidate will download prior to the start of the examination. The selected contractor will also be required to establish a secure testing environment, which includes launching a secure browser upon completion of the examination candidate’s check in process, checking the camera and microphone, and scanning the surroundings and work area to ensure the integrity of the testing environment.</p> <p>The requirements pertaining to the administration of live online proctored examinations are detailed in RFP Attachment 6.6., Section A.5.</p> <p>The State will not consider making live online proctored examinations an optional requirement. The selected contractor must be able to provide both in-person examinations and live online proctored examinations.</p>
	<p>14</p>	<p>If TREC prefers to maintain LPR exam administrations, would it consider permitting Respondent’s to separate National and Tennessee-specific administrations for Broker and Affiliate Broker?  a) For security purposes, its industry standard candidates remain seated (in view of the proctor) for the duration of an LPR exam. Given the seat time for both the combined Affiliate Broker and combined Broker exam is 240 minutes. Would TREC consider allowing separate exams that would provide a more positive testing</p>	<p>Yes, the State is amendable to separating the National and State Real Estate Broker and Affiliate Broker examinations.</p> <p>Please see the State’s response to question 11.</p>



		experience considering that with an option for two shorter exams, candidates might also benefit from a discounted exam fee if required to only take or re-take one component?	
	15	If TREC is agreeable to separating the National and Tennessee-specific components of the Broker and Affiliate Broker exams, would it modify C.2 Fee Schedule to include line items for individual National and Tennessee-Specific exam fees?	Please see the State's response to question 11.

3. **Delete RFP Attachment 6.3. (Cost Proposal & Scoring Guide) in its entirety and replace it with the revised Attachment 6.3. on pages 11-12 of this Amendment.**

4. **Delete Section A.3.a. of the Pro Forma Contract (RFP Attachment 6.6.) in its entirety and insert the following in its place** (any sentence or paragraph containing revised or new text is highlighted):

A.3. Examination Development. The Contractor shall develop licensure examinations, in accordance with the Tennessee Real Estate Broker License Act of 1973, Tenn. Code Ann. § 62-13-101, et. seq., and Commission specifications, that accurately measures the knowledge and skills essential to the practice of each licensing discipline.

a. The Contractor shall develop the following examinations, as specified by the Commission:

- i. Real Estate Broker examination (National);
- ii. Real Estate Broker examination (State);
- iii. Affiliate Broker examination (National);
- iv. Affiliate Broker examination (State);
- v. Time-Share Salesperson examination; and
- vi. Acquisition Agent examination.

5. **Delete Section A.3.e. of the Pro Forma Contract (RFP Attachment 6.6.) in its entirety and insert the following in its place** (any sentence or paragraph containing revised or new text is highlighted):

e. The Contractor shall meet with education providers to explain the examination program in seminars or information sessions in cities where test centers are located prior to beginning the examination program on **September 16, 2024**, and at least once yearly during the Contract's Term at the discretion of the State.

6. **Delete Section A.3.f. of the Pro Forma Contract (RFP Attachment 6.6.) in its entirety and insert the following in its place** (any sentence or paragraph containing revised or new text is highlighted):

f. The Contractor shall design and produce a candidate information bulletin containing Tennessee-specific information concerning licensing requirements and procedures. The Contractor shall distribute the candidate information bulletin to approved schools and to the State in sufficient quantities at no charge, on or before **September 16, 2024**. The bulletin shall be revised, as needed, by the Contractor during the Contract's Term.

7. **Delete Section A.4.g. of the Pro Forma Contract (RFP Attachment 6.6.) in its entirety and insert the following in its place** (any sentence or paragraph containing revised or new text is highlighted):

g. The Contractor shall create a custom video, less than two (2) minutes in length, that details what examination candidates should expect when taking an examination at the testing facilities provided

by the Contractor. The Contractor shall publish the video on the Contractor's website on or before **December 2, 2024**.

**8. Delete Section A.6.a. of the Pro Forma Contract (RFP Attachment 6.6.) in its entirety and insert the following in its place** (any sentence or paragraph containing revised or new text is highlighted):

- a. The Contractor shall provide a color, photograph-bearing score **report** to each examination candidate, **via email**, immediately following the examination.

**9. Delete Section C.2. of the Pro Forma Contract (RFP Attachment 6.6.) in its entirety and insert the following in its place** (any sentence or paragraph containing revised or new text is highlighted):

- C.2. In consideration of the services provided by the Contractor, as set forth in Section A of this Contract, the Contractor shall charge and collect examination fees from each candidate registered for examination, in accordance with the following fee schedule. The fee schedule shall remain in effect for the Term of the Contract and shall not be subject to adjustment or escalation for any reason.

<b>Service Description</b>	<b>AMOUNT (per compensable increment)</b>
Real Estate Broker Examination – National (Section A.3.a.i.)	\$ _____ per exam
Real Estate Broker Examination – State (Section A.3.a.ii.)	\$ _____ per exam
Affiliate Broker Examination – National (Section A.3.a.iii.)	\$ _____ per exam
Affiliate Broker Examination – State (Section A.3.a.iv.)	\$ _____ per exam
Time-share Salesperson Examination (Section A.3.a.v.)	\$ _____ per exam
Acquisition Agent Examination (Section A.3.a.vi.)	\$ _____ per exam

- 10. RFP Amendment Effective Date.** The revisions set forth herein shall be effective upon release. All other terms and conditions of this RFP not expressly amended herein shall remain in full force and effect.

**RFP Attachment 6.3.****COST PROPOSAL & SCORING GUIDE**

**NOTICE: THIS COST PROPOSAL MUST BE COMPLETED EXACTLY AS REQUIRED**

**COST PROPOSAL SCHEDULE—** The Cost Proposal, detailed below, shall indicate the proposed price for goods or services defined in the Scope of Services of the RFP Attachment 6.6., *Pro Forma* Contract and for the entire contract period. The Cost Proposal shall remain valid for at least one hundred twenty (120) days subsequent to the date of the Cost Proposal opening and thereafter in accordance with any contract resulting from this RFP. All monetary amounts shall be in U.S. currency and limited to two (2) places to the right of the decimal point.

**NOTICE:** The Evaluation Factor associated with each cost item is for evaluation purposes only. The evaluation factors do NOT and should NOT be construed as any type of volume guarantee or minimum purchase quantity. The evaluation factors shall NOT create rights, interests, or claims of entitlement in the Respondent.

Notwithstanding the cost items herein, pursuant to the second paragraph of the *Pro Forma* Contract section C.1. (refer to RFP Attachment 6.6.), the State is under no obligation to request work from the Contractor in any specific dollar amounts or to request any work at all from the Contractor during any period of this Contract.

This Cost Proposal must be signed, in the space below, by an individual empowered to bind the Respondent to the provisions of this RFP and any contract awarded pursuant to it. If said individual is not the *President* or *Chief Executive Officer*, this document must attach evidence showing the individual's authority to legally bind the Respondent.

<b>RESPONDENT SIGNATURE:</b>			
<b>PRINTED NAME &amp; TITLE:</b>			
<b>DATE:</b>			
<b>RESPONDENT LEGAL ENTITY NAME:</b>			
<b>Cost Item Description</b>	<b>Proposed Cost</b>	<b>State Use Only</b>	
		<b>Evaluation Factor</b>	<b>Evaluation Cost (cost x factor)</b>
Real Estate Broker Exam (National)	\$ _____ per exam	841	
Real Estate Broker Exam (State)	\$ _____ per exam	902	
Affiliate Broker Exam (National)	\$ _____ per exam	12,200	
Affiliate Broker Exam (State)	\$ _____ per exam	9,630	
Time-Share Salesperson Exam	\$ _____ per exam	640	

<b>RESPONDENT LEGAL ENTITY NAME:</b>			
<b>Cost Item Description</b>	<b>Proposed Cost</b>	<b>State Use Only</b>	
		<b>Evaluation Factor</b>	<b>Evaluation Cost (cost x factor)</b>
Acquisition Agent Exam	\$ _____ per exam	285	
<b>EVALUATION COST AMOUNT</b> (sum of evaluation costs above): The Solicitation Coordinator will use this sum and the formula below to calculate the Cost Proposal Score. Numbers rounded to two (2) places to the right of the decimal point will be standard for calculations.			
lowest evaluation cost amount from <u>all</u> proposals _____		x 30 (maximum section score)	= <b>SCORE:</b>
evaluation cost amount being evaluated			
State Use – Solicitation Coordinator Signature, Printed Name & Date:			