Panel for Educational Policy
Contract Agenda
October 29, 2014

Item: 1 WITHDRAWN

Item: 2 **Description:** Repair of donated musical instruments.

Term: 8 months **Options:** None **Funding:** Tax Levy

Division: Deputy Chancellor for Teaching & Learning **Contract Type:** Full Value

Vendor Name	Annual Amount
SAM ASH MUSIC CORPORATION	$190,775

Item: 3 **Description:** Online access to StudentTracker, a service used to provide information about high school graduates enrolled in colleges and universities.

Term: 5 years **Options:** None **Funding:** Tax Levy

Division: Teaching and Learning **Contract Type:** Full Value

Vendor Name	Annual Amount
National Student Clearinghouse	$38,978

Item: 4 **Description:** Professional development and program support for the NYC Advanced Placement Expansion Initiative.

Term: 2 years **Options:** None **Funding:** Tax Levy

Division: Division of School Support **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
National Math and Science Initiative	$4,032,100

Item: 5 **Description:** Student assessments and related assessment administration support services for the DOE's English Language Learners periodic assessment program.

Term: 3 years **Options:** 2 one year option **Funding:** Tax Levy

Division: Teaching and Learning **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Council for Aid to Education	$2,051,240
Research Institute for the Study of Language in Urban Society	$404,132

Item: 6 WITHDRAWN

Item: 7 **Description:** Consulting services to market/merchandise and administer revenue producing sponsorship programs for physical education programs.

Term: 5 years **Options:** 1 year option **Funding:** Revenue

Division: PSAL **Contract Type:** Revenue

Vendor Name	Annual Amount
Dbober, LLC dba The Public Private Network	$833,000

Item: 8 **Description:** Produce and deliver student planners to students in grades 6-12.

Term: 5 years **Options:** None **Funding:** Revenue

Division: Division of Contracts and Purchasing **Contract Type:** Revenue

Vendor Name	Annual Amount
School Datebooks	$150,000

Item: 9 **Description:** Representatives in grievance and other administrative processes that are required by collective bargaining agreements between DOE and various unions. (RA #3)

Term: 3 years **Options:** None **Funding:** Tax Levy

Division: General Counsel and Legal Services **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Gary Laveman	$39,000

Item: 10 **Description:** Graduate courses for non-public school principals and prospective principals to obtain SBL certification.

Term: 5 years **Options:** None **Funding:** Title IIA

Division: Bureau of Non-Public School Reimbursable Services **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Fordham University	$612,000
Manhattan College	$217,800
Mercy College	$351,000
Pace University - Withdrawn	$292,500
St. John's University	$981,450
Touro College - Withdrawn	$217,350

Item: 11 **Description:** Provision of Universal PreKindergarten Services (RA #8)

Term: 3 years **Options:** 2 one year options **Funding:** Reimbursable

Division: Division of Early Childhood Education **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Nesivos Bais Yaakov, Inc	$156,000

Item: 12 **Description:** Labor, material, and supervision for general construction work in schools and administrative buildings.

Term: 5 years **Options:** 270 day option **Funding:** Tax Levy & Reimbursable

Division: Division of School Facilities **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Geomatrix Services, Inc.	$4,167,000

Item: 13 **Description:** Professional development services in special education (RA#4).

Term: 5 years **Options:** None **Funding:** Various

Division: Office of Special Education Initiatives **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Wilson Language Training Corp	$158,000

Item: 14 **Description:** Graduate courses in administration and supervision that will enable non-public school (NPS) principals and prospective principals to obtain School Building Leader (SBL) certification.

Term: 5 Years **Options:** None **Funding:** Title IIA

Division: Bureau of Nonpublic School Reimbursable Services **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Brooklyn College	$188,041

Item: 15 **Description:** NY State accredited degree programs in various areas of special education and related services.

Term: 5 years **Options:** None **Funding:** Tax Levy

Division: Division of Human Resources **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
SUNY - Health Science Center at Brooklyn	$180,000

Item: 16 **Description:** Heating oil for schools and administrative buildings.

Term: 8 months **Options:** None **Funding:** Tax Levy

Division: Division of School Facilities **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Castle Oil Corp	$95,000,000

Item: 17 **Description:** Automated external defibrillators (AED) and accessories for NYC schools.

Term: 4 months **Options:** None **Funding:** Tax Levy

Division: Office of School Health **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Philips Electronics North America	$400,000

Item: 18 **Description:** Implementation of CleanTech, a science, technology, engineering, and math (STEM) curriculum in four NYC high schools.

Term: 1 year **Options:** None **Funding:** NYSERDA Grant

Division: Teaching and Learning **Contract Type:** Full Value

Vendor Name	Annual Amount
CEC/Stuyvesant Cove, Inc. (Solar One)	$216,751

Item: 19 **Description:** Extended school day services in support of the Extended School Day/School Violence Prevention Program Grant.

Term: 1 Year **Options:** None **Funding:** NYSED Grant

Division: Office of Safety and Youth Development **Contract Type:** Full Value

Vendor Name	Annual Amount
Pathway to the Arts	$37,500

Item: 20 **Description:** Early College Initiative (ECI) program in four NYC high schools as part of the Good Jobs Now program.

Term: 4 years **Options:** None **Funding:** Grant

Division: Teaching and Learning **Contract Type:** Full Value

Vendor Name	Annual Amount
Research Foundation/ CUNY	$2,200,060

Item: 21 **Description:** Instructional textbooks and ancillary materials for use in classrooms.

Term: 7 years **Options:** None **Funding:** Tax Levy & Reimbursable

Division: Division of Contracts and Purchasing **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
GL Group	$1,387,356
Kaplan K 12 Learning Services, a division of Kaplan, Inc.	$2,388,251
Perfection Learning Corp.	$204,154
Sadlier-Oxford	$1,234,463

Item: 22 **Description:** Instructional textbooks and ancillary materials for use in classrooms.

Term: 7 years **Options:** None **Funding:** Tax Levy & Reimbursable

Division: Division of Contracts and Purchasing **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Imrai Shefer Inc.	$41,242

Item: 23 **Description:** Torah's educational product line.

Term: 7 years **Options:** none **Funding:** Tax Levy & Reimbursable

Division: Division of Contracts and Purchasing **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Torah Educational Software	$35,000

Item: 24 **Description:** Fact on File's educational software product line.

Term: 7 years **Options:** None **Funding:** Tax Levy & Reimbursable

Division: Division of Contracts and Purchasing **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Facts on File	$125,510

Item: 1

Description:

WITHDRAWN

Item: 2

Description:

Repair of donated musical instruments.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH SAM ASH MUSIC CORPORATION FOR THE REPAIR OF MUSICAL INSTRUMENTS

Estimated Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$190,775	Tax Levy	7/1/14 - 2/28/15	None	Negotiated Service	Yes	Full Value

Vendor Name & Address	Sam Ash Music Corporation 278 Duffy Avenue Hicksville, NY 11801

Contract Manager	Lead Contracting Officer	Division of Contracts and Purchasing
Paul King Executive Director, Office of Arts & Special Projects, Division of Teaching and Learning	Morayo Tracey Oyemade Director, Contracts and Operations, Division of Teaching and Learning	Andrea Black Director, School Based Procurement

PURPOSE

Authorization is requested to contract with Sam Ash Music Corp. for the repair and delivery of musical instruments donated to New York City schools as part of a joint partnership with WQXR Radio.

DISCUSSION

In April 2014, WQXR together with the DOE and the Fund for Public Schools launched a musical instruments donation drive in order to provide free musical instruments to schools. WQXR arranged for the donated instruments to be collected at Sam Ash Music stores in the tri-State area with the agreement that they would be inventoried and repaired at below-market value. The goal was set for 1,000 donated musical instruments; WQXR secured private and donated funding to cover their repair.

Due to a very successful drive, donations reached well beyond the established goal. In fact, 3,065 instruments were of adequate quality to be repaired and subsequently donated to DOE schools. While WQXR covered the cost of the first 1,000 instruments, they are unable to raise the necessary funds to pay for the remaining instruments.

These services were not competitively bid because, as part of the donation drive, the repair costs for the anticipated donations were to be covered through private and donated funds. WQXR and the DOE researched comparable vendors and only found Sam Ash fitting for this initiative because of their capability to repair the vast number, type and range of musical instruments required. Additionally, they were selected for their accessibility through multiple drop-off locations, and for their offer to sort, inventory and deliver the refurbished instruments at no extra cost. Sam Ash has indicated that their cost for the repair, including both parts and labor would have been $238,469, but they are charging us 20 percent less. If the DOE were to purchase the same quantity of new instruments the estimated cost would be $742,240. Prices have therefore been determined to be fair and reasonable.

This contract is retroactive because Sam Ash has already sorted, identified and begun repairs on the donated instruments of adequate quality. Delivery will be made in two shipments; the first group of about one-third of the instruments is scheduled for delivery by October 28, 2014 with final delivery scheduled for December 1, 2014. Payment is to be made in full upon final delivery.

The Committee on Contracts reviewed and approved the exception request to contract with Sam Ash based on the cost effectiveness of the services provided and the unique situation of being the recipient of over half a million dollars of donated instruments repaired at below market value.

Background checks were conducted using Excluded Parties List, the Uniform Commercial Code Lien Search (UCC), Vendex Advice of Caution and the Vendor Watch List. No adverse information on Sam Ash was revealed. In addition, Sam Ash is currently a vendor with the DOE and has performed satisfactorily with respect to the terms of their contracts; this vendor have thus been determined to be responsible.

Item: 3

Description:

Online access to StudentTracker, a service used to provide information about high school graduates enrolled in colleges and universities.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH NATIONAL STUDENT CLEARINGHOUSE (NSC) TO PROVIDE ONLINE ACCESS TO STUDENTTRACKER

Contract Cost	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$167,605	Tax Levy	7/01/14 - 6/30/19	None	Negotiated Service	No	Fixed Price

Vendor Name & Address	National Student Clearinghouse (NSC) 2191 Fox Mill Road Herndon, VA 20171-3019

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Michelle Paladino Deputy Executive Director Research & Policy Support Group Division of Teaching and Learning	Dan Aymar-Blair Senior Executive Director, Implementation Division of Teaching and Learning	Begum Gonul Central Office of Procurement

PURPOSE

Authorization is requested on behalf of the DOE's Research & Policy Support Group (RPSG) to contract with National Student Clearinghouse (NSC) to provide information about high school graduates' enrollment in colleges and universities. The contract will have a term of five years.

DISCUSSION

Founded in 1993, NSC is a not-for-profit corporation that provides student degree and enrollment verification for over 3,300 colleges and universities throughout the U.S., which represents 93 percent of all higher education enrollments nationwide. Its StudentTracker for high schools is the only service that provides this information on a secure and easy batch file exchange. Use of this service reduces districts' labor-intensive administrative burden of having to verify the postgraduate status of their students. StudentTracker's data and metrics enable accountability at the school level and inform the DOE's efforts to improve postgraduate enrollment rates.

Under this contract, NCS will provide two new data sets to DOE for the completion of two projects: high school accountability reports and a database update to include postsecondary information for the classes of 2002-2012. While NCS will provide the DOE with summary reports and a student-level detail report, the DOE will be allowed to submit up to eight years of graduates (not to exceed 416,000 total records) and up to eight StudentTracker request files with a maximum number of 250,000 records in each file. Any data submitted to NSC will be treated confidentially and can only be used by NSC to provide the services to the DOE.

The rate for which the DOE would ordinarily qualify is the school district rate of $425 per high school. As the DOE has more than 400 high schools, NSC has granted the DOE the pricing it offers to state agencies ($0.75 per high school graduate), plus additional discounts in all but the first contract year. The resulting five-year contract cost is estimated to be slightly less than the $170,000 that would be paid annually on a per-school basis. The per student pricing offered entitles the DOE to a maximum of eight data submissions (up to two million records) for 475,000 students from the graduating classes of 2002-2012 twice a year, as well as the 51,970 graduates from 2013.

The number of 2013 graduates is approximately 20 percent higher than the yearly averages over the previous 11 years. Using 2013's high yearly number as a basis, NCS has offered price concessions with annual billing as follows:

Contract Year	Price	Concessions
Year 1	$38,978	$0.75 per student fee
Year 2	$35,080	10% less from Year 1
Year 3	$33,131	15% less from Year 1
Year 4	$31,182	20% less from Year 1
Year 5	$29,234	25% less from Year 1

The number of graduates for the next five years is uncertain; however, the DOE accepted NCS's multi-year pricing because it is based on the current, higher-than-average number of students. Prices have therefore been determined to be fair and reasonable.

It is necessary to contract for these services because the DOE does not have the resources to perform these services. A competitive procurement was not carried out since NSC is the only provider of student college enrollment records on a student-level to educational institutions. In light of these factors, the Committee on Contracts approved this negotiated service on July 28, 2014.

A background check, including a review of federal debarment, VENDEX, and DCP's own records, has revealed no significant adverse information. The vendor has therefore been determined to be responsible.

Item: 4

Description:

Professional development and program support for the NYC Advanced Placement Expansion Initiative.

REQUEST FOR AUTHORIAZATION TO CONTRACT WITH NATIONAL SCIENCE AND MATH INITIATIVE INC. TO PROVIDE SERVICES UNDER THE NYC ADVANCED PLACEMENT EXPANSION INITIATIVE – RFP #R1040

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Contract Type
Year 1: $3,039,850 Year 2: $4,032,100 **Total: $7,071,950**	Tax Levy	Two Years	None	Request for Proposals (RFP)	Requirements

Vendor Name & Address	**National Math & Science Initiative (NMSI)** 8350 North Central Expressway, Suite M-2200 Dallas, TX 75206

Service Requestor / Contract Manager	Lead Contract Officer	Division of Contracts & Purchasing Contact
LaShawn Robinson Executive Director, Division of Equity and Access	Janel Matthews Chief of Staff Senior Deputy Chancellor Office	Matthew Coffey Procurement Analyst, Central Office Procurements

PURPOSE

Authorization is requested to enter into a requirements contract with NMSI to provide services to support the New York City Advanced Placement Initiative.

DISCUSSION

The DOE is committed to ensuring that all high school graduates are ready to pursue course work at the collegiate level. Research compiled by the College Board has shown that students with qualifying scores on AP exams earn higher college GPAs and graduate from college at higher rates than their non-AP counterparts. In recognizing the strong correlation between AP participation, pass rates, and performance in college, as well as the evolving needs of the workforce market, the DOE launched Phase 1 of the AP Expansion Initiative (APEX) in June 2013. Phase I of APEX placed a strong emphasis on subjects related to Science, Technology, Engineering and Mathematics (STEM) and produced positive results.

Phase II of APEX will concentrate its efforts on high-needs schools and communities (East New York, Brownsville, South Bronx, Central Harlem, and South Jamaica), and target students who have strong potential for success. In 2012, African-American and Latino students constituted 70 percent of the City's high school population, yet only 29 percent of AP participants. However, since Phase I of this program was initiated, these groups now account for nearly 50 percent of students participating in AP courses. In continuing the program's objectives, the DOE will enter Phase II to expand this program to new schools, and continue the existing services into years 2015 and 2016.

Phase I of the program was successful in reaching its objectives. In a press release dated October 15, 2014, Chancellor Carmen Fariña "announced increases during the 2013–14 school year in the number of New York City students taking and passing Advanced Placement exams...The number of students taking and passing AP exams increased across all ethnicities. The increases in AP participation and performance were largest for black, Hispanic, and Asian students. Specifically, 11.5% more black students took at least one AP exam in the 2013–14 school year than in the previous year and 12.2% more passed at least one AP exam. Among Hispanic students, the increases were 7.0% and 11.5%.

Asian students' participation increased 12.4%, with 9.8% more Asian students passing at least one AP. Notably, the gains in student pass rates kept pace with the gains in student participation: overall, 9.5% more NYC students took at least one AP exam, and 9.6% more passed at least one.

A contract for these services is necessary because the DOE does not have the resources to meet the program's objectives, which require multiple areas of specialized expertise, including technology and content knowledge, for the successful implementation of the initiative and improved student performance on AP exams.

An RFP was the preferred method of procurement because of the need to weigh the proposing organizations and their offered services qualitatively. DCP and members of the Division of Equity and Access reached out to several vendors to solicit proposals, including Teacher's College of Columbia University, CUNY- City Tech, America's Choice, Inc., Kaplan K12 Learning Services, Fordham University, and the College Board. Despite the DOE's efforts, only one proposal was submitted in response to the RFP. The required service components demand unique expertise; none of the contacted vendors was able to provide all of the requested services.

The proposal was distributed to an evaluation committee that included three members from the Division of the Senior Deputy Chancellor and School Support/Equity and Access: an Executive Director who was formerly a high school principal for five years and introduced the first AP courses to that school; a Director of Operations who coordinates the APEX program; and a Chief of Staff who supports the day-to-day operations of APEX, responsible for human resources, budgeting, procurement, planning and communications. The proposal was evaluated and scored based on the following criteria: demonstrated effectiveness (40 points), organizational capacity (20 points), program plan (20 points), and pricing (20 points). The evaluation committee voted to select NMSI for a contract award based on both the strength of its proposal and its exceptional performance under its current contract for Phase I of APEX.

Through this contract NMSI will provide professional development to a total of 400 AP and Pre-AP teachers during the first year (i.e., teachers who teach Grades 9-12 Math, English and Science courses that are pre-requisites and lead up to actual AP courses). These services will include a four day summer training institute for both groups of teachers, a two day follow-up seminar for both groups of teacher, mentors and development of lead teachers to provide support throughout the year, along with ongoing consulting services. NMSI will also provide a minimum of four Saturday study sessions for 4,000 students, as well as four formative assessments for those students. NMSI will also subcontract with the College Board for training of AP exam administrators.

The estimated contract cost of $7.07 million over two years is based on past expenditures for Phase I of the program and an expected increase in participation from both teachers and students in Phase II. 101 teachers and 1,181 students participated in Phase I. 190 teachers and 4,000 students are expected to participate in the first year of Phase II. The budget will be managed centrally by the Division of Equity and Access and paid for through tax levy funding. It is anticipated that services under the proposed contract will commence in January 2015.

The pricing of Phase II was largely dependent on the startup costs and experience derived by AP teachers during Phase I. For Phase II, DOE negotiated a price reduction of $405,000 (6% of total program price) on the highest price item, Saturday study sessions for students. Five other line items were either unchanged or declined, and two increased. Overall, comparing Phase I to Phase II, the total costs for the program, declined 5% per student. In conclusion, the NMSI program cost can be considered fair and reasonable.

A comprehensive background check was completed by members of the Vendor Research and Price Analysis Department. No adverse information was found; therefore NMSI has been determined to be a responsible vendor.

Item: 5

Description:

Student assessments and related assessment administration support services for the DOE's English Language Learners periodic assessment program.

REQUEST FOR AUTHORIZATION (RFP #R1010)
TO PROVIDE ENGLISH LANGUAGE LEARNER PERIODIC ASSESSEMENT PROGRAM

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Estimated Total Option Amount	Procurement Method	Is Contract Retroactive?	Contract Type
Year 1: $1,814,821 Year 2: $2,106,930 Year 3: $2,455,373 Total: $6,377,124	Tax Levy	Three Years (12/1/14 – 11/30/17)	Two 1-Year Options to Extend	$4,910,746	Request for Proposals (RFP)	No	Requirements

Vendor Names and Addresses:	Estimated Total Contract Amount	
Council for Aid to Education 215 Lexington Avenue 16th Floor New York, NY 10016	**Component 1** (ELL Baseline Periodic Assessment)	$2,778,441
	Component 2 (Independent Formative Language Assessment)	$ 966,271
	Component 3 (Universal English Language Development Rubrics)	$ 491,010
	Component 4 (Native Language Tasks: Spanish)	$1,061,192
Research Institute for the Study of Language in Urban Society 365 Fifth Avenue Room 7407 New York, NY 10016	**Component 4** (Native Language Tasks: Chinese)	$1,080,210

Contract Manager	Lead Contracting Officer	Division of Contracts and Purchasing Contact
Lisa Karlich Director of Periodic Assessment Division of Teaching and Learning	Dan Aymar-Blair Senior Executive Director Division of Teaching and Learning	MaryAnne Impostato Procurement Analyst Central Office Procurement

PURPOSE

Authorization is requested to contract with the Council for Aid to Education (CAE) and the Research Institute for the Study of Language in Urban Society (RISLUS) to provide student assessments and related assessment administration support services for the DOE's English Language Learners Periodic Assessment (ELL PA) Program.

DISCUSSION

The Periodic Assessment (PA) program provides formative assessment data that helps classroom educators meet the instructional needs of their students, deliver lessons aligned to the Common Core Learning Standards (CCLS), differentiate instructional supports, plan their curriculum, implement professional development, and monitor student learning and progress over time. In school year 2007-2008, all schools began administering PA programs in English Language Arts (ELA) and mathematics in grades 3-12. In school year 2012-2013, the PA program added CCLS-aligned PAs. As the CCLS integration continues, the PA program will expand to include a variety of supporting tools.

The ELL PA Program will complement the existing program by providing data with regards to English language proficiency and English language development. ELL assessments and rubrics will be loaded onto the Schoolnet platform for distribution, administration, scoring, and reporting purposes. Results from these assessments may be used to support students' native language development, as well as support their ability to master content in English while developing English language proficiency.

DOE released a Request for Proposals (RFP) seeking student assessments and related assessment administration support services. The RFP included four components: 1) English Language Learner Baseline Periodic Assessments; 2) Independent Formative Language Assessments; 3) Universal English Language Development Rubrics; and 4) Native Language Tasks. Vendors could propose for some or all of the components. Services were unbundled to encourage participation by Minority and Women-Owned Business Enterprises (MWBEs) in Components 3 and 4. Although three MWBEs responded to the RFP, none were selected for contract award.

These services are contracted out because the DOE does not have the resources and expertise to meet the program's objectives. A RFP was the preferred method of procurement because of the need to weigh the services offered qualitatively.

The RFP was advertised in the City Record and on the DOE website. Potential vendors that are assessment service and content providers on the DOE bidders' list were also notified via email.

The evaluation committee included five voting members representing the Division of Teaching and Learning, the Division of Students with Disabilities and English Language Learners (including the Office of Academic Quality, the Office of Assessment Operations, and the Office of English Language Learners), and the Division of Instructional and Information Technology. Overall expertise included a periodic assessment program manager who is a former teacher experienced in administering and writing literacy assessments; a psychometrician experienced in research and development; an assessment design manager with expertise in measures of student learning and teaching English to speakers of other languages; an English Language Learner instructional specialist whose specialty is bilingual education; and a professional development program manager with expertise in educational training and leadership. Proposals were scored based on the following criteria: organizational capacity (35 points), price (25 points), program plan (20 points), and demonstrated effectiveness (20 points).

The table below summarizes the pricing of the original proposal submissions.

Proposer/Vendor	Component 1 (ELL Baseline Periodic Assessment)	Component 2 (Independent Formative Language Assessment)	Component 3 (Universal English Language Development Rubrics)	Component 4 (Native Language Tasks)
CTB/McGraw-Hill	--	$1,557,600	--	$1,557,600
Spelling and Reading	$5,898,000	--	--	--
Oddcast	--	$ 90	--	$ 270
NCS Pearson	$2,076,873	$ 499,466	$ 175,486	--
Montoro & Associates	--	--	--	$ 988,679
Council for Aid to Education (CAE)	$2,853,527	$ 1,900,693	$ 549,552	$2,612,654
D.R.I.P. Drama	--	$43,180,000	--	--
RISLUS	--	--	--	$2,936,570

The committee eliminated Spelling and Reading, Oddcast, D.R.I.P. Drama, and CTB/McGraw-Hill because of concerns about the overall quality of their program plans. The committee did not request clarification for the pricing anomalies submitted by Oddcast and D.R.I.P. Drama due to the other shortcomings of their proposals, each of which did not address the DOE's needs in assessing English Language Learners. The committee determined that neither of these vendors would be recommended for award before it considered pricing.

In addition, the committee determined that the off-the-shelf product proposed by CTB/McGraw-Hill would not provide the flexibility necessary for the DOE to customize assessments to meet the unique needs of schools. The committee members also felt that Montoro & Associates lacked a comprehensive understanding of CCLS and the expertise necessary to deliver the services. Consequently, these vendors' were eliminated from further consideration.

For Component 4 (Native Language Tasks), vendors could propose services for specific grade bands and languages. Overall, five vendors proposed for Spanish and two for Chinese. Only Oddcast included languages other than Spanish and Chinese in its proposal, but the committee determined Oddcast's proposed translation services to be out of the RFP's scope; since Oddcast's pricing did not reflect the RFP's requirements, comparison with other vendors' pricing is impractical. Oddcast was also unresponsive to the DOE's request for revised pricing.

Proposer	Original Proposal		BAFO	
	Spanish	Chinese	Spanish	Chinese
CTB/McGraw-Hill*	$1,557,600	--	--	--
Oddcast*	$90	$90	--	--
Montoro & Associates**	$988,679	--	--	--
CAE*	$2,612,654	--	$1,061,192	--
RISLUS*	$1,468,285	$1,468,285	$1,080,210	$1,080,210

*Proposed all grade bands (PK-2, 3-5, 6-12).

**Proposed two grade bands (3-5, 6-12).

Best and Final Offers ("BAFOs") were requested from the remaining three vendors. These are summarized in the table below.

Final Offers	Component 1 (ELL Baseline Periodic Assessment)	Component 2 (Independent Formative Language Assessment)	Component 3 (Universal English Language Development Rubrics)	Component 4 (Native Language Tasks)
NCS Pearson	$1,749,466	$ 947,779	$ 159,559	--
Council for Aid to Education (CAE)	**$2,778,441**	**$ 966,271**	**$ 491,010**	**Spanish: $1,061,192**
RISLUS	--	--	--	***Chinese: $1,080,210** Spanish: $1,080,210

*Awarded language

DCP's Vendor Research and Price Analysis Unit reviewed the proposals of pricing and cost budgets for the two selected vendors – CAE and RISLUS. Both vendors submitted revised proposals with reductions compared with their original proposals of 26% (for RISLUS) to 33% (for CAE) reflecting a) reductions associated with changes to the development timetable on certain components; b) reductions associated with vendor-directed BAFO changes and c) negotiated price reductions during CPA.

With regards to the latter, during CPA we noted that RISLUS cost budget included contingencies for unknown costs. Vendor was asked to remove all contingencies totaling $30,000. In addition, we noted that CAE's cost budget reflected profit margins above an acceptable range for DOE. Vendor was asked to make reductions to reduce budgeted profit margins. Those savings totaled $130,000. As a result of the vendor-directed reductions in price reflected in BAFO together with additional savings associated with negotiations during CPA, prices can be considered fair and reasonable.

The Council for Aid to Education (CAE) was recommended for award for Components 1, 2, 3, and for the Spanish language task development under Component 4. The committee determined that CAE's proposal to deliver Common Core-aligned assessments for each grade level in Component 1, which the DOE may continue to use beyond the end of the contract, represented a significant benefit. By contrast, it would be impractical for the DOE to use NCS Pearson's content beyond the contract term because Pearson proposed to provide two assessment forms per two-grade band, of which only the first would be Common-Core aligned. Thus, Pearson's assessments could not be used interchangeably and future development would be required at the end of the contract. CAE also provided a strong program plan and evidence of effectiveness, has an experienced team that includes nationally renowned experts, and provides an assessment that can be customized for the DOE. While NCS Pearson was the overall lowest cost provider, it was determined that the cost savings resulting from the extended use of CAE's content beyond the contract term would outweigh the additional contract cost.

RISLUS was recommended for award of the Chinese language task development of Component 4 for all grades. The committee felt that RISLUS has the necessary expertise, including research experts with experience in the native languages, to fulfill the translation requirements specified in the RFP. Oddcast also proposed Chinese but, as previously noted, this vendor was eliminated because the committee was concerned about the overall quality of their program plan. In addition, their extremely low price of $270 indicated a lack of understanding of the RFP requirements, making a price comparison difficult. CAE was recommended for Spanish language translations because the committee felt that their assessment and project management experience combined with the expertise of their subcontractor, including Spanish language assessments, made them better suited to provide these services. In addition, CAE's price was lower than RISLUS, the only other proposer of Spanish language translations qualified to advance to the competitive range.

A comprehensive background review conducted by DCP's Vendor Research and Price Analysis Unit revealed no noteworthy adverse information with regards to CAE or RISLUS, so the DOE determined that these vendors are responsible.

Item: 6

Description:

WITHDRAWN

Item: 7

Description:

Consulting services to market/merchandise and administer revenue producing sponsorship programs for physical education programs.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH DBOBER LLC, DBA THE PUBLIC PRIVATE NETWORK TO PROVIDE SPORTS MARKETING CONSULTING SERVICES

Estimated Revenue	Funding Source	Contract Term	Options	Option Amounts	Procurement Method	Is Contract Retroactive?	Contract Type
Projected Revenue to DOE: Annual: $ 4,720,000 Total: $23,600,000 Projected Commissions to PPN: Annual: $ 833,000 Total: $ 4,165,000	Revenue	Five Years (1/1/15-12/31/19)	One Year	Projected Revenue to DOE: $4,720,000 Projected Commissions to PPN: $833,000	Request for Proposals (RFP)	No	Revenue

Vendor Name & Address	dbober LLC, DBA The Public Private Network 532 West 22nd Street, Suite 5A New York, NY 10011

Contract Manager	Lead Contracting Officer	Division of Contracts and Purchasing Contact
Janice Zapinsky Office of School Support Services Public Schools Athletic League	Lisa D'Amato Office of Student Support Services Public Schools Athletic League	Sande Pisik Procurement Analyst Transportation, Food & Facilities Procurement

PURPOSE

Authorization is requested to contract with dbober LLC, DBA the Public Private Network (PPN) for consulting services and to market/merchandise and administer revenue-producing sponsorship programs for DOE physical education programs, including the Public Schools Athletic League (PSAL) and the Office of School Wellness Programs (OSWP), which includes the CHAMPS Middle School Sports and Fitness League. Services will begin on January 1, 2015 for a period of five years with an optional one-year extension. There will be no cost to the DOE, as this will be a revenue-generating contract.

DISCUSSION

The mission of the PSAL, CHAMPS, and related scholastic athletics programs is to provide opportunities for educating students in physical fitness, character development, and socialization skills. These programs are designed to enhance students' academic experience through association with enjoyable activities and to improve their capacity for learning through better physical health. In addition, students develop the ability to enhance their health and wellness by participating in the programs that target physical fitness, exercise, nutrition and diet, aerobic training, survival skills, dangers of drug abuse, and emotional health.

The DOE issued a Request for Proposals (RFP) in March 2014 seeking a consulting partner to develop and execute on marketing/business plans to attract paying sponsors to promote and/or merchandise goods and services centered on physical education and wellness programs. The RFP was advertised in the City Record and on the DOE website.

The awarded vendor will develop, negotiate, and manage a competitive RFP process under DOE supervision for the selection of vendors in approved categories such as vending services, apparel,

broadcast rights, and accessories. The company will also seek new sources of revenue and manage current revenue generating procurements that benefit the DOE.

Six proposals were received and all met the minimum qualifications. A three member evaluation committee was drawn from PSAL, OSWP, and the Office of School Support Services (OSSS) to evaluate the proposals. Each committee member has extensive experience in managing revenue generating contracts for their respective offices. The proposals were evaluated based on the following criteria: program/marketing business plan (30 points), estimated revenue potential for the DOE (30 points), organizational capacity (20 points), and demonstrated effectiveness (20 points).

Four proposers were in the competitive range, based on a significant demarcation between their scores and the other two companies that submitted proposals. They were PPN, Civic Entertainment Group, Front Row Marketing, and Superlative Group, and all were invited in for presentations.

The award recommendation for PPN was based on their extensive experience in providing large municipalities, including the DOE, with marketing plans and obtaining sponsorships. PPN will utilize Octagon as a subcontractor that will provide them access to marketplace intelligence, contacts, and access to a large number of potential sponsors for DOE programs. Octagon has over 800 employees in 22 countries and won the 2013 Sports Business Journal's "Best in Corporate Consulting, Marketing, and Client Service" award. PPN was considered to have proposed more innovative revenue ideas than its competitors for both PSAL (Official Licensor, elite basketball tournament) and Office of School Wellness Programs (sponsors dedicated to health and wellness programs). PPN also proposed using social media and utilizing the DOE websites to support partner outreach.

PPN's revenue projections were reasonable and their fees for sales commissions and sponsorships are lower than the historical industry average of 20-30% per NYC & Company. Although PPN's fees were slightly higher than Civic Entertainment Group's rates on their original proposals, the evaluation committee found PPN's proposal to offer the best value to the DOE. PPN also further lowered their commission fees in their BAFO. On the combined basis of these factors, prices have been determined to be fair and reasonable.

Commissions and sponsorship fees are paid by third party vendors to the sports marketing consultant directly based on the fee structure below.

FEE STRUCTURE

Program	Originally Proposed Commission	BAFO Commission
Beverage Vending	18% of sponsorship 15% of vending sales commissions	15% of sponsorship 15% of vending sales commissions
Snack Vending	15% of sponsorship 15% of vending sales commissions	15% of sponsorship 15% of vending sales commissions
PSAL Broadcast Rights	18% of sponsorship/rights fees	15% of sponsorship/rights fees
Athletic Apparel, Equipment, and Footwear	12.5% of sponsorship 11.5% of wholesale value of in-kind	12.5% of sponsorship 11.5% of wholesale value of in-kind
All Other Sponsorship Programs	18% of sponsorship	15% of sponsorship

A contract for these services is necessary because the DOE does not have the personnel or expertise to perform them.

An RFP was the preferred method of procurement because service providers are required to have extensive experience in generating revenue and marketing. Vendors' ability to meet these requirements and their capacity to render these services effectively must be qualitatively evaluated.

The Division of Contracts and Purchasing has reviewed sources including VENDEX, Federal Debarments, and financials and has determined PPN to be a responsible vendor.

Commission Rates by Vendor

	Public Private Network	Civic Entertainment Group	Front Row Marketing	Superlative Group (1)	Home Team Marketing (2)	Education Funding Partners
	% Vendor	% Vendor	% Vendor	% Vendor	% Vendor	% Vendor
Beverage Vending Sponsorships	15%	17%	12%	15%	NA	10-20%
Beverage Vending Commissions	15%	14%	12%	15%	NA	10-20%
Snack Vending Sponsorships	15%	14%	12%	15%	NA	10-20%
Snack Vending Commissions	15%	14%	12%	15%	NA	10-20%
PSAL Broadcast Rights	15%	NA	12%	15%	15%	10-20%
Athletic Apparel, Equipment and Footwear Sponsorship	12.5%	NA	12%	15%	NA	10-20%
Athletic Apparel, Equipment and Footwear – In Kind	11.5%	11.5%	12%	15%	NA	10-20%
All Other Sponsorship Programs	15%	19%	12%	15%	NA	10-20%

(1)- Superlative Group required a $200,000 retainer fee to cover analysis of DOE until that will be rebated back from revenues as received
(2)- Home Team Marketing proposed a 50/50 split with the DOE on net revenues on traditional advertising (TV, print, internet ads, etc.)
NA – Did not submit rates for these categories

Item: 8

Description:

Produce and deliver student planners to students in grades 6-12.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH SCHOOL DATEBOOKS TO PROVIDE STUDENT PLANNERS WITH ADVERTISEMENTS FOR STUDENTS IN GRADES 6-12

Funding Source	Contract Term	Procurement Method
Revenue-Generating Year 1: 10% of ad sales paid to the DOE Years 2-5: Guaranteed minimum $150,000 annually	Five Years	Request for Proposals (RFP)

Vendor Name and Address	School Datebooks 2880 U.S. Highway 231 South, Suite 200 Lafayette, IN 47909

Contract Manager / Lead Contracting Officer	Division of Contracts & Purchasing
Jennifer Maldonado Office of the Deputy Chancellor for Operations	Marc Eiselman Procurement Analyst

PURPOSE

Authorization is requested to contract with School Datebooks to produce and deliver student planners for New York City public school students in grades 6-12. This is a revenue-generating initiative and will incur no cost to the DOE.

DISCUSSION

A Request for Proposals (RFP) was issued seeking a vendor capable of producing and delivering student planners for students in grades 6-12. Vendors were required to provide a separate teacher guide to accompany the planners. The teacher guide will provide a summary of what's in the planner and instructions on how to use it. The revenue generated will derive from the vendor's marketing of advertising space in the planners and, where possible, the teacher guides. All advertisements and sponsors must be approved in advance by the Chancellor's Committee for the Approval of School Advertisements (CASA).

Only two proposals were received in response to this solicitation because most companies that sell planners do not possess the resources necessary to obtain advertising revenue sufficient to allocate the DOE a percentage of the ad sales in addition to paying for the planners.

The proposals were evaluated by a three-member committee: two drawn from the Office of the Deputy Chancellor for Operations and one from the Office of the General Counsel's OLS Commercial Unit. Proposals were evaluated based on the following criteria: demonstrated effectiveness (30 points), prices/revenue generation (25 points), program plan (20 points), and organizational capacity (20 points).

PROPOSED REVENUE SHARING PLANS

Proposer	Amount
School Datebooks	• Ten percent of ad sales in each year of the contract, with • Guaranteed minimum annual payments of $150,000 in Years 2-5.
Quality Planners	$25,000 guaranteed annual payment.

The committee selected School Datebooks based on the company's 28 years of experience as a leading manufacturer of student planners, its demonstrated ability to sell sponsorships to place ads in the planners, references provided, and an estimated revenue amount of 10 percent of ad sales during the first year of the contract and each year thereafter, with a guaranteed minimum annual payment of $150,000 in Years 2-5 of the contract.

The vendor will submit quarterly sales reports to the DOE so that ad sales amounts may be verified.

This procurement is a revenue-generating initiative, so a price/cost analysis was not applicable. Pricing is viewed as favorable nonetheless, based on the albeit limited competition and true win-win nature of the contract.

Background checks using the Excluded Parties List, the Uniform Commercial Code Lien Search, VENDEX, and the Vendor Watch List revealed no significant adverse information for School Datebooks. In addition, School Datebooks' performance in providing student planners to the DOE under previous contracts has been satisfactory. The vendor has therefore been determined to be responsible.

Item: 9

Description:

Representatives in grievance and other administrative processes that are required by collective bargaining agreements between DOE and various unions. (RA #3)

REQUEST FOR AUTHORIZATION TO PROVIDE CHANCELLOR'S AND SUPERINTENDENTS' REPRESENTATIVES (R0867) – RA #3

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$39,000 / $117,000	Tax Levy	Three Years	None	Request for Proposals (RFP)	Yes	Requirements

Vendor	Components
Gary Laveman	1, 2

Contract Manager	Lead Contracting Officer	Division of Contracts and Purchasing Contact
Karen Solimando Deputy Director, Legal Services Office of Labor Relations	David Brodsky Director Office of Labor Relations	Denesia Stroom-Blair Procurement Analyst Central Office Procurement

PURPOSE

Authorization is requested to contract with the consultants listed below to serve as Chancellor's or Superintendents' representatives in grievance and other administrative processes that are required by various collective bargaining agreements and DOE rules and regulations. This authorization will result in multiple requirements contracts. All of the contracts will be active for approximately three years, commencing on or around September 1, 2014 and terminating on or around August 31, 2017.

DISCUSSION

A Request for Proposals (RFP) was the preferred procurement method because the consultants must have a working knowledge of collective bargaining agreements and grievance procedures, and experience of this nature varies both qualitatively and quantitatively. Candidates were also required to possess one of the following certifications:

- School Administrator and Supervisor (SAS)
- Schools District Administrator (SDA)
- School Building Leader (SBL)
- School District Leader (SDL)
- Juris Doctorate with five years' experience representing a school district.

An open-ended RFP allows for continuous competition so that anyone who becomes certified and meets the requirements can apply.

The solicitation was released to all vendors on the DOE's internal consulting bidders list, advertised in the City Record and CSA newsletter, and posted on the DOE's website. The RFP was divided into two components: (1) Chancellor's representatives, and (2) Superintendents' representatives. Vendors were able to propose for either or both components.

Proposals were evaluated by a three-member committee drawn from the Office of Labor Relations. All members of the committee are familiar with the collectively negotiated grievance procedures and responsibilities of the Chancellor's representatives and Superintendents' representatives. Proposals

were scored using the following evaluation criteria for both components: communication/interpersonal skills (50 points) and demonstrated effectiveness (50 points). Interviews with each proposer were also factored into their respective evaluation scores. Price was not an evaluation factor because the rates are the same. All proposers were required to submit a writing sample and have one of the required certifications.

All nine individuals who submitted proposals were recommended for award, and eight individuals were recommended for award in September 2014. The vendor listed above was not listed on the previous RA because of delays in the submission of necessary documentation. All vendors were able to articulate experience handling the resolution of complex labor relations disputes involving school teachers and other school district personnel and demonstrated knowledge of the collective bargaining agreements.

This contract is retroactive due to delays in the evaluation of the proposals submitted.

A vendor background review, including the federal debarment list and DCP files, has revealed no significant adverse information for this proposer. The contract manager considers this vendor to have been in compliance with the requirements of previous contracts and to have performed satisfactorily. Therefore, the vendor has been determined to be responsible.

All vendors awarded in response to this solicitation will be compensated a daily rate of $350 for seven consultant work hours or a pro-rated hourly rate of $50. A recent analysis by DCP's Vendor Research and Price Analysis Unit compared the vendors' hourly rate of $50 to the equivalent titles of full-time DOE Associate Staff and Education Analysts. The hourly rates for those titles range from $48.77 to $63.15 respectively, including fringe benefits. As the consultants' rates are either less than or fall within the salary range of equivalent titles, the rates are fair and reasonable. The fixed rate will remain in effect for the entire term of the contract.

Although each consultant will be paid identical daily rates, the estimated annual amounts for each vary, based on the anticipated distribution of assignments.

Item: 10

Description:

Graduate courses for non-public school principals and prospective principals to obtain SBL certification.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH MULTIPLE INSTITUTIONS OF HIGHER LEARNING TO PROVIDE GRADUATE COURSES FOR SCHOOL BUILDING LEADER (SBL) CERTIFICATION TO NON-PUBLIC SCHOOL PRINCIPALS AND PROSPECTIVE PRINCIPALS

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$2,162,250 / $10,811,250	US DOE Title IIA Grant	Five Years (1/1/15 – 12/31/19)	None	Request for Proposals (RFP)	No	Requirements

Vendor Name & Address	See table below for awardees and contract data.

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Eric Lynn Senior Instructional Program Specialist Division of Nonpublic Schools – 21st Century Partners in Learning	Caren Zayde Moncher Executive Director Division of Nonpublic Schools – 21st Century Partners in Learning	Matthew Coffey Procurement Analyst Central Office Procurement

PURPOSE

Authorization is requested to contract with the vendors listed below for the provision of graduate courses in administration and supervision that will enable non-public school (NPS) principals and prospective principals to obtain School Building Leader (SBL) certification.

VENDOR	ESTIMATED ANNUAL CONTRACT AMOUNT
Fordham University	$612,000
Manhattan College	$217,800
Mercy College	$351,000
St. John's University	$981,450

DISCUSSION

Title IIA of the No Child Left Behind Act of 2001 provides funds for professional development for the purpose of creating future school leaders. This initiative enables prospective NPS principals to take courses in administration and supervision in order to acquire New York State SBL certification, while also allowing current NPS principals to keep up to date in the field of school building leadership. These courses are currently provided by six colleges.

The Department seeks to encourage a wide variety of colleges and universities to participate and provide more graduate course options and locations for potential program participants. An RFP was used as an alternative to a competitive sealed bid to allow for the evaluation of the qualitative differences between the comprehensive course offerings and related services of each vendor.

Proposals were evaluated by a three-member committee drawn from the Division of Non-Public Schools – 21st Century Partners in Learning (DNPS). They included two senior instructional program

specialists and one field supervisor, all of whom have a thorough knowledge of both the Title IIA professional development program and the unique needs of NPS personnel.

Proposals were scored using the following evaluation criteria: demonstrated effectiveness (35 points), organizational capacity (25 points), program plan (20 points), and price (20 points). Of the seven proposals received, four were recommended for award. Awards were recommended to vendors that have a New York State-approved SBL program, experience working with non-public schools to provide these services, and the ability to offer classes in convenient locations in the New York City metropolitan area. Touro College and Pace University are also being considered for award pending compliance with requests from the NYCDOE Office of Equal Opportunity. City College of New York (CCNY) was not recommended for award because its overall proposal was rated poorly and it did not demonstrate experience working with NPS, as specified in Section 4.3.3 of the RFP.

Background checks on the recommended vendors revealed the following noteworthy results:

Fordham University: Noteworthy information identified for prime vendor Fordham University. The vendor discloses in VENDEX judgments, injunctions or liens connected to violations regarding the fire code, inspection stickers, no standing zones and dirty sidewalks that have been filed by the NYC Housing Preservation Development (six totaling $205,618.90), the NYC bureau of Highway Operations and the NYC Department of Buildings. Though some remained open at the time the vendor completed the VENDEX form, all are now closed. There is a caution in VENDEX indicating "multiple investigations by various government entities (during the time period) 2009-2013, including NYS Division of Human Rights, EEOC, ECB, Office of Civil Rights, and the NLRB regarding Sex, Race, Religion and Disability Discriminations." According to VENDEX only two of the eighteen matters listed are still pending resolution. These two matters are a 2013 case with the Office of Civil Rights alleging disability discrimination and a 2009 Race/Sex discrimination matter before the EEOC that has been dormant for several years. The others have been resolved with eight dismissals, four closures, two through resolution agreements, one charge was terminated and another withdrawn.
VENDEX also reports 14 judgments or fines by government agencies including DOB, ECB, FDNY, and HPD. Of these, all have been paid except two ECB matters totaling $1,400 that are currently being contested in court. In light of the size of Fordham, which has 15,000 students and 2,500 employees on five campuses, the DOE does not believe these matters preclude a determination that the vendor is responsible.

Mercy College: VENDEX contains a caution indicating multiple investigations by various government agencies including the NYS Attorney General, NYS Division of Human Rights, EEOC, OSHA, and NYS Department of Labor. This caution relates to 11 investigations, all of which are now closed with no adverse findings against Mercy College. Nine were resolved in favor of Mercy College (4 for USDOE, 3 for EEOC and 2 NYS DHR) , and the two cases with the NYS Attorney General were listed as closed and settled, respectively. The DOE does not believe this precludes a determination that the vendor is responsible. In light of the size of Mercy, which includes 194 professors and 5,547 students at four campuses, the DOE does not believe this precludes a determination that the vendor is responsible.

St. John's University: VENDEX contains a caution indicating that, in 2010, St. John's contacted the Queens County District Attorney's Office (DA) after an internal investigation found indications of possible fraudulent activity by a university employee. The DA ultimately indicted the former employee on allegations of embezzlement and the president of SJU resigned after the charges were filed. The US Attorney's Office, in collaboration with the FBI and the IRS, also initiated a criminal investigation that resulted in federal charges involving indentured servitude, attempted solicitation of bribes and tax fraud. The former employee committed suicide prior to the completion of the federal trial. As the matter relates to the actions of a single employee, now deceased, and were uncovered in part due to

SJU's own internal investigation, the DOE does not believe this matter precludes a determination that the vendor is responsible.

No significant adverse information was discovered with regards to Manhattan College, so the DOE determined that this vendor is responsible.

The approved tuition rates range from $483 to $850 per credit. Each school's per credit rate represents a discount from its respective published rate for graduate students, as outlined in the table below. In addition, each school has agreed to include the cost of textbooks and application fees in its per credit price, providing further savings to the DOE.

Vendor	Published Rate/Credit	DOE Rate	Discount
Fordham University	$1,170	$825	27%
Manhattan College	$830	$605	27%
Mercy College	$798	$780	2.3%
St. John's University	$1,145	$727	36.5%
City College of New York (CCNY) (Not Awarded)	$475	$441*	7.2%

*Quoted rate based on cohort price. Individual rate would be higher.

The Cost Price Analysis Unit performed a comprehensive cost analysis for Fordham and St. John's, each of which has a total contract value of over $3 million. They found that proposed tuition rates are discounted significantly from their standard published rates. Although they each increased their rates from the prior contract, each school's rate increase is below the average College CPI increase of 4.6% for the same period. The proposed discounted tuition rates offered by these two schools can be determined to be fair and reasonable. Along with the discounts offered by the remaining schools, the prices for those additional schools are also determined to be fair and reasonable.

Item: 11

Description:

Provision of Universal PreKindergarten Services (RA #8)

REQUEST FOR AUTHORIZATION TO CONTRACT WITH PROVIDERS OF EARLY CHILDHOOD EDUCATION SERVICES FOR FOUR-YEAR-OLDS IN THE UNIVERSAL PREKINDERGARTEN (UPK) PROGRAM (RFP R1015) (RA #8)

Estimated Annual / Total Contract Amounts	Funding Source	Contract Term	Options	Estimated Annual Option Amount	Procurement Method	Is Contract Retroactive?	Contract Type
$156,000 / $468,000	New York State Education Department (NYSED), Tax Levy	Three Years	Options to Extend for Two 1-Year Periods or One 2-Year Period	$156,000	Request for Proposals (RFP)	No	Requirement

Vendor Name	Nesivos Bias Yaakov 1021 45th Street Brooklyn, NY 11219

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Xanthe Jory Executive Director, Expansion Planning Division of Early Childhood Education	Sophia Pappas Executive Director Division of Early Childhood Education	Toby Reyes Director of UPK Procurement

PURPOSE

Authorization is requested to contract with Nesivos Bias Yaakov to provide high-quality instructional programming as part of the Universal Prekindergarten (UPK) program.

DISCUSSION

In 1997, the New York State Education Department (NYSED) established the Universal Prekindergarten program (UPK), which entitles eligible four-year-olds to receive 2 hours and 30 minutes of instructional programming for 180 days at no charge to families. In March 2014, the State legislature approved a $300 million grant to expand full-day pre-kindergarten access in New York City. The legislation allows for high-quality UPK programs to be awarded new full-day UPK seats or to convert existing half-day seats to full-day seats.

The UPK program operates citywide in public and non-public school settings. Achieving universal access to prekindergarten services depends on the partnerships that link community-based organizations with the NYC public school system.

A Request for Proposals (RFP) was released in December 2013, seeking to award eligible early childhood providers who are willing to collaborate with the DOE's Division of Early Childhood Education (DECE) to implement the UPK Program in New York City districts with a need for more seats than the DOE is able to offer within public schools. The RFP contained two components, each to be evaluated and awarded separately:

- Component A – Full-Day
- Component B – Half-Day

In support of Mayor de Blasio's plan to expand full-day UPK, the NYCDOE encouraged any provider interested in offering full-day UPK to apply to the RFP.

The vendors were expected to propose a consistent weekly schedule for full-day programs (6 hours and 20 minutes) between 8:00 am and 4:30 pm and/or half-day programs (2 hours and 30 minutes per day), 5 days per week for 180 days of the school year.

The Division of Early Childhood Education (DECE) performed a needs analysis to determine areas to target for full-day seats and a separate analysis to determine high-needs half-day areas; however, the RFP made clear that, should additional funding become available, contract awards would be made citywide, prioritizing areas with the largest gaps in full-day UPK options. DECE measures this seat gap by evaluating the difference between kindergarten students enrolled in public District and Charter schools and the full-day UPK options available to families in the same area.

Keeping in line with the Mayor's vision, and in light of receiving additional funding made available through State legislation passed in March, the DOE prioritized proposals for full-day pre-k or full-day and half-day pre-k. This request is for contracts offering only full-day seats or a combination of full-day and half-day seats.

The New York State Education Department (NYSED) provides funding up to $224,000,000 for half-day UPK seats and up to $300,000,000 for full-day expansion.

Of 707 sites proposed, 482 were for full-day, 97 for half-day, and 128 for both full-day and half-day programs. Three proposals were submitted past the deadline. These vendors were notified that their proposals were found to be non-responsive and none protested. 199 vendors were recommended for award and approved in the May 2014 Panel for Education Policy contract meeting. 69 vendors were recommended for award and approved in the June through September 2014 Panel for Education Policy contract meetings. There is one (1) vendor recommended for award of half-day programs on this Request for Authorization.

To evaluate proposals, each Early Childhood Field Office convened a three-member evaluation committee that included two instructional professionals and one operations professional. Proposals were scored using the following evaluation criteria:

Response Category	Maximum Points
Program Plan	15
Organizational Capacity	15
Demonstrated Effectiveness	15
Site Visit	55
Total	**100**

All vendors in areas where additional seats are needed who met the minimum qualifications, scored at or above the 80 points, and presented fair and reasonable prices are recommended for award. In areas where the capacity of vendors exceded the estimated demand for services, awards were made based on vendor scores.

The RFP selection process was used because the qualitative evaluation of program, staff, and site environment are the most important criteria for award.

Nesivos Bias Yaakov submitted a proposal in response to the RFP for half-day services. The proposal scored above an 80, but Nesivos submitted a subsequent application for full-day services under the Negotiated Services. The provider initially opted for a full-day contract award, and was recommended for award for full-day services and approved by the Panel in the June 2014 contract meeting. Afterwards, Nesivos determined that they could not move forward with the provision of full-day services and opted to provide half-day services.

All of the vendors and their principal owners and officers were subject to a comprehensive background check. A background check was completed for Nesivos Bias Yaakov and they are deemed a responsible vendor.

Vendor Name	Geographic Borough	Awarded # of Half-Day Seats	Negotiated Cost per Child for Half-Day Seats	Negotiated Annual Contract Amount for Full-Day Seats	Total 1st Year Amount
Nesivos Bias Yaakov	K	40	$3,900	$156,000	$156,000

Item: 12

Description:

Labor, material, and supervision for general construction work in schools and administrative buildings.

REQUEST FOR AUTHORIZATION
JOB ORDER CONTRACT (JOC) FOR GENERAL CONSTRUCTION - B2389

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Estimated Option Amount	Procurement Method	Is Contract Retroactive?	Contract Type
$4,167,000 / $20,835,000	Tax Levy & Reimbursable Funding	Five Years	270-Day Extension	$3,125,250	Request for Bids (RFB)	No	Requirements

Vendor Name & Address	Geomatrix Services Inc. 210 East High Street Bound Brook, NJ 08805

Contract Manager / Lead Contracting Officer	Division of Contracts & Purchasing Contact
Volkert Braren Program Director Division of School Facilities (DSF)	Marissa Procope Director

PURPOSE

Authorization is requested to contract with Geomatrix for labor, material, and supervision necessary for general construction work in schools and administrative buildings.

DISCUSSION

This contract will cover all buildings owned or leased by the New York City Department of Education and replaces a contract awarded pursuant to a previous Request for Bids (RFB) in which spending has exceeded the estimated contract amount during the contract term. The funding for these contracts is a combination of tax levy and capital work for low-level capital projects assigned to the Division of School Facilities (DSF) by the New York City School Construction Authority. The bid included eight aggregate classes (AC), seven of which were awarded in a prior Request for Authorization (RA), each for a geographical region of the City. This RA recommends the award of an AC in the Bronx (AC 8).

Through this job order contract, each task has a set standard unit price listed in a construction task catalog. Technical specifications are included for all tasks. Bidders were required to submit two multipliers (adjustment factors), which are used to calculate prices for work done during normal hours and for work done after hours. The bidders were provided with estimates for the percentage of work that is to be done during each of the two periods. Estimates are based on prior usage.

The RFB was advertised for seven days in the City Record and on the DCP web site. At least sixteen bids were received for each of the eight ACs.

To qualify, bidders were required to offer evidence that they earned the annual amount estimated (per each aggregate class) on any prior contact(s) annually over the last three years. Bidders were also required to provide two dedicated project managers for each awarded contract. Awards were recommended to all responsive and responsible low bidders with the capacity to complete the work. As a result each low bidder was assigned the class that afforded the best cost savings to the DOE.

D&K Construction Company, considered for award of AC 8, has been found not responsible. No protest has been received. As a result, Geomatrix, the next vendor in line with the capacity to perform these

services, will be awarded that class. Geomatrix was previously awarded AC 7 on a prior RA and has the capacity to manage multiple classes since they have completed $14 million worth of work over the last three years. Geomatrix has had previous contracts with DSF and has provided satisfactory service. DSF is confident that they will continue to perform satisfactorily.

A cursory review of vendor's financial statements did not reveal any risk associated with doing business with the vendor. A background check found no significant adverse information for Geomatrix, therefore; they are determined to be responsible.

The Construction Task Catalogue (CTC) is DSF's pricing catalogue based on the industry standard. It predetermines technical specifications and estimated costs for work. Bidders were asked to bid an adjustment factor to those costs. A factor submitted at a multiplier less than 1 reflects a discount to the DOE. All awarded vendors bid factors less than 1. Based on the CTC estimates, discounts offered, and the competitive nature of the procurement (at least 16 bids received per class), the prices of all awarded vendors have been determined to be fair and reasonable.

Aggregate Class 8 – The Bronx East			
Contractor Name	**Award Criteria Figure**	**Annual Contract Value**	**Total Contract Value / 5 Years**
*Dia General Construction	0.7860	$3,930,000	
**Strong Steel Door Corp.	0.7883	$3,941,500	
*Pro Con Group Inc.	0.7952	$3,975,900	
D & K Construction Co.	0.8198	$4,099,000	Not Responsible
*Volmar Construction Inc.	0.8312	$4,156,000	
Geomatrix Services Inc.	**0.8334**	**$4,167,000**	**$20,835,000**
Biltmore General Contractors	0.8500	$4,250,000	
Innovative Construction	0.8737	$4,368,700	
Ansu Construction Inc.	0.8782	$4,391,000	
Sheela Inc.	0.9200	$4,600,000	
Corbex Inc.	0.9295	$4,647,500	
Laser Electrical Contracting	1.0560	$5,280,000	
East Coast USA Construction	1.0800	$5,400,000	
A.J.S. Project Management	1.0800	$5,400,000	
Santino Construction Corp.	1.3400	$6,700,000	
Rockmore Contracting	1.3559	$6,779,500	
Five Star Contracting	1.3760	$6,880,000	
Liburd Home Improvement	9.6000	$48,000,000	

*Already recommended for award of another aggregate class.
** Strong Steel's award was rescinded because of their failure satisfy the bonding requirements.

Item: 13

Description:

Professional development services in special education (RA#4).

REQUEST FOR AUTHORIZATION (RA#4) FOR SPECIAL EDUCATION PROFESSIONAL DEVELOPMENT SERVICES (MTAC R0915)

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$158,000 / $790,000	Various, including Tax Levy & Reimbursable Funds	Five Years	None	Multiple Task Award Contract (MTAC)	No	Requirements

Vendor Name and Address	Component
Wilson Language Training Corporation 47 Old Webster Road Oxford, MA 01540	10

Service Requestor / Contract Manager	Division of Contracts and Purchasing Contact
Ron Eisenberg Administrative Education Officer Division of Specialized Instruction and Student Support	Joy Gentolia Director Instructional Service Procurement

PURPOSE

Authorization is requested on behalf of the Division of Specialized Instruction and Student Support to contract with the Wilson Language Training Corporation (WLT) to provide special education professional development services. This contract will be utilized to provide training and support to the school community in establishing strategies directed toward diverse learners in a general education setting.

DISCUSSION

The DOE is required to educate students with disabilities alongside their non-disabled peers to the maximum extent appropriate. Advances in teaching and learning for special education students have allowed educators to serve a wider range of students in general education settings than previously.

The services sought through this MTAC include professional development, coaching, and parent training organized into 12 components: 1) Least Restrictive Environment; 2) Integrated Co-Teaching; 3) Low Incidence Disabilities; 4) Bilingual Special Education; 5) Differentiated Learning; 6) Special Education Legislation and Regulation; 7) Assistive Technology; 8) Behavior Management; 9) Universal Design for Learning; 10) Response to Intervention; 11) Assessment; and 12) Autism.

Services will be provided at the discretion of participating schools or central offices operating on behalf of a school or consortium of schools.

This proposal was distributed to an evaluation committee that included a senior instructional specialist, a former special education teacher, and a project director from the Division of Specialized Instruction and Student Support. To ensure consistency, a training session was conducted for all committee members in which they received an overview of the process and a scoring rubric. The proposal was scored based on the following criteria: program plan (35 points), organizational capacity (20 points), pricing (20 points), and demonstrated effectiveness (25 points). Successful vendors were required to achieve a minimum score of 80 points.

Twelve vendors were recommended for contract awards under previous RAs and one is recommended here.

A vendor can offer a single workshop for a component or offer an à la carte menu of services covering the following 12 components:

1 - Least Restrictive Environment
2 - Integrated Co-Teaching
3 - Low Incidence Disabilities
4 - Bilingual Special Education
5 - Differentiated Learning
6 - Special Education Legislation& Regulation
7 - Assistive Technology
8 - Behavior Management
9 - Universal Design for Learning
10 - Response to Intervention
11 - Assessment
12 - Autism

Within these components, vendors offer professional development, coaching, and parent workshops.

WLT offers a combination of on-site and online professional development, certification and coaching services in which a research-based literacy curriculum is implemented using a Response to Intervention (RTI) model for grades K-12. Best practices are presented to participants in three tiers, enabling educators to provide an instructional foundation, identify struggling learners through ongoing assessment, and provide intensive intervention through differentiated, specialized, multisensory instruction. WLT's programs can be customized to support planning and preparation, classroom environment, and instruction.

WLT's average hourly pricing was negotiated from $252 per hour to $176 per hour for a 30 percent price improvement. Pricing has been determined to be fair and reasonable based on comparison with pricing for like services by vendors contracted under this solicitation.

The estimated annual contract amount of $158,000 for WLT was based on their previous contract average expenditure for similar services.

A background check, including the Vendor CIP Report, the Uniform Commercial Code, the Federal Tax Lien, VENDEX, and the System for Award Management, found no significant adverse information. WLT has therefore been determined to be responsible.

It is necessary to contract for these services because the DOE does not possess the expertise necessary to meet the objectives of this program.

The MTAC process is the preferred procurement method as this process allows the DOE to award contracts for similar services to multiple vendors in order to meet demand for such services and to offer a choice among vendors.

As a part of the MTAC process, all service requests over $25,000 must go through a competitive process for procurement of services. Users will be required to create a scope of services and conduct a mini-solicitation process among the awarded vendors in their component areas. Vendors will be required to provide a statement of work and pricing based on their contracted services, which will be evaluated and scored by the user. Upon completion of this mini-solicitation process, schools will be

able to secure services via purchase order. This process is to ensure competition among the large number of vendors who have been awarded contracts as a result of this procurement. Future RAs for these services will be submitted in batches as new providers are presented for award of contracts.

Item: 14

Description:

Graduate courses in administration and supervision that will enable non-public school (NPS) principals and prospective principals to obtain School Building Leader (SBL) certification.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH BROOKLYN COLLEGE TO PROVIDE GRADUATE COURSES FOR SBL CERTIFICATION TO NON-PUBLIC SCHOOL PRINCIPALS AND PROSPECTIVE PRINCIPALS

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$188,041 / $940,203	US DOE Title IIA Grant	Five Years (1/1/15 – 12/31/19)	None	Government-to-Government Purchase	No	Requirements

Vendor Name & Address	Research Foundation on behalf of Brooklyn College 2900 Bedford Avenue Brooklyn, NY 11210

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Eric Lynn Senior Instructional Program Specialist Division of Nonpublic Schools – 21st Century Partners in Learning (DNPS)	Caren Zayde Moncher Executive Director Division of Nonpublic Schools – 21st Century Partners in Learning (DNPS)	Matthew Coffey Procurement Analyst Central Office Procurement

PURPOSE

Authorization is requested to contract with Research Foundation of CUNY on behalf of Brooklyn College of the City University of New York to provide graduate courses in administration and supervision that will enable non-public school (NPS) principals and prospective principals to obtain School Building Leader (SBL) certification.

DISCUSSION

Title IIA of the No Child Left Behind Act of 2001 provides funds for professional development for the purpose of creating future school leaders. This initiative enables prospective NPS principals to take courses in administration and supervision in order to acquire New York State SBL certification, while also allowing current NPS principals to keep up to date in the field of school building leadership.

A contract for these services is necessary because the courses required for SBL certification must be offered by an accredited institution. A government-to-government purchase was the preferred method of procurement because Brooklyn College did not respond to the current RFP for these services, and an agreement between the DOE and Brooklyn College will allow currently enrolled students to complete their programs of study, while allowing new students who live in Brooklyn to enroll in a school located close to home.

DNPS will manage and disseminate the funds for these services. It is anticipated that expenditures will be $940,203 over five years, based on a cost of $348 per credit, and an expected enrollment of 30 students per term. Brooklyn College's cost per credit, which includes textbooks and application fees, is lower than any of the six schools chosen for award under the current RFP, which range from $483 to $850. Brooklyn College's pricing has therefore been determined to be fair and reasonable.

As a city entity, Research Foundation of CUNY is exempt from VENDEX requirements. A comprehensive background check of Research Foundation of CUNY, including VCIP, Lexis, Westlaw, and state debarment lists revealed no significant adverse information, therefore, Research Foundation of CUNY has been determined to be a responsible vendor.

Item: 15

Description:

NY State accredited degree programs in various areas of special education and related services.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH COLLEGES AND UNIVERISITIES TO PROVIDE SCHOLARSHIP PROGRAMS FOR SPECIAL EDUCATION IN TEACHING AND SPECIAL EDUCATION (R1063)

Estimated Annual / Total Contract Amount	Funding Source	Extension Term	Procurement Method	Is Contract Retroactive?	Contract Type
$180,000 / $900,000	Tax Levy	Five Years (9/1/14 – 8/31/19)	Government-to-Government Purchase	No	Requirements

Vendor Name & Address	State University of New York

Contract Manager	Lead Contract Officer	Division of Contracts & Purchasing Contact
Sandra Rogers Director Scholarships and Incentive Programs	Peter Ianniello Executive Director Division of Human Resources	Denesia Stroom-Blair Procurement Analyst Central Office Procurement

PURPOSE

Authorization is requested to enter into requirements agreements with State University of New York (SUNY) for scholarship programs for special education in teaching and clinical disciplines and for related services on behalf of the DOE's Division of Human Resources (DHR).

DISCUSSION

Federal and state laws require that students with disabilities be evaluated for services and provided with appropriate instructional and clinical services within an acceptable timeframe.

The DOE continues to experience a shortage of personnel in various areas of special education and related services. To address these staffing needs and to improve the delivery of required services, the DOE has implemented scholarship programs in the following areas.

Teaching Disciplines	Clinical Disciplines	Related Services
Bilingual Special Education	Guidance & Counseling	Occupational Therapy
Visually Impaired	School Psychology	Physical Therapy
Speech Language Pathology	School Social Work	

The DOE issued a Request for Proposals (RFP) as an alternative to a competitive sealed bid to allow for evaluation of the qualitative differences among various pedagogical programs. Specifically, the DOE sought evidence that vendors' students complete their degrees in a timely manner and that vendors include comprehensive course offerings. Additionally, evidence was sought that scholarship candidates honored their commitment to work for DOE for two years for every year of tuition paid for by the DOE.

The RFP sought graduate and undergraduate colleges and universities offering New York State approved degree programs. The RFP had two components, each of which provide candidates with instruction and clinical services required by law to work in New York City's public schools. Vendors proposing for Component 1 offer Master's degrees in Clinical and Teaching programs with the appropriate certification and bilingual extension. Teaching programs include Blind and Visually Impaired instruction, Speech Language Pathology, and Special Education. Clinical areas include bilingual programs in Guidance Counseling, School Psychology, and Social Work. For Component 2, proposers are required to offer master's and/or doctoral programs in Occupational and Physical Therapy.

Proposals were evaluated by a committee drawn from Human Resources and the Office of Related and Contractual Services. All colleges and universities that submitted a proposal and met the minimum qualifications were awarded to ensure diversity of schools. Although students decide on the schools they want to attend, the program offices intend to provide more scholarships to students at higher-ranking schools.

Twenty-nine proposals were received in response to this solicitation as well as one no-bid response. Of the responses received, fifteen proposals were from private educational institutions, five proposals were from City University of New York (CUNY) schools, and one proposal was received from a State University of New York (SUNY) institution. It was determined that a Government-to-Government purchase was in the best interest of the DOE with regards to the CUNY and SUNY institutions. The DOE advertised its intent to negotiate with CUNY and SUNY and received no other responses from the vendor community. The SUNY institution is recommended here for award under R1063 and the five CUNY institutions will be recommended for award under R1062 in a separate RA.

Estimated contract amounts were derived increasing the total amount of tuition paid for the 2013-14 school year by five percent each year.

Vendor Research and Price Analysis reviewed the prices proposed by SUNY – Downstate Medical Center (Health Sciences) is offering to contract with the DOE at no discounts on their published rated, but agreed to hold their per credit rate for the term of the contract, in essence providing a defacto discount to the DOE. .

A vendor background review, including the federal debarment list and DCP files, has revealed no significant adverse information on any of these proposers. The contract manager considers this vendor to have been in compliance with the requirements of previous contracts and to have performed exceptionally. Therefore, the vendors have been determined to be responsible.

Vendor Name	Component	Estimated Annual Amount	Discipline
Downstate Medical Center	2	$180,000	Occupational Therapy

Item: 16

Description:

Heating oil for schools and administrative buildings.

REQUEST FOR AUTHORIZATION B2584
TO ACCESS THE DCAS EXTENSION CONTRACT WITH CASTLE OIL CORP. FOR #2-B5, #4-B5, and #6-B5 HEATING OIL

Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$80,000,000 / $95,000,000 Estimated Usage - Variable Price Contract	Tax Levy	10/01/14 - 5/31/15	None	DCAS Competitive Bid	No	Requirement

Vendor Name & Address	Castle Oil Corp 440 Mamaroneck Avenue Harrison, NY 10528

Contract Manager / Lead Contracting Officer	Division of Contracts & Purchasing Contact
Ken Mahadeo Director of Maintenance Division of School Facilities (DSF)	Marissa Procope Director

PURPOSE

Authorization is requested to access the extension of the NYC Department of Citywide Administrative Services' (DCAS) contract with Castle Oil for the purchase of #2-B5, #4-B5, and #6-B5 heating oil.

DISCUSSION

The Department has used DCAS contracts to purchase fuel oil for 15 years, allowing the Division of School Facilities (DSF) to share in the savings achieved by combining the DOE's volume with that of other city agencies. The DOE is named in the bid document as a user of the contract.

DCAS awarded a contract to Castle Oil for the period of October 1, 2012 through September 30, 2014. This contract is extended from October 1, 2014 to May 31, 2015. All other terms and conditions remain unchanged. It is not in the best interests of the DOE to solicit bids on these contracts separately as the DOE benefits from lower costs through these aggregate purchases and shares in DCAS's inspection services (monitoring product levels in tanks and Bureau of Quality Assurance Inspection Stamp). The estimated annual amount is based on past usage.

DCAS procured this commodity through a competitive solicitation (five bids received) and determined Castle to be a responsible supplier. Castle Oil has had previous contracts with DCAS and has provided satisfactory service to the DOE and DSF. DSF is confident that they will continue to provide such service for the extended period on this contract.

This is a variable price contract and consists of two parts: a base price and a differential. The base price per gallon will fluctuate weekly based on the barge prices listed in the Platt's Oilgram Price Report for the New York Harbor. The differential (0.0897 for #2-B5, 0.0491 for #4-B5, and 0.0544 for #6-B5 per gallon) remains constant and covers all other costs, including transportation and insurance. These prices have been determined to be fair and reasonable based on the competitive nature of this procurement.

Item: 17

Description:

Automated external defibrillators (AED) and accessories for NYC schools.

REQUEST FOR AUTHORIZATION TO UTILIZE THE EXTENSION OF A DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES (DCAS) CONTRACT FOR PHILIPS HEARTSTART DEFIBRILLATORS & ACCESSORIES

Annual Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$400,000	Tax Levy	11/1/14 - 2/28/15	None	Purchase through Governmental Contract (Section 3-11 of DOE Procurement Policy & Procedures)	No	Requirements

Vendor Name & Address	Philips Electronics North America PO Box 496538 Atlanta, GA 30384-6538

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Donovan Lauther Administration Education Officer Office of School Health	Ava Mopper Director Office of School Health	Matthew Coffey Procurement Analyst Division of Contracts & Purchasing

PURPOSE

Authorization is requested to utilize the extension of a Department Citywide Administrative Services (DCAS) contract with Philips Electronics North America (Philips) for the purchase of Philips Heartstart FRX (FRX) model Automated External Defibrillators (AEDs) and accessories.

DISCUSSION

In compliance with New York State Education Law, which requires at least one functional AED at each school site during school hours and at all school-sponsored events, the DOE uses this contract to furnish AED equipment to schools.

DCAS has extended the current contract, which was set to expire on October 31, 2014, for an additional four months.

DCAS initially procured this commodity in 2001 through a competitive bid process; Philips, the low bidder, was awarded. In 2007, seeking to procure the same items, DCAS issued a solicitation whose requirements were brand-specific to ensure training consistency and familiarity across the spectrum of end-users. Sixty-six Philip's distributors were solicited and one vendor, the product manufacturer, proposed and was awarded the contract.

The Office of School Health (OSH) purchased Philips Heartstart FR2 model AEDs via the DCAS contract in 2003 and via a New York State Office of General Services (OGS) contract in 2009. Like DCAS, the DOE has FR2 AED units currently in use. Therefore, the purchase of the FRX model, an upgrade of the discontinued FR2 model, will also provide continuity to the DOE in the use of training equipment.

The estimated amount of $400,000 for six months is based on past expenditures.

Utilizing the DCAS contract allows OSH to share in the savings achieved by combining the DOE's volume with that of other City agencies. It is not in the best interest of the DOE to bid this contract separately because of the lower costs realized through aggregate purchases made possible by the DCAS contract. The DOE will receive a 40 percent discount off the list price on all AEDs and accessories, which is five percent greater than the current 35 percent discount available under the OGS contract under which the DOE previously purchased this equipment. Given that DCAS has procured this commodity competitively and contract prices are lower than current market prices, these prices have been determined to be fair and reasonable.

Philips has been supplying this equipment to New York City schools for over five years. OSH has found Philips's products to be reliable and is satisfied with the vendor's performance; Philips has thus been determined to be a responsible vendor.

Item: 18

Description:

Implementation of CleanTech, a science, technology, engineering, and math (STEM) curriculum in four NYC high schools.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH CEC STUYVESANT COVE, INC. (DBA SOLAR ONE) TO IMPLEMENT THE CLEANTECH SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH (STEM) CURRICULUM

Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$216,751	New York State Energy Research & Development Authority (NYSERDA) Grant	One Year (9/1/14 – 8/31/15)	None	Vendor Named in Grant, per Section 1-03(b) of DOE Procurement Policy & Procedures	Yes	Full Value

Vendor Name & Address	CEC Stuyvesant Cove, Inc. DBA Solar One 37 West 26th Street, Suite 209 New York, NY 10010

Contract Manager / Lead Contracting Officer	Division of Contracts & Purchasing Contact
Lauren Perkins Deputy Executive Director, Finance & Operations Office of Postsecondary Readiness	Denesia Stroom-Blair Procurement Analyst Central Office Procurement

PURPOSE

Authorization is requested to contract with CEC Stuyvesant Cove, Inc. DBA Solar One to implement CleanTech, a Science, Technology, Engineering, and Math (STEM) curriculum in four New York City high schools.

DISCUSSION

The Office of Postsecondary Readiness was awarded a New York State Energy Research & Development Authority (NYSERDA) Grant that named Solar One as the provider of the CleanTech curriculum during the Career and Technical Education (CTE) classes at Energy Tech High School, The High School for Energy and Technology, The High School for Construction Trades, Engineering, and Architecture and Coop Tech.

Solar One's services include:

- In-classroom training of a total of 240 students in Grades 9-12 (on average, 60 per school);
- Professional development for at up to eight CTE teachers, guidance counselors, and staff, including industry certification training for up to 12 teachers and up to 88 students;
- Development of energy awareness, behavioral change, and school sustainability projects that will lead to energy reductions at school and at home; and
- Incorporation of the CleanTech curricula into each school's programming for continuation of the project beyond the funding period.

This contract is retroactive because the MTAC contract previously used expired on September 2, 2014. A new MTAC is currently pending but is not scheduled to be completed for another five months. In addition, the process of rolling unspent FY14 funds to the new fiscal year's budget took longer than anticipated.

The Division of Teaching & Learning has experience with Solar One providing these services and confirms that the vendor provided satisfactory service. DCP reviewed the vendor's background and found no significant adverse information. Solar One has, therefore, been determined to be responsible.

A competitive sealed bid was not done for this procurement and a contract for these services is necessary because the NYSERDA grant named this vendor for the amount stated above. To have the services provided by another party would be contrary to the grant. Pricing for the contracted services was established as part of the grant submission and award.

Item: 19

Description:

Extended school day services in support of the Extended School Day/School Violence Prevention Program Grant.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH PATHWAY TO THE ARTS TO PROVIDE AN EXTENDED SCHOOL DAY / SCHOOL VIOLENCE PREVENTION PROGRAM

Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$37,500	New York State Education Department (NYSED)	One Year (7/1/14 – 6/30/15)	None	Vendor Named in Grant, Per Section 1-03(b) of DOE Procurement Policy & Procedures	Yes	Full Value

Vendor Name & Address	Pathway to the Arts 1845 Seventh Ave., No. 5D New York, NY 10026

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Angie Guo Senior Operations Manager Office of Safety and Youth Development	Robert Weiner Chief Operating Officer Office of Safety and Youth Development	Denesia Stroom-Blair Procurement Analyst Central Office Procurement

PURPOSE

Authorization is requested to contract with Pathway to the Arts (Pathway) to provide extended school day services in support of the Extended School Day/School Violence Prevention Program Grant for District 9.

DISCUSSION

Pathway to the Arts provides students in grades 9-12 with instruction in the arts, focusing on visual arts, spoken word/poetry, and West African drumming. The program model blends standard curriculum with arts enrichment in order to develop creative thinking and problem solving. Pathway's goal is to have students focus on being creative producers rather than mere absorbers of knowledge, and thereby feel excited about what they are learning. Services will be provided at the High School for Excellence.

This contract is retroactive because the State did not release grant funding until July 2014. Once funding was approved, additional time was required to review the revised work plan and budget. Pricing for the contracted services was established by the grantor in the grant award and have therefore ben determined to be fair and reasonable.

A competitive sealed bid was not done for this procurement and because the Extended School Day/School Violence Prevention Grant named this vendor for the amount stated above. To have the services provided by DOE staff or another vendor would be contrary to the grant.

The contract manager's office has experience with the vendor providing these services and confirms that it has performed satisfactorily. DCP reviewed information regarding the vendor's background in the VENDEX system and DCP's files and found no significant adverse information. The vendor has thus been determined to be responsible.

Item: 20

Description:

Early College Initiative (ECI) program in four NYC high schools as part of the Good Jobs Now program.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH RESEARCH FOUNDATION CITY UNIVERSITY OF NEW YORK TO ADMINISTER THE EARLY COLLEGE INITIATIVE PROGRAM

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$2,200,060	US Department of Labor Youth CareerConnect Grant	Four Years (7/1/14 – 6/30/18)	None	Vendor Named in Grant, per Section 1-03(b) of DOE Procurement Policy & Procedures	Yes	Full Value

Vendor Name & Address	Research Foundation of the City University of New York 16 Court Street Brooklyn, NY 11202

Contract Manager / Lead Contracting Officer	Division of Contracts & Purchasing Contact
Lauren Perkins Deputy Executive Director, Finance & Operations Office of Postsecondary Readiness	Denesia Stroom-Blair Procurement Analyst Central Office Procurement

PURPOSE

Authorization is requested to contract with Research Foundation of the City University of New York (CUNY) to administer the Early College Initiative (ECI) program in four New York City high schools as part of the Good Jobs Now NYC program.

DISCUSSION

The Office of Postsecondary Readiness was awarded a United States Department of Labor (USDOL) Youth CareerConnect grant to implement the Early College Initiative (ECI) in the following New York City high schools:

- City Polytechnic High School of Engineering, Architecture and Technology;
- Energy Tech High School;
- Inwood Early College for Health and Information Technology; and
- Manhattan Early College School of Advertising.

The ECI program is a four-year program whose goal is that all students will graduate from high school with a degree or industry-recognized credential in an H-1B industry or occupation. ECI seeks to have students move into a placement that includes unsubsidized employment, post-secondary education, long-term occupational skills training, or a registered apprenticeship.

The ECI program will include:

- Curriculum development and teacher training;
- Professional development for school personnel to understand their students' needs and the ECI model;
- Support services for students, including academic enrichment and advisement;
- Database development to assist in matching students with internships, mentoring activities, and other work-based learning experiences; and
- Workplace training and development opportunities for students as they go through mentoring and internships.

This contract is retroactive because the USDOL required the DOE to submit additional responses to a set of special conditions after the award was granted on May 7, 2014. Approval for USDOL was

granted to move forward and DOE coordinated with CUNY to articulate a four-year scope of work and budgets that aligned to the approved proposal.

DCP reviewed the vendor's background and found no significant adverse information. The vendor has, therefore, been determined to be responsible.

A competitive sealed bid was not done in this procurement and a contract for these services is necessary because the Youth CareerConnect grant named this vendor for the amount stated above. To have the services provided by another party would be contrary to the grant. Pricing for the contracted services was established as part of the grant submission and award.

Item: 21

Description:

Instructional textbooks and ancillary materials for use in classrooms.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH VARIOUS VENDORS TO PROVIDE PUBLISHED AND COPYRIGHTED TEXTBOOKS AND ANCILLARY MATERIALS

Estimated Annual / Total Contact Amounts	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$5,214,224 / $36,499,568	Reimbursable, Tax Levy	Seven Years	None	Listing Application	No	Requirements

Vendor Name & Address	See table below.

Contract Manager	Lead Contracting Officer
Jennifer Davilla Director Instructional Materials Unit Division of Contracts and Purchasing	Susan Dick-McKeon Chief Administrator School Based Procurement Division of Contracts and Purchasing

PURPOSE

Authorization is requested to contract with the vendors listed below to provide published and copyrighted textbooks and ancillary materials to public and participating non-public schools.

DISCUSSION

The vendors listed below are the sole providers for the materials they publish. Because these materials cannot be purchased in the open market, a competitive sealed bid process is impractical. The proposed contracts require that the prices the DOE pays be the lowest offered to any client. As such, pricing for these materials has been determined to be fair and reasonable.

The estimated contract amounts are based on prior expenditures and contract usage by various public and non-public schools.

A comprehensive background check revealed the following noteworthy information regard Kaplan:

- In 2010 Kaplan Inc. the parent of Kaplan, reported that they received a civil investigative demand seeking information pertaining to the firm's online students who are residents of the State of Illinois. Kaplan University complied with the requests for information, and to date has not received further requests for information.
- In 2010, Kaplan Higher Education, a subsidiary of Kaplan Inc., received a subpoena from the Florida Attorney General's office seeking information related to its online and on-campus schools. The Attorney General alleges that the universities made misrepresentations to students about several matters, including financial aid. Kaplan advises that it complied with the subpoena and reports that it has heard nothing since.
- In 2010, the U.S. EEOC investigated allegations of racial bias in Kaplan's hiring practices. Litigation is currently pending and in the discovery phase, but part of the complaint has already been dismissed.
- The vendor discloses several lawsuits against Bar/Bri and Kaplan. The suits alleged that Kaplan agreed not to compete in the bar review market and that Bar/Bri agreed not to compete in the LSAT preparation market. All these disclosed suits are now settled with Kaplan and Bar/Bri collectively paying $30 million.

- In 2011, Kaplan finalized an agreement to terminate the inquiries involving the Surgical Technology Program previously offered at Kaplan's CHI-Broomall campus in Pennsylvania. Under the agreement, CHI-Broomall is required to pay $1.6 million. The agreement concludes the inquiry by the U.S. Attorney and fully resolves and dismisses with prejudice a previously sealed federal False Claims Act complaint relating to that program, which has been filed by a former employee. In settling the case, Kaplan admitted no wrongdoing. The suit had alleged that Kaplan continued to enroll students even though it did not have enough of the clinical placements the students needed to graduate.
- Kaplan's parent entity, the Washington Post, was investigated by several State Attorneys General in 2007 regarding arrangements between lenders and institutions of higher education. Vendor has not received any subsequent requests for information.
- Question 15 of Kaplan K-12's VENDEX reports a class action suit filed against ultimate parent the Washington Post in connection with alleged false and misleading statement and failure to disclose facts related to Kaplan Higher Education in violation of securities laws. Kaplan asserts the matter is without merit and will be contested.

Comprehensive background checks revealed no significant adverse information for GL Group – D/B/A The Book Source, Perfection Learning Inc., and Sadlier-Oxford.

Vendor Name & Address	Description of Products/Services	Estimated Annual / Total Contract Amount
GL Group – D/B/A The Book Source 511 Southwest Avenue St. Louis, MO 63110	Publishes workbooks and supplemental materials for students in grades PreK–12 in support of math, reading, and writing. Their supplemental materials support balanced literacy to enhance students reading levels.	$1,387,356 / $9,711,492
Kaplan K12 Learning 395 Hudson Street New York, NY 10014	Publishes a series of textbooks and test preparation workbooks for students in grades K–12 in English, mathematics, and reading. Their test preparation books assist students with SAT, PSAT, and AP readiness.	$2,388,251 / $16,717,757
Perfection Learning 100 N 2nd Avenue Logan, IA 51546	Provides textbooks, supplemental materials, and workbooks for grades K–12 in support of language arts, reading intervention, science, and world languages such as French, German, Italian, Latin, and Spanish.	$204,154 / $1,429,078
Sadlier-Oxford 9 Pine Street New York, NY 10005	Publishes a series of textbooks and workbooks that help students in grades K–12 in English language arts and mathematics. Their materials prepare students for State assessments.	$1,234,463 / $8,641,241

Item: 22

Description:

Instructional textbooks and ancillary materials for use in classrooms.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH IMRAI SHEFER INC. TO PROVIDE PUBLISHED AND COPYRIGHTED TEXTBOOKS AND ANCILLARY MATERIALS

Estimated Annual / Total Contact Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$41,242 / $288,694	Reimbursable, Tax Levy	Seven Years	None	Listing Application	No	Requirements

Vendor Name & Address	Imrai Shefer Inc. 25 Ross Street Brooklyn, NY 11249

Contract Manager	Lead Contracting Officer
Jennifer Davilla Director Instructional Materials Unit Division of Contracts and Purchasing	Susan Dick-McKeon Chief Administrator School Based Procurement Division of Contracts and Purchasing

PURPOSE

Authorization is requested to contract with Imrai Shefer Inc. to provide published and copyrighted textbooks and ancillary materials to public and participating non-public schools.

DISCUSSION

Imrai Shefer publishes textbooks and workbooks that teach students in grades K-3 how to read and write Hebrew. They are the sole provider of the materials they publish. Because these materials cannot be purchased in the open market, a competitive sealed bid process is impractical. The proposed contract requires that the prices the DOE pays be the lowest offered to any client. In addition, DCP was able to negotiate shipping rates from $1.75 a book to free shipping. As such, pricing for these materials has been determined to be fair and reasonable.

The estimated contract amount is based on prior expenditures and contract usage by various public and non-public schools.

A review of VENDEX, VCIP, federal debarment, and the New York State UCC lien search revealed no significant adverse information regarding this vendor. Imrai Shefer's performance under a previous contract has been satisfactory. This vendor has therefore been determined to be responsible.

Item: 23

Description:

Torah's educational product line.

REQUEST FOR AUTHORIZATION
TO PURCHASE TORAH EDUCATIONAL SOFTWARE (TES)

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$35,000 / $245,000	Tax Levy / Reimbursable	Seven Years	None	Listing Application	No	Requirements

Vendor Name & Address	Torah Educational Software (TES) 343 Spook Rock Road Suffern, NY 10901

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
James McBride Chief Administrator Technology & Instructional Material Procurement Division of Contracts and Purchasing	Dan Aymar-Blair Chief Operating Officer Division of Teaching and Learning	Kay Robbins Procurement Analyst

PURPOSE

Authorization is requested to contract with Torah Educational Software (TES) for TES Educational product line on a requirements basis.

DISCUSSION

TES is largest developer and distributor of Judaic, Hebrew, and Bible educational software.

TES is the sole provider of this software, so a Request for Bids (RFB) was not practical.

TES is offering the DOE a discount that ranges from 10 to 20 percent off their software list price and has guaranteed that no customer will receive better pricing than the DOE; prices have therefore been determined to be fair and reasonable.

The estimated contract amount is based on prior usage.

Background checks performed on TES included a review of VENDEX, CTS, the New York State Department of Labor, and the Federal Debarment List. No significant adverse information was identified. Accordingly, the vendor has been determined to be responsible.

Item: 24

Description:

Fact on File's educational software product line.

REQUEST FOR AUTHORIZATION
TO PURCHASE FACTS ON FILE EDUCATIONAL SOFTWARE

Annual / Total Estimated Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$125,510 / $878,570	Tax Levy / Reimbursable	Seven Years	None	Listing Application	No	Requirements

Vendor Name & Address	Facts on File 32 W 31st Street New York, NY 10001

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
James McBride Chief Administrator Central Procurements Division of Contracts and Purchasing	Dan Aymar Blair Senior Executive Director Division of Teaching and Learning	Kay Robbins Procurement Analyst

PURPOSE

Authorization is requested to contract with Facts on File for the entire Facts on File educational software product line on a requirements basis.

DISCUSSION

Facts on File provides online reference and news service databases, eLearning Modules, and streaming videos for use by students in schools and libraries. Facts on File specializes in core subject areas, such as history, science, literature, geography, and health.

Facts on File is the sole provider of its own software databases, so a Request for Bids (RFB) was not practical.

Facts on File is offering the DOE a discount of 10 to 20 percent off the software list price and has guaranteed that no customer will receive better pricing than the DOE; the prices have therefore been determined to be fair and reasonable.

The estimated contract amount is based on prior usage.

Background checks performed on Facts on File included a review of VENDEX, CTS, New York State Department of Labor, and the Federal Debarment List. No significant adverse information was identified. Accordingly, the vendor has been determined to be responsible.

Technical Changes

TECHNICAL CHANGES FOR PROVIDERS APPROVED UNDER PREVIOUS REQUESTS FOR AUTHORIZATION OF EARLY CHILDHOOD EDUCATION SERVICES FOR FOUR YEAR-OLDS IN UNIVERSAL PREKINDERGARTEN (2014-2017)

Funding Sources	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
New York State Education Department (NYSED), Tax Levy	Three Years	Negotiated Service – None RFP - Options to Extend for Two 1-Year Periods or One 2-Year Period	Request for Proposal & Negotiated Services	No	Requirement

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Xanthe Jory Executive Director, Expansion Planning Division of Early Childhood Education	Sophia Pappas Executive Director Division of Early Childhood Education	Toby Reyes Director of UPK Procurement

PURPOSE

In May, June, July, August and September of 2014, the Panel for Educational Policy (Panel) approved Requests for Authorization (RA) to contract with vendors to provide high-quality instructional programming as part of the Universal Prekindergarten (UPK) program. Additionally, a technical change list was presented to the Panel in August of 2014.

The table below shows technical changes for Universal Prekindergarten Service providers approved in previous Panel meetings.

PEP Date	Vendor Name	Type of Change	Original	Revision
May	The Joan Ganz Cooney Early Learning Center	*Vendor Name Change*	The Joan Ganz Cooney Early Learning Center	Public Preparatory Network
May	Queens Herald Community Corp.	*Zip Code Change*	11358	11355
May	SCO Family of Services	*Agenda Change (Additional Site - as reflected on RA)*	-	$810,900
May	SCO Family of Services	*Agenda Change (Additional Site - as reflected on RA)*	-	$486,540
May	GKO Group	*Vendor Name Change*	Tutor Time	GKO Group
July 30th	St. Francis Xavier School	*Vendor Name Change*	St. Francis Xavier School	St. Francis Xavier Catholic Academy
July 30th	Shirley Chisholm Day Care Inc	*Vendor Name Change*	Shirley Chisholm Day Care Center 2	Shirley Chisholm Day Care Inc
July 30th	Good Shepherd School	*Vendor Name Change*	Good Shepherd School	Roman Catholic Church of the Good Shepherd
July 30th	Raymond Edwards dba Modern Organization and Human Development Center	*Vendor Name Change*	MOHDC - Smart Start	Raymond Edwards dba Modern Organization and Human Development Center
July 30th	Beth Jacob Day Care Center, Inc.	*Annual Amount Change*	$549,459	$848,377
July 30th	Happy Dragon of USA	*Annual Amount Change*	$311,440	$467,160
July 30th	The Lutheran Church of Our Savior	*Vendor Name Change*	Evangelical Lutheran Church of Our Savior	The Lutheran Church of Our Savior
July 16th	Trabajamos Community Head Start	*Vendor Name Change*	Trabajamos Community School	Trabajamos Community Head Start
August Tech	82nd Street Academics	*Vendor Name Change*	Community United Methodist Church	82nd Street Academics
August Tech	University Settlement Society of New York	*Vendor Name Change*	Park Slope North Child Development Center Inc	University Settlement Society of New York
August Tech	All My Children Daycare & Nursery School	*Vendor Name Change*	All My Children Day Care Inc	All My Children Daycare & Nursery School
August Tech	Arista Preparatory	*Vendor Name Change*	Arista DayCare Center, Inc.	Arista Preparatory
August Tech	International Nursery School	*Vendor Name Change*	Intl Nursery School of Parkway Village Inc	International Nursery School
August Tech	Noah's Ark Progressive Learning Center, Inc.	*Vendor Name Change*	Noah's Ark Progressive Learning Center, Inc.	Noah's Ark Preparatory School
August Tech	Noah's Ark Progressive Learning Center, Inc.	*Vendor Name Change*	Noah's Ark Progressive Learning Center, Inc.	Noah's Ark Preparatory School II
August Tech	Noah's Ark Progressive Learning Center, Inc.	*Vendor Name Change*	Noah's Ark Progressive Learning Center, Inc.	Noah's Ark Preparatory School III
August Tech	Afro American Parents Educational Center, Inc.	*Vendor Name Change*	Afro American Parents Day Care Center Inc	Afro American Parents Educational Center, Inc.
August	United Church of Jesus Christ Apostolic	*Vendor Name Change*	United Educare Preschool	United Church of Jesus Christ Apostolic

Addendum(s)

ADDENDUM TO REQUEST FOR AUTHORIZATION TO CONTRACT WITH ACCENTURE, LLP FOR UPK ROLLOUT

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$1,751,485	Tax Levy	4/14/2014 - 10/31/2014	None	Negotiated Service	Yes	Full Value

Vendor Name & Address	Accenture, LLP 1345 Avenue of the Americas New York, NY 10105

Contract Manager / Lead Contracting Officer	Division of Contracts & Purchasing Contact
Josh Wallack	James McBride Chief Administrator

PURPOSE

On August 21, 2014 the Panel for Educational Policy (Panel) approved a Request for Authorization (RA) to contract with Accenture, LLP (Accenture) to provide support for the implementation and roll out of "Ready to Launch", the City's plan for expanding the availability of high-quality Universal Prekindergarten (UPK) services.

At the time this RA was presented to Panel, a comprehensive background check of Accenture had not been completed. The Division of Contracts & Purchasing has since completed a comprehensive background check of Accenture. Previously unreported noteworthy information regarding Accenture is summarized below.

DISCUSSION

VENDEX reports two cautions:

- In 2007, the U.S. Department of Justice (DOJ) intervened in a civil "qui tam" action (a legal mechanism for a private individual who assists a prosecution to receive some of the penalty imposed against a defendant) against Accenture and several of its indirect subsidiaries. The complaint alleged that, in connection with work for the U.S. federal government, Accenture received payments, resale revenue, or other benefits as a result of, or otherwise acted improperly in connection with, alliance agreements maintained with technology vendors and others in violation those contracts and/or applicable law or regulations. The suit alleged that these amounts and relationships were not disclosed to the government in violation of the Federal False Claims Act and the Anti-Kickback Act, among other statutes. Accenture cooperated with the DOJ and on September 9, 2011, Accenture entered into an agreement to settle the lawsuit making a payment of $64 million.

- In 2011, the NYC Department of Investigation (DOI) requested information regarding benefits Accenture received from certain technology vendors through "alliance agreements" with those vendors. Through these agreements, Accenture, as a system integrator, received compensation from IT vendors when Accenture's client (NYC) purchased products or services from one of those vendors. A review showed that Accenture had received $607,598 in such compensation under two contracts with DOITT from 2002 to 2004. While Accenture asserted that the payments were proper, in 2012, it agreed to reimburse the City the entire $607K.

In addition, the DOE is aware of the following information reported in news media:

- In 2013, the U.S. Postal Service Inspector General's Office wrote that Accenture had "demonstrated an absence of business ethics" and said that the agency should consider terminating the firm's more than $200 million in contracts. The report relied heavily on the DOJ matter, above. The U.S. Postal Service rejected the recommendation from its inspector general, indicating that neither suspension nor debarment of the company from future contracts is warranted as no other federal agency had blocked Accenture from government work because of the settlement, that Accenture had corrected problems with its cost estimating system, and had "provided assurances to Postal Service Management of operating with transparency, integrity and openness in their business dealing."

- In 2011, Wellogix was awarded $94.4 million (later reduced to $44 million) in a lawsuit against Accenture alleging trade secret infringement. The suit represents one of the ten largest trade secret judgments and was affirmed in early 2014 on appeal.

- In 2004, Accenture was hired by the Wisconsin Elections Board to build a state voter registration system. At the time, Accenture also was accused of mismanaging a voter-list project in Florida. Accenture denied being at fault (on the Wisconsin contract), but agreed to pay back or forego a total of $6 million. Accenture had similar projects cancelled by Colorado, Florida, Kansas and Wyoming. None of these project cancellations involved contracts being terminated for cause and Accenture has worked with Florida, Kansas, and Wisconsin since that time.

- News reports indicate several contract terminations by government agencies, however, to our knowledge none of the matters involved a contract default.

In light of the resolution of these matters, the fact that they related to issues of performance on contracts for work substantially different from that provided to the DOE, and that Accenture employs 293,000 people in 56 countries and generated $28.6 billion in 2013, the DOE does not believe these matters preclude a determination that the vendor is responsible.