## I. Contracts For Meeting of the Panel for Educational Policy - Wednesday, May 20, 2015

### Multiple Task Award Contract Process (MTAC)

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Literacy professional development services.(RA #2) | $230,000 | $1,150,000 | 5 years |
| Math professional development services for teachers, leaders, coaches, administrators and support staff. | $220,000 | $1,100,000 | 5 years |
| Professional development and direct student services in social studies (RA #1) | $68,000 | $340,000 | 5 years |
| Services to promote safe and supportive school communities in the areas of social emotional learning, behavior management and respect for diversity. (RA #4) | $60,000 | $350,000 | 5 years |
| Student support services including academic skills enhancement and individual counseling (RA#14) | $100,000 | $500,000 | 5 years |

### Competitive Sealed Bid (RFB)

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Pre-bound books for use in school libraries. | $5,039,732 | $25,198,660 | 5 years |

### Negotiated Services (NS)

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Ongoing assistance to principals and assistant principals in the evaluation and discipline process of poorly performing tenured pedagogues and related support for school supervisors. | $260,000 | $520,000 | 2 years |
| Training program in leadership skills for high school students in 10th and 11th grades. | $99,560 | $99,560 | 1 year |
| Training with adults working with teens in NYC schools and CBOs. | $70,000 | $70,000 | 1 year |

### Extension 4-07(b) (EXT4-07(B))

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Two year contract extensions of buy-against agreements for summer bus and escort services per New York State Education Law Section 305 (14)(a). | $14,101,906 | $27,793,077 | 2 years |
| Two year contract extensions of buy-against agreements for winter bus and escort services per New York State Education Law Section 305 (14)(a). | $201,627,410 | $397,382,177 | 2 years |

### Listing App Text Books (LAT)

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Textbooks and ancillary materials for use in classrooms. | $188,377 | $1,318,640 | 7 years |
| Textbooks and ancillary materials for use in classrooms. | $2,177,485 | $15,242,395 | 7 years |

### Innovative Procurement Method (IPM)

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Universal Prekindergarten Services for four years via Innovated Procurement. | $24,720,691 | $67,650,728 | 3 years |

## I. Contracts For Meeting of the Panel for Educational Policy - Wednesday, May 20, 2015

**Listing App Software (LAS)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Pearson Education's education software product line. | $1,222,043 | $8,554,301 | 7 years |

**NYS authority to extend bus transp. Kts (NYSEd.Law 305(14)(a))**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Contract extension for MV Transportation general education pupil transportation per New York State Education Law 305 (14)(a). | $1,288,737 | $1,288,737 | 1 year |
| Two year extension of school year K-12 special education and general education pupil transportation contracts per New York State Education Law Section 305(14)(a). | $463,028,082 | $912,569,909 | 2 years |
| Two year extensions of summer K-12 pupil transportation per New York State Education Law Section 305(14)(a). | $37,728,297 | $74,357,711 | 2 years |

## II. Contracts For Meeting of the Panel for Educational Policy - Wednesday, June 10, 2015

**Request for Proposals (RFP)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Graduate courses for non-public school principals and prospective principals to obtain their School Building Leader (SBL) certification. | TBD | TBD | 5 years |

**Amendment (AMD)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Amend services to provide for the school day administration of the PSAT to 10th and 11th grade students and additional services to provide for the school day administration of the SAT to 11th grade students. | $997,455 | $4,987,275 | 5 years |
| Amendment of school bus insurance carrier and third party administrator sub-contractors. | $21,895,150 | $43,790,300 | 5 years |

**Extension 4-07(b) (EXT4-07(B))**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Contract extension for web based comprehensive legal research. | $67,338 | $67,338 | 9 months |

**Listing App Text Books (LAT)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Textbooks and ancillary materials to all public and participating non-public schools. | $56,265 | $393,855 | 7 years |

**Listing App Assessment Materials (LAA)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Provide and administer Degrees of Reading Power assessment materials. | $339,938 | $339,938 | 1 year |

**Innovative Procurement Method (IPM)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Universal pre-kindergarten services charter school for four year olds. | TBD | TBD | 3 |
| Universal Prekindergarten contracts for full day services. | TBD | TBD | 1 |

## III. Contracts For Meeting of the Panel for Educational Policy - Tuesday, June 23, 2015

**Request for Proposals (RFP)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Academic youth development support services for over-age, under-credited students and professional development to the DOE partner organizations participating in the Learning to Work program. | TBD | TBD | 5 years |

**Competitive Sealed Bid (RFB)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Repair & maintenance of direct digital control systems for HVAC. | TBD | TBD | 5 years |

**Negotiated Services (NS)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Makeup sessions for the pre-K Summer Institute Training Program. | $67,234 | $67,234 | 1 year |
| Provide direct instructions for students and professional development for teachers for the NYC Summer STEM Program. | $463,998 | $463,998 | 3 Months |
| Undergraduate courses for paraprofessionals seeking to further their education. | $5,590,082 | $28,823,995 | 5 years |

**Amendment (AMD)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Conversion of half day to full day UPK services. | TBD | TBD | 1 year |
| Universal pre-kindergarten enhancement services. | TBD | TBD | 1 year |

**Innovative Procurement Method (IPM)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Full-day universal pre-kindergarten services for four-year-olds. | TBD | TBD | 3 years |
| Universal pre-kindergarten services for charter school four year olds. | TBD | TBD | 3 years |

**Sec1-03(c) City Council (CIC)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Conflict resolution and peer mediation for students attending Liberation High School and PS/IS 288 in Brooklyn. | $80,000 | $80,000 | 1 year |
| Conflict resolution programs for students attending PS/IS 204 - Jacob Blackwell School and IS111-Oliver W. Holmes schools in Queens. | $80,000 | $80,000 | 1 Year |
| Conflict resolution, family support and student health programs for students attending JHS 22- Jordan L. Mott and JHS 145 - Arturo Toscanini schools in the Bronx. | $40,000 | $40,000 | 1 year |

**Listing App Software (LAS)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| McGraw-Hill School's education software product line. | $300,000 | $2,100,000 | 7 years |

## III. Contracts For Meeting of the Panel for Educational Policy - Tuesday, June 23, 2015

**Government to Government (PAG)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Undergraduate courses for paraprofessionals to attend the Career Training Program at CUNY colleges. | $3,997,425 | $19,035,636 | 5 years |

**Purchases Through Governmental Contracts (other than OGS) (PGC)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Heating oil for schools and administrative buildings. | TBD | TBD | 1 year |
| Maintenance for Oracle software products. | $1,002,067 | $2,865,320 | 3 years |

**Sec 1-03(b) Vendor Named in Grant (1-03(b))**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Professional development for schools that adopt the New York State P-12 common core learning standards. | $1,100,957 | $1,100,957 | 1 year |

## IV. Contracts For Meeting of the Panel for Educational Policy - Wednesday, July 29, 2015 or later

### Request for Proposals (RFP)

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| A standardized testing program designed to select students for admission to the City's specialized public high schools. | TBD | TBD | 6 years |
| A web-based storefront that will offer schools a comprehensive shopping source for e-books to be accessed by students on multiple types of electronic devices. | TBD | TBD | 3 years |
| Consolidate seven-node SONET design to a more efficient four-node design. | TBD | TBD | 3 years |
| Development and programming of complex data reporting websites for Targeted Achievement Accountability Reporting Information System (TAARIS) data management modules. | TBD | TBD | 5 years |
| Establish a pool of Information Technology Consulting Services (ITCS) contractors to provide consulting services to the DOE when a need for such services have been identified. | TBD | TBD | 5 years |
| Routine structural assessment report and sub-surface investigations at three locations affiliated with the Habor School. | TBD | TBD | 3 yrs |
| Special inspection services for maintenance and construction work performed by the NYCDOE on owned and leased properties citywide. | TBD | TBD | 5 year |

### Multiple Task Award Contract Process (MTAC)

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Arts education services in music. | $30,005 | $150,005 | 5 years |
| Arts education services. | $100,000 | $500,000 | 5 years |
| Arts education services. | $120,000 | $600,000 | 5 years |
| Evaluation services to assess the effectiveness of a variety of educational programs. Services to be evaluated include instructional support, staff development, conflict resolution, and student services. | $627,500 | $3,137,500 | 5 years |
| Expanded Learning Time student tutoring services. | $30,000 | $150,000 | 5 years |
| Literacy professional development services. | $2,985,000 | $14,925,000 | 5 years |
| ~~Literacy professional development services.~~ | ~~$4,060,000~~ | ~~$20,300,000~~ | ~~5 years~~ |
| Literacy professional development services. | $500,000 | $2,500,000 | 5 Years |
| Math professional development services for teachers, leaders, coaches, administrators and support staff. | $120,000 | $600,000 | 5 years |
| Math professional development services for teachers, leaders, coaches, administrators and support staff. | $525,000 | $2,625,000 | 5 years |
| Math professional development services for teachers, leaders, coaches, administrators and support staff. | $60,000 | $300,000 | 5 Years |
| PD for Arts Ed | $30,000 | $150,000 | 5 years |
| Professional development and direct student services for teaching elementary, middle, and high school sciences and STEM (science, technology, engineering and math) education. | $60,000 | $300,000 | 5 years |
| Professional development and direct student services for teaching elementary, middle, and high school sciences and STEM (science, technology, engineering and math) education. | $60,000 | $300,000 | 5 Years |
| Professional development and direct student services for teaching elementary, middle, and high school sciences and STEM (science, technology, engineering and math) education. | $90,000 | $450,000 | 5 years |
| Professional development and direct student services in social studies. (RA #2) | $60,000 | $300,000 | 5 years |
| Professional development for academic intervention services | $130,000 | $650,000 | 5 years |
| Professional development for arts education. | $120,000 | $600,000 | 5 years |
| Professional development for arts education. | $60,000 | $300,000 | 5 years |
| Professional development for instructional technology services to assist with integrating computer technology into the instructional program. | $585,000 | $2,925,000 | 5 years |

## IV. Contracts For Meeting of the Panel for Educational Policy - Wednesday, July 29, 2015 or later

**Multiple Task Award Contract Process (MTAC)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Professional development for instructional technology services to assist with integrating computer technology into the instructional program. | $585,000 | $2,925,000 | 5 Years |
| Professional development for instructional technology services to assist with integrating computer technology into the instructional program. | $585,000 | $2,925,000 | 5 Years |
| Professional development for school leaders and teachers in instructional strategies, student-center academic counseling services, sustainable leadership, quality teaching, and student achievement. | $150,000 | $750,000 | 5 Years |
| Professional development for school leaders and teachers in instructional strategies, student-center academic counseling services, sustainable leadership, quality teaching, and student achievement. | $330,000 | $1,650,000 | 5 Years |
| Professional development for school leaders and teachers in instructional strategies, student-center academic counseling services, sustainable leadership, quality teaching, and student achievement. | $60,000 | $300,000 | 5 years |
| Professional development for teachers and administrators who provide services to English Language Learners. | $240,000 | $1,200,000 | 5 years |
| Professional development services in special education. | $1,030,000 | $5,150,000 | 5 years |
| Professional development services in special education. | $202,000 | $1,010,000 | 5 years |
| R0898 Student Support Services RA# 19 | $90,000 | $450,000 | Five Years |
| Safe & Supportive Schools | $30,000 | $150,000 | 5 years |
| Safe & Supportive Schools | $30,000 | $150,000 | 5 years |
| Safe & Supportive Schools. | $30,000 | $150,000 | 5 years |
| Social Studies Professional Development and Direct Student Services. (RA #3) | $60,000 | $300,000 | Five Years |
| Special Education Profesional Services. (RA# 8) | $60,000 | $300,000 | 5 years |
| Student Support Services RA#17 | $60,000 | $300,000 | Five Years |
| Student Support Services RA#18 | $90,000 | $450,000 | Five Year |
| Student support services. (RA#16) | $90,000 | $450,000 | 5 years |
| Whole School Reform services. | $50,000 | $250,000 | 5 years |

**Competitive Sealed Bid (RFB)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Classroom and art supplies. | TBD | TBD | 5 years |
| Financial/banking institutions to establish and maintain approximately 950 e-bank accounts for school custodian engineers to facilitate expenditures for custodian supplies citywide. | TBD | TBD | 5 years |
| Labor, material and supervision to test, maintain, repair, modify, and install plumbing systems and equipment. | TBD | TBD | 5 year |
| Recording, reporting, transcription and related services for hearings held by the Impartial Hearing Office. | TBD | TBD | 5 years |
| Repair of HVAC systems. | TBD | TBD | 5 years |

**Negotiated Services (NS)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Contract extension for long distance services while the transition is completed from the existing vendor to a new vendor. | $485,000 | $485,000 | 1 Year |
| Mental health and crisis intervention services. | $65,010 | $65,010 | 1 year |
| Partnership with the Recycling Champions Program (RCP), a program of GrowNYC to provide hands-on outreach to K-12 schools (public and charter in DOE buildings) in support of NYCDOE and Department of Sanitations's waste reduction and diversion goals. | $972,848 | $3,891,392 | 4 year |

## IV. Contracts For Meeting of the Panel for Educational Policy - Wednesday, July 29, 2015 or later

**Negotiated Services (NS)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Penny Harvest Program in which children gather pennies and turn them into grants for their communities. | $75,000 | $75,000 | 1 year |
| Pre-college curriculum to various schools | $340,000 | $1,700,000 | 5 years |

**Amendment (AMD)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Amendment to reflect the schools serviced in the Chess in the Schools program. | $444,000 | $444,000 | 1 Year |
| Conversion of half day to full day UPK services. | | | 1 year |
| Instructional, academic, social, personal development and literacy tutoring for middle school students. | $72,000 | $144,000 | 1 Year |
| Universal Pre-Kindergarten enhancement services. (2015-2016) | TBD | TBD | 1 year |

**Innovative Procurement Method (IPM)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Full-day universal pre-kindergarten services for four-year olds. | TBD | TBD | 3 years |
| Open-ended solicitation seeking proposals for the provision of full day UPK services to four-year-olds for 2015-2018. | TBD | TBD | 3 years |
| Universal pre-kindergarten services for four-year olds. | TBD | TBD | 3 years |

**Sec1-03(c) City Council (CIC)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Dropout prevention and intervention services for students and their families | $33,000 | $33,000 | 1 Year |
| Support and technical assistance for schools implementing a community school strategy. | $250,000 | $250,000 | 1 Year |
| The vendor will support student support services in line with the Anti-Gun Violence Initiative | $80,000 | $80,000 | 1 Year |

**Listing App Software (LAS)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Carnegie's education software product line. | $60,000 | $420,000 | 7 years |
| Library Video Company's education software product line. | $50,000 | $350,000 | 7 years |

**Government to Government (PAG)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Community School contracts transferred from DYCD to DOE. | TBD | TBD | 1 year |

## IV. Contracts For Meeting of the Panel for Educational Policy - Wednesday, July 29, 2015 or later

**Purchases Through Governmental Contracts (other than OGS) (PGC)**

| Description | Estimated Highest Annual Spending | Estimated Total Spending | Contract Term |
|---|---|---|---|
| Purchase of closed crankcase ventilation systems to retrofit emissions systems on school buses. | TBD | TBD | 1 year |

# Panel for Educational Policy
# Contract Agenda
# May 20, 2015

Item: 1 **Description:** Two year contract extensions of buy-against agreements for winter bus and escort services per New York State Education Law Section 305 (14)(a).

**Term:** 2 years **Options:** 1 year **Funding:** Tax Levy

**Division:** Office of Pupil Transportation **Contract Type:** Requirements

| Vendor Name | Estimated Annual Amount |
|---|---|
| All American School Bus Corp (Special & Gen Ed) | $13,800,532 |
| Allied Transit Corp (Special & Gen Ed) | $5,951,813 |
| Empire Charter Service, Inc. | $558,007 |
| Empire State Bus Corp | $2,172,992 |
| Empire State Escorts, Inc. | $682,869 |
| Gotham Transportation (Special Ed Only) | $11,861,760 |
| Grandpa's Bus Co Inc (Special & Gen Ed) | $20,540,363 |
| Jofaz Transportation Inc (Special & Gen Ed) | $10,064,187 |
| L & M Bus Corp (Special Ed Only) | $2,458,416 |
| LoganTransportation System Inc | $4,672,069 |
| Lorissa Bus Service Inc (General Ed Only) | $11,313,421 |
| Mountainside Trans Co Inc (Special Ed Only) | $2,210,057 |
| Pioneer Transportation Corp (Special & Gen Ed) | $10,345,026 |
| Pride Transportation (Special Ed Only) | $11,753,293 |
| Quality Transportation Corp. | $22,300,786 |
| RPM Systems | $762,054 |
| SNT Bus Inc (General Ed Only) | $65,107,813 |
| Third Avenue Transit (Special Ed Only) | $5,071,953 |

Item: 2 **Description:** Two year contract extensions of buy-against agreements for summer bus and escort services per New York State Education Law Section 305 (14)(a).

**Term:** 2 years **Options:** 1 year **Funding:** Tax Levy

**Division:** Office of Pupil Transportation **Contract Type:** Requirements

| Vendor Name | Estimated Annual Amount |
|---|---|
| Addies | $218,522 |
| All American School Bus Corp. | $3,503,579 |
| Allied Transit Corp. | $621,645 |
| ANJ Service, Inc. | $1,396,868 |
| Boro Transit, Inc. | $2,840,830 |
| I C Bus Inc | $2,285,842 |
| Jofaz Transportation Inc | $1,700,318 |
| Pioneer Transportation Corp | $415,812 |
| Reliant Transportation | $1,118,490 |

Item: 3 **Description:** Two year extensions of summer K-12 pupil transportation per New York State Education Law Section 305(14)(a).

**Term:** 2 years **Options:** 1 year **Funding:** tax levy

**Division:** Office of Pupil Transportation **Contract Type:** Requirements

| Vendor Name | Estimated Annual Amount |
|---|---|
| Addies | $302,370 |
| ANJ Service, Inc. | $611,637 |
| B&M Escort Service | $419,792 |
| Boro Transit, Inc. | $1,679,433 |
| Consolidated Bus Trans, Inc. | $1,609,787 |
| Empire State Bus Corp | $597,560 |
| Empire State Escorts, Inc. | $336,142 |
| Hoyt Transportation | $5,850,088 |
| Jofaz Transportation Inc | $2,789,211 |
| JSJ Service, Inc. | $915,662 |
| Little Richie Bus Service | $2,431,495 |
| Little Richie Matron Co. | $1,574,687 |
| Logan Bus Co., Inc. | $6,635,029 |
| Logan Matron Co. | $3,701,520 |
| Lorinda Ent Ltd | $4,590,759 |
| Lorinda Matron | $2,507,183 |
| Pioneer Transportation Corp | $389,808 |
| R&C Transit Inc | $75,405 |
| Safe Coach Inc | $710,730 |

Item: 4 **Description:** Two year extension of school year K-12 special ed and general ed pupil transportation contracts per New York State Education Law Section 305(14)(a).

**Term:** 2 years **Options:** 1 year **Funding:** Tax Levy

**Division:** Office of Pupil Transportation **Contract Type:** Requirements

| Vendor Name | Estimated Annual Amount |
|---|---|
| All American School Bus Corp. | $8,243,692 |
| Allied Transit Corp. | $3,759,745 |
| ANJ Service, Inc. | $19,167,632 |
| Bobby's Bus Co Inc | $16,715,991 |
| Boro Transit, Inc. | $77,120,956 |
| Careful Bus | $9,210,727 |
| Consolidated Bus Trans, Inc. | $9,297,320 |
| Grandpa's Bus Co., Inc. | $17,953,189 |
| Hoyt Transportation | $27,209,917 |
| Jofaz Transportation Inc | $23,423,455 |
| JSJ Service, Inc. | $3,425,955 |
| Little Linda Bus Co Inc | $1,110,436 |
| Little Linda Matron | $450,375 |
| Little Lisa Bus Company Inc | $6,641,317 |
| Little Lisa Matron Company | $2,492,639 |
| Little Richie Bus Service | $49,903,606 |
| Little Richie Matron Co. | $18,657,612 |
| Logan Bus Co., Inc. | $31,657,838 |

Item: 4 **Description:** Two year extension of school year K-12 special ed and general ed pupil transportation contracts per New York State Education Law Section 305(14)(a).

**Term:** 2 years **Options:** 1 year **Funding:** Tax Levy

**Division:** Office of Pupil Transportation **Contract Type:** Requirements

| Vendor Name | Estimated Annual Amount |
|---|---|
| Logan Matron Co. | $8,906,809 |
| Lorinda Ent Ltd | $13,760,008 |
| Lorinda Matron | $5,598,042 |
| Lorissa Bus Service Inc | $6,330,778 |
| MV Transportation | $1,501,750 |
| Pioneer Transportation Corp | $97,493,902 |
| X-L Escort | $2,994,391 |

Item: 5 **Description:** Contract extension for MV Transportation general education pupil transportation per New York State Education Law 305 (14)(a).

**Term:** 1 year **Options:** none **Funding:** Tax Levy

**Division:** Office of Pupil Transportation **Contract Type:** Requirements

| Vendor Name | Estimated Annual Amount |
|---|---|
| MV Transportation | $1,288,737 |

Item: 6 **Description:** Universal Prekindergarten Services for four years via Innovated Procurement.

**Term:** 3 years **Options:** 2 years **Funding:** NYS Education funds

**Division:** Division of Early Childhood Education **Contract Type:** Full Value

| Vendor Name | Annual Amount |
|---|---|
| A2Z Kidz Center Llc | $544,000 |
| ABC Plus, Inc. | $148,364 |
| Al-Ber Inc. | $379,355 |
| Ave Maria Catholic Academy | $361,000 |
| Buratino International Day Care, Inc. | $405,880 |
| ~~Cardinal McCloskey Community Service~~ | ~~$830,169~~ |
| Catholic School Region of Manhattan | $1,074,990 |
| Catholic School Region of Northeast East Bronx | $1,568,583 |
| Catholic School Region of Northeast East Bronx | $423,353 |
| Catholic School Region of Northeast East Bronx | $423,578 |
| Catholic School Region of Northeast East Bronx | $424,400 |
| Catholic School Region of Northeast East Bronx | $616,600 |
| Catholic School Region of Northeast East Bronx | $802,593 |
| Catholic School Region of Northeast East Bronx | $825,360 |
| Catholic School Region of Northwest - South Bronx | $1,317,040 |
| Catholic School Region of Northwest - South Bronx | $1,426,360 |
| Childcare Partners NY West | $457,893 |
| Christ Evangelical Lutheran Church | $179,135 |
| Christina Reyes/ Little Totz Red Wagon | $146,320 |
| Cortelyou Early Childhood Center | $205,837 |
| Cortelyou Early Childhood Center | $403,718 |
| Friends of Crown Heights | $411,348 |
| Good Shepherd School | $454,584 |

Item: 6 **Description:** Universal Prekindergarten Services for four years via Innovated Procurement.

**Term:** 3 years **Options:** 2 years **Funding:** NYS Education funds

**Division:** Division of Early Childhood Education **Contract Type:** Full Value

| Vendor Name | Annual Amount |
|---|---|
| HAPPILY EVER AFTER DAYCARE | $363,600 |
| Immaculate Conception School | $743,400 |
| Ivy United USA Inc | $362,816 |
| Learning Zone | $156,090 |
| Mind Builders Creative Arts | $199,839 |
| NYSARC, INC. N.Y.C. Chapter (AHRC NEW YORK CITY) | $133,597 |
| Oaktree House Learning Inc | $362,873 |
| Our Lady of the Assumption School | $681,787 |
| PNW Enterprises | $212,778 |
| PNW Enterprises | $525,556 |
| Program Support | $261,988 |
| Providence Rest Child Day Care Center, Inc. | $186,455 |
| Rainbow Child Development Center Inc. | $452,100 |
| Raymond Edwards (MOHDC) | $739,260 |
| Riverdale Temple Nursery School | $314,701 |
| Sisters of St. John the Baptist, Inc. | $486,368 |
| St. Helena Parochial Elementary School | $938,261 |
| St. Mel Catholic Academy | $352,000 |
| St. Patrick School | $474,898 |
| St. Peter Catholic Academy | $746,376 |
| Staten Island Skating Pavilion | $187,272 |
| Stepz 2 Success Childcare Center, Inc. | $136,808 |
| The Child Study Center of New York | $285,273 |
| Therapy & Learning Center | $375,776 |
| Up The Ladder | $294,290 |
| YMCA of Greater New York | $369,216 |
| YMCA of Greater New York | $546,854 |

Item: 7 Withdrawn

Item: 8 Withdrawn

Item: 9 Withdrawn

Item: 10 **Description:** Ongoing assistance to principals and assistant principals in the evaluation and discipline process of poorly performing tenured pedagogues and related support for school supervisors.

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

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| Joseph Belesi | $45,000 |
| Joseph D. Cantara | $45,000 |
| Mark Bronstein | $40,000 |
| Marlene Gonzalez | $30,000 |
| Myron Rock | $30,000 |
| Saul Brodsky | $40,000 |
| Wendy S. Weiss | $30,000 |

Item: 11 **Description:** Training program in leadership skills for high school students in 10th and 11th grades.

**Term:** 1 year **Options:** None **Funding:** Tax Levy

**Division:** Alternative Programs **Contract Type:** Full Value

| Vendor Name | Annual Amount |
|---|---|
| Coro New York Leadership Center | $99,560 |

Item: 12 **Description:** Training with adults working with teens in NYC schools and CBOs.

**Term:** 1 year **Options:** None **Funding:** Tax Levy

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

| Vendor Name | Annual Amount |
|---|---|
| Points of Light Institute | $70,000 |

Item: 13 **Description:** Pre-bound books for use in school libraries.

**Term:** 5 years **Options:** 2 One-year options **Funding:** Reimbursable & Tax Levy

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| Bound to stay Bound | $1,855,163 |
| Children's Plus, Inc | $1,378,406 |
| Mackin | $1,806,163 |

Item: 14 **Description:** Literacy professional development services.(RA #2)

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

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| Kaplan K12 Learning Services, LLC | $30,000 |
| New York City Writing Project Research Foundation of CUNY | $200,000 |

Item: 15 **Description:** Math professional development services for teachers, leaders, coaches, administrators and support staff.

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

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| Educational Testing Services | $30,000 |
| Fordham University | $90,000 |
| Kaplan K12 Learning Services, LLC | $70,000 |
| Mark Farag | $30,000 |

Item: 16 **Description:** Student support services including academic skills enhancement and individual counseling (RA#14)

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

**Division:** Office of Safety and Youth Development **Contract Type:** Requirements

| Vendor Name | Estimated Annual Amount |
|---|---|
| Counterforce | $30,000 |
| Practice Makes Perfect | $70,000 |

Item: 17 **Description:** Professional development and direct student services in social studies (RA #1)

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

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| Joseph Montecalvo Consulting | $30,000 |
| Teaching Matters Inc | $38,000 |

Item: 18 **Description:** Services to promote safe and supportive school communities in the areas of social emotional learning, behavior management and respect for diversity. (RA #4)

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

**Division:** Office of Safety and Youth Development **Contract Type:** Requirements

| Vendor Name | Estimated Annual Amount |
|---|---|
| Partners Healthcare Systems Mass Gen | $30,000 |
| Zaner Bloser | $30,000 |

Item: 19 **Description:** Textbooks and ancillary materials for use in classrooms.

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

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| Continental Press | $2,177,485 |

Item: 20 **Description:** Textbooks and ancillary materials for use in classrooms.

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

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| Teachers' Curriculum Institute | $188,377 |

Item: 21 **Description:** Pearson Education's education 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 |
|---|---|
| Pearson Education | $1,222,043 |

**Item:** 1

**Description:**

Two year contract extensions of buy-against agreements for winter bus and escort services per New York State Education Law Section 305 (14)(a).

# REQUEST FOR AUTHORIZATION TO EXTEND SCHOOL YEAR BUY- AGAINST CONTRACTS FOR STUDENT BUS TRANSPORTATION

| Estimated Total Contract Amount | Funding Source | Contract Term | Option | Option Amount | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|---|
| See Table Below | Tax Levy | Two Years | One Year | $207,676,233 | New York State Education Law and Contract Extension Per Section 4-07(b) | No | Requirements |

| Vendor Names & Addresses | See list below. |
|---|---|

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Lisa D'Amato<br>Director, Contracts Management Unit<br>Office of School Support Services | Eric Goldstein<br>Chief Executive<br>Office of School Support Services | David Ross<br>Executive Director<br>Division of Contracts & Purchasing |

## PURPOSE

Authorization is requested on behalf of the Office of Pupil Transportation (OPT) to extend contracts with the vendors listed below to provide school bus transportation to students in grades K-6 (and some in grades 7-8) who do not require special busing and students with disabilities in grades K-12 who require special busing. The existing school-year contracts expire on June 30, 2015. These extension agreements will commence on July 1, 2015 and continue through June 30, 2017,with the option to extend for an additional year through June 30, 2018. Each contractor will have the option to decline the 2017-18 extension in the event of its inability to obtain financing at acceptable market rates.

## DISCUSSION

The school bus transportation contracts described herein were awarded pursuant to the Department's Procurement Policy and Procedures, Section 4-09, Buy-Against. This buy-against procurement was made necessary by the announcement by Amboy Bus Company, Inc., Staten Island Bus, Inc., and Atlantic Queens Bus Corporation (the Bankrupt Contractors), of their voluntary petition (together with numerous affiliated entities) in the U.S. Bankruptcy Court for the Southern District of New York, commencing bankruptcy cases under Chapter 11 of the U.S. Bankruptcy Code, which bankruptcy cases are being jointly administered under Case No. 13-13591, of their inability to continue to perform, and to cease to perform any and all of their obligations under the school bus pupil transportation contracts as of December 31, 2013. The Bankrupt Contractors were liquidated and are no longer operating.

It was anticipated that the routes covered under the buy against agreements would be awarded under Request for Bid #B2394 (proposed contract term of 9/1/15-6/30/20) , but this bid has been postponed indefinitely. As a result of the postponement, these extensions are necessary to ensure uninterrupted transportation services of the routes covered under the buy-against agreements. It is anticipated that these routes will be bid out again in the future.

All of the predecessor school bus transportation contracts to the subject 4-09 contracts were originally bid in 1979, 1982, 1984, 1986, 1994 and 1995. The predecessor contracts has been extended over the years pursuant to New York State Law Section 305(14)(a). New York State Education Law permits extensions of transportation contracts originally subject to competitive bidding requirements, as follows: "...The requirement for competitive bidding shall not apply to annual, biennial, or triennial extension of a contract nor shall the requirement for competitive bidding apply to quadrennial or quinquennial year extensions of a contract involving transportation of pupils...." As such, OPT has requested and been granted authorization by New York State to periodically extend these contracts.

The value of these contract extensions is based on current School Year prices. However, the Contractors will be granted an annual price adjustment based on the U.S. Department of Labor, Bureau of Labor Statistics regional consumer price index for all urban consumers ("CPI-U") for the NY, NY-Northeastern NJ area, i.e., according to the price adjustment formula provided in New York State Education Law Section 305(14)(a). As such the prices have determined to be fair and reasonable.

## VENDOR BACKGROUND INFORMATION

The Vendor Research and Price Analysis (VRPA) unit conducted comprehensive background checks for all vendors and no noteworthy findings were identified for Allied Transit, Empire Charter Service Inc., Empire State Bus Corp., Empire State Escorts, Inc., Mountainside Transportation, RPM Systems, Inc., Pioneer Transportation Co., Pride Transportation Services, and Quality Transportation Corp. Background checks for the vendors listed below revealed the following noteworthy information:

### Logan Companies (see below)

Noteworthy information identified for affiliated companies Logan Transportation Systems Inc., Little Linda Bus Company, Inc., Logan Bus Company, Inc., Grandpa's Bus Company, Inc., Little Richie Bus Service, Inc., Lorissa Bus Service Inc. Bobby's Bus Company Inc., Little Lisa Bus Company, Inc., and Lorinda Enterprise Limited. VENDEX contains a caution related to the investigation of DOE bus inspectors conducted by the U.S. Attorney's Office for the Southern District of New York, which resulted in the 2009 conviction of several former bus inspectors on bribery, extortion, and conspiracy charges for taking cash payments from a number of bus companies. As a result of this investigation, Logan and several of its affiliated entities, though not charged with an offense, were required to sign a Monitoring Agreement that included retaining an Independent Private Sector Inspector General (IPSIG) to oversee its operations and compliance with City contracts. The monitoring agreement has subsequently ended with the IPSIG reporting no noteworthy incidents.

The DOE is also aware of several noteworthy news reports regarding Logan Bus or its affiliates including:

- Several instances, all occurring over five years ago, involving accidents, injuries and noncompliance with all rules regarding the hiring of drivers and attendants.
- A report from 2011 about New York City school bus accidents that mentioned Logan. The DOE responded that due to its stringent reporting standards even minor, insignificant accidents get reported and therefore, the data can be misleading. In light of the fact that the Logan family of companies consists of 40 entities and Logan has a history of satisfactory performance with the DOE, the DOE does not believe these matters preclude a determination that the vendor is responsible.

### Boro Transit, ANJ Service, and SNT Bus

Affiliate Professional Charter Service previously had a caution in VENDEX indicating that the DOE terminated one of its contracts for cause due to performance issues. The affiliate and the DOE reached a monetary settlement. As the prime vendors have a history of satisfactory performance on DOE

contracts, the DOE does not believe this precludes a determination that Boro, ANJ, or SNT are responsible.

**Third Avenue Transportation, Jofaz Transportation**

VENDEX for Jofaz Transportation contains a caution concerning an investigation of DOE bus inspectors that was conducted by the US Attorney's Office for the Southern District of NY and resulted in the 2009 conviction of several former bus inspectors on bribery, extortion and conspiracy charges based on their having taken cash payments from a number of bus companies. As a result of this investigation, affiliates Boro-Wide and Jofaz signed Monitoring Agreements that included retaining an IPSIG. All monitoring agreements have now ended with the IPSIG reporting no adverse information.
A 2012 investigation conducted by SCI substantiated that a school bus driver and bus escort employed by the affiliate Borowide committed misconduct which included allowing students to exit the bus at a small grocery store, purchasing items (for the driver), and attempting to get the email address of one of the 11-yr olds. The DOE has received a satisfactory corrective action plan in this matter.
In light of the vendor's satisfactory history of performance and corrective actions taken, the DOE does not believe these matters preclude a finding that the vendor is responsible.

**All American School Bus**

All American School Bus has affiliates: Rainbow Transit, Citywide Transit, and Indigo Warranties. VENDEX reports that in 2007, Rainbow Transit, an affiliate, was among the bus companies investigated by the U.S. Attorney's office. That investigation resulted in the conviction of several former DOE bus inspectors on bribery, extortion, and conspiracy charges based on the inspectors having taken cash from several bus companies. Rainbow entered into a Monitoring Agreement which includes the hiring of an Independent Private Sector Inspector General (IPSIG) to monitor the business integrity of the companies. The monitoring agreements have now ended with the IPSIG having reported no signs of corruption, criminality, or unethical behavior. As such, this does not preclude a finding of responsibility.

**IC Bus and Gotham Transportation**

Noteworthy information identified for IC Bus and Gotham Transportation. IC Bus's VENDEX has 2 cautions regarding an SCI/ District Attorney investigation. The same matter is also reported as a caution in the VENDEX for Gotham Transportation and the Principal's VENDEX. The US Attorney's Office investigated DOE bus inspectors for bribery and extortion resulting in the 2009 conviction of several former DOE inspectors on bribery, extortion and conspiracy charges for having taken cash payments from a number of bus companies. As a result of this investigation, the vendor IC Bus and its affiliate Gotham Transportation had to sign Monitoring Agreements, including the provision of an Independent Private Sector Inspector General (IPSIG) selected by SCI to among other things, oversee compliance with City contracts, monitor employee conduct, audit payroll and expenditures and oversee operations and training. These monitoring agreements have now ended with no adverse information being reported by the monitor to the DOE.

All vendors have provided satisfactory performance and, with the absence of significant adverse information other than the information sited above, they have all been determined responsible.

Estimated total contract amounts are the following:

| VENDOR | ADDRESS | SPECIAL ED. AMOUNT (Including Attendant, if Applicable) | GENERAL ED. AMOUNT | TOTAL |
|---|---|---|---|---|
| All American School Bus Corp. | P.O. Box 2099<br>Long Island City, NY 11102 | $19,381,749 | $7,817,358 | $27,199,106 |
| Allied Transit Corp. | 148 Snediker Avenue<br>Brooklyn, NY 11207 | $4,491,886 | $7,238,385 | $11,730,272 |
| Empire Charter Service, Inc | 148 Snediker Avenue<br>Brooklyn, NY 11207 | $1,099,761 | | $1,099,761 |
| Empire State Bus Corp. | 148 Snediker Avenue<br>Brooklyn, NY 11207 | $3,654,605 | $628,088 | $4,282,693 |
| Empire State Escorts, Inc. | 148 Snediker Avenue<br>Brooklyn, NY 11207 | $1,345,849 | | $1,345,849 |
| Gotham Transportation Corp. | 2847 West 21st Street<br>Brooklyn, NY 11224 | $23,378,031 | | $23,378,031 |
| Grandpa's Bus Company Inc. | 97-14 Atlantic Avenue<br>Ozone Park, NY 11416 | $5,900,858 | $34,581,605 | $40,482,463 |
| Jofaz Transportation Inc. | 1 Coffey Street<br>Brooklyn, NY 11231 | $9,480,349 | $10,354,893 | $19,835,242 |
| L & M Bus Corp. | 3167 Atlantic Avenue<br>Brooklyn, NY 11208 | $4,845,227 | | $4,845,227 |
| Logan Transportation | 97-14 Atlantic Avenue<br>Ozone Park, NY 11416 | | $9,208,058 | $9,208,058 |
| Lorissa Bus Service, Inc. | 97-14 Atlantic Avenue<br>Ozone Park, NY 11416 | | $22,297,326 | $22,297,326 |
| Mountainside Transportation | 841 Essex Street<br>Brooklyn, NY 11208 | $4,355,743 | | $4,355,743 |
| RPM Systems, Inc<br>(Mountainside Escort) | 841 Essex Street<br>Brooklyn, NY 11208 | $1,501,913 | | $1,501,913 |
| Pioneer Transportation Co. | 2890 Arthur Kill Road<br>Staten Island, NY 10309 | $9,174,451 | $11,214,290 | $20,388,741 |
| Pride Transportation SVCS | 231 Malta Street<br>Brooklyn, NY 11207 | $23,164,257 | | $23,164,257 |
| Quality Transportation Corp. | 3167 Atlantic Avenue<br>Brooklyn, NY 11208 | | $43,952,035 | $43,952,035 |
| SNT Bus | 50 Snediker Avenue<br>Brooklyn, NY 11207 | | $128,319,283 | $128,319,283 |
| Third Avenue Transit, Inc. | 1 Coffey Street<br>Brooklyn, NY 11231 | $9,996,178 | | $9,996,178 |
| **TOTAL** | | **$121,770,857** | **$275,611,321** | **$397,382,178** |

**Item:** 2

**Description:**

Two year contract extensions of buy-against agreements for summer bus and escort services per New York State Education Law Section 305 (14)(a).

# REQUEST FOR AUTHORIZATION TO EXTEND SUMMER SCHOOL BUY- AGAINST CONTRACTS FOR STUDENT BUS TRANSPORTATION

| Estimated Total Contract Amount | Funding Source | Contract Term | Option | Option Amount | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|---|
| See Table Below | Tax Levy | Two Years | One Year | $14,524,963 | New York State Education Law and Contract Extension Per Section 4-07(b) | No | Requirements |

| Vendor Names & Addresses | See list below. |
|---|---|

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Lisa D'Amato<br>Director, Contracts Management Unit<br>Office of School Support Services | Eric Goldstein<br>Chief Executive<br>Office of School Support Services | David Ross<br>Executive Director<br>Division of Contracts & Purchasing |

## PURPOSE

Authorization is requested on behalf of the Office of Pupil Transportation (OPT) to extend contracts with the vendors listed below for the summer transportation of pupils with disabilities in grades K-12 who require special busing. The previous summer bus contracts expired on August 31, 2014. These extension terms will commence on September 1, 2014 and continue through August 31, 2016, with the option to extend for an additional year through August 31, 2017 Each school bus contractor will have the option to decline the 2017 extension in the event they are unable to obtain financing at acceptable market rates.

## DISCUSSION

The school bus transportation contracts described herein were awarded pursuant to the Department's Procurement Policy and Procedures, Section 4-09, Buy-Against. This buy-against procurement was made necessary by the announcement by Amboy Bus Company, Inc., Staten Island Bus, Inc., and Atlantic Queens Bus Corporation (the Bankrupt Contractors), of their voluntary petition (together with numerous affiliated entities) in the U.S. Bankruptcy Court for the Southern District of New York, commencing bankruptcy cases under Chapter 11 of the U.S. Bankruptcy Code, which bankruptcy cases are being jointly administered under Case No. 13-13591, of their inability to continue to perform, and to cease to perform any and all of their obligations under the school bus pupil transportation contracts as of December 31, 2013. The Bankrupt Contractors were liquidated and are no longer operating.

On April 30, 2013, the Division of Contracts and Purchasing released a Request for Bids (RFB) for summer transportation services covering the routes that are the subject of these extensions. In light of DOE's determination not to proceed with that RFB, extensions are needed for uninterrupted transportation services during the summer months. It is anticipated that these routes will be bid out again in the future.

All of the predecessor school bus contracts subject to the 4-09 contracts listed herein were originally bid in 1979, 1982, 1984, 1988, 1989, and 1994. The predecessor contracts had been extended over the years pursuant to New York State Education Law Section 305(14)(a). New York State Education Law Section 305(14)(a) permits extensions of transportation contracts originally subject to competitive bidding requirements, as follows: "...The requirement for competitive bidding shall not apply to annual, biennial, or triennial extension of a contract nor shall the requirement for competitive bidding apply to quadrennial or quinquennial year extensions of a contract involving transportation of pupils...." As such, OPT has requested and been granted authorization by New York State to periodically extend these contracts.

The value of these contract extensions is based on current summer prices. However, the Contractors will be granted an annual price adjustment based on the U.S. Department of Labor, Bureau of Labor Statistics regional consumer price index for all urban consumers ("CPI-U") for the NY, NY-Northeastern NJ area, i.e., according to the price adjustment formula provided in the New York State Education Law Section 305(14)(a) As such the prices have determined to be fair and reasonable.

## VENDOR BACKGROUND INFORMATION

The Vendor Research and Price Analysis (VRPA) unit conducted comprehensive background checks for all vendors and no noteworthy findings were identified for Allied Transit and Pioneer Transportation. Background checks for the vendors listed below revealed the following noteworthy information:

### Addie's Transportation and Careful Bus

Noteworthy information has been identified regarding a February 2008 accident between a bus operated by Careful Bus for the DOE without any children present and an ambulette which resulted in an injury to the ambulette's driver. A $14 million civil judgment was awarded in July 2014. As the verdict is being appealed, this is a civil action and Careful is insured for up to $10 million, the DOE does not believe this precludes a determination that the vendor is responsible.

### MV Transportation and Reliant Transportation

- In November 2011, a DOE school bus operated by Reliant Transportation, a subsidiary operated by MV with the permission of the DOE, caught fire near Penn Station. Nobody was harmed in the incident and, although the New York State Department of Transportation report has not been issued, MV advises that it has been informed by the DOT that its findings were inconclusive. The bus was one from the fleet of United Transportation, a former DOE vendor, whose buses were purchased by MV. Following the fire, MV conducted its own review of the fleet, suspecting a possible wiring problem with the heating/air system of models from the same year/make. MV found a loose wire by the fuel pump on one bus, which was immediately fixed, however did not identify any issues with the heating/air system wiring.
- From 2004 to 2007, five of MV's contracts were terminated early or not renewed due to performance issues, however, our information shows that none of the matters resulted in a finding of material breach of contract, nor were any of the contracts terminated for cause.
- While there are media reports regarding litigation, accidents, citations and fines, most of these events occurred outside of NY. Two incidents reported from NY were of a less serious nature resulting in no deaths.
- Reliant is debarred through 5/22/15 by the NYS Workers' Compensation Board. These debarments relate only to "public works" contracts, which are primarily construction contracts. In addition, the DOE has confirmed that the vendor has current Workers' Compensation insurance.

In light of the industry, MV's position as a national transportation provider and its volume of business, which includes 150 contracts valued at $973,921,000 in 2012, the DOE believes the number and nature

of the matters cited is not unusual. Accordingly, MV's responsiveness in addressing such matters and their successful assumption of routes previously assigned to United Bus supports a determination that MV is responsible.

**Boro Transit, ANJ Service, and SNT Bus**

Affiliate Professional Charter Service previously had a caution in VENDEX indicating that the DOE terminated one of its contracts for cause due to performance issues. The affiliate and the DOE reached a monetary settlement. As the prime vendors have a history of satisfactory performance on DOE contracts, the DOE does not believe this precludes a determination that Boro, ANJ, or SNT are responsible.

**Third Avenue Transportation, Jofaz Transportation**

VENDEX for Jofaz Transportation contains a caution concerning an investigation of DOE bus inspectors that was conducted by the US Attorney's Office for the Southern District of NY and resulted in the 2009 conviction of several former bus inspectors on bribery, extortion and conspiracy charges based on their having taken cash payments from a number of bus companies. As a result of this investigation, affiliates Boro-Wide and Jofaz signed Monitoring Agreements that included retaining an Independent Private Sector Inspector General (IPSIG). All monitoring agreements have now ended with the IPSIG reporting no adverse information.

A 2012 investigation conducted by SCI substantiated that a school bus driver and bus escort employed by the affiliate Boro-Wide committed misconduct which included allowing students to exit the bus at a small grocery store, purchasing items (for the driver), and attempting to get the email address of one of the 11-yr olds. The DOE has received a satisfactory corrective action plan in this matter.

In light of the vendor's satisfactory history of performance and corrective actions taken, the DOE does not believe these matters preclude a finding that the vendor is responsible.

**All American School Bus**

All American School Bus has affiliates: Rainbow Transit, Citywide Transit, and Indigo Warranties. VENDEX reports that in 2007, Rainbow Transit, an affiliate, was among the bus companies investigated by the U.S. Attorney's office. That investigation resulted in the conviction of several former DOE bus inspectors on bribery, extortion, and conspiracy charges based on the inspectors having taken cash from several bus companies. Rainbow entered into a Monitoring Agreement which includes the hiring of an Independent Private Sector Inspector General (IPSIG) to monitor the business integrity of the companies. The monitoring agreements have now ended with the IPSIG having reported no signs of corruption, criminality, or unethical behavior. As such, this does not preclude a finding of responsibility.

**IC Bus and Gotham Transportation**

Noteworthy information identified for IC Bus and Gotham Transportation. IC Bus's VENDEX has 2 cautions regarding an SCI/ District Attorney investigation. The same matter is also reported as a caution in the VENDEX for Gotham Transportation and the Principal's VENDEX. The US Attorney's Office investigated DOE bus inspectors for bribery and extortion resulting in the 2009 conviction of several former DOE inspectors on bribery, extortion and conspiracy charges for having taken cash payments from a number of bus companies. As a result of this investigation, the vendor IC Bus and its affiliate Gotham Transportation had to sign Monitoring Agreements, including the provision of an Independent Private Sector Inspector General (IPSIG) selected by SCI to among other things, oversee compliance with City contracts, monitor employee conduct, audit payroll and expenditures and oversee operations and training. These monitoring agreements have now ended with no adverse information being reported by the monitor to the DOE.

All vendors have provided satisfactory performance and, with the absence of significant adverse information other than the information sited above, they have all been determined responsible.

Estimated total contract amounts are the following:

| BUS VENDOR | ESCORT COMPANY | ESTIMATED TRANSPORTATION AMOUNT | ESTIMATED ESCORT AMOUNT | ESTIMATED TOTAL |
|---|---|---|---|---|
| Addie's Transportation<br>5015 Bay Parkway<br>Brooklyn, NY 11230 | Addie's Transportation | $379,417 | $51,261 | $430,678 |
| Allied Transit<br>PO Box 70801<br>Brooklyn, NY 11207 | Allied Transit | $877,412 | $347,772 | $1,225,184 |
| All American School Bus Corp.<br>PO Box 2099<br>Long Island City, NY 11102 | All American School Bus Corp. | $5,257,789 | $1,647,324 | $6,905,113 |
| Boro Transit, Inc.<br>50 Snediker Avenue<br>Brooklyn. NY 11207 | ANJ Service, Inc.<br>50 Snediker Avenue<br>Brooklyn. NY 11207 | $5,598,916 | $2,753,050 | $8,351,966 |
| IC Bus, Inc.<br>380 Chelsea Road<br>Staten Island, NY 10314 | IC Bus | $2,939,249 | $1,565,858 | $4,505,107 |
| Jofaz Transportation<br>1 Coffey Street<br>New York, NY 11231 | Jofaz Transportation | $2,390,550 | $960,563 | $3,351,113 |
| Reliant Transportation, Inc.<br>297 Norman Avenue<br>Brooklyn, NY 11222 | Reliant Transportation | $1,486,207 | $718,197 | $2,204,404 |
| Pioneer Transportation Corp.<br>2890 Arthur Kill Road<br>Staten Island, NY 10309 | Pioneer Transportation Corp. | $540,851 | $278,662 | $819,513 |
| | **TOTAL** | **$19,470,391** | **$8,322,687** | **$27,793,078** |

**Item:** 3

**Description:**

Two year extensions of summer K-12 pupil transportation per New York State Education Law Section 305(14)(a).

# REQUEST FOR AUTHORIZATION TO EXTEND CONTRACTS FOR SUMMER SCHOOL K-12 PUPIL TRANSPORTATION AND ATTENDANTS

| Estimated Total Contract Amount | Funding Source | Contract Term | Option | Option Amount | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|---|
| See Table Below | Tax Levy | Two Years | One Year | $38,860,145 | New York State Education Law | No | Requirements |

| Vendor Names & Addresses | See list below. |
|---|---|

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Lisa D'Amato<br>Director, Contracts Management Unit<br>Office of School Support Services | Eric Goldstein<br>Chief Executive<br>Office of School Support Services | David Ross<br>Executive Director |

## PURPOSE

Authorization is requested on behalf of the Office of Pupil Transportation (OPT) to extend contracts with the vendors listed below for summer pupil transportation for students with disabilities in grades K-12 who require special busing. The previous summer bus contracts expired on August 31, 2014. These extension terms commence on September 1, 2014 and continue through August 31, 2016, with the option to extend for an additional year through August 31, 2017. Each contractor will have the option to decline the 2017 extension in the event they are unable to obtain financing at acceptable market rates.

## DISCUSSION

Summer school bus transportation services are provided to approximately 36,000 students using over 2,400 special education routes. The fleet used to provide this service is composed of approximately 2,700 buses, including spares.

All of the summer school bus contracts listed herein were competitively bid and awarded in 1979, 1982, 1984,1988, 1989 and 1994, and were subsequently extended over the years pursuant to New York State Education Law Section 305(14)(a), with the most recent extension being a one (1) year extension which expired on August 31, 2014.

On April 30, 2013, the Division of Contracts and Purchasing released a Request for Bids (RFB) for summer transportation services covering the routes that are the subject of these extensions. In light of the DOE's determination not to proceed with that RFB, extensions are needed for uninterrupted transportation services during the summer months. It is anticipated that these routes will be bid out again in the future.

New York State Education Law Section 305(14)(a) permits extensions of transportation contracts originally subject to competitive bidding requirements, as follows: "...The requirement for competitive bidding shall not apply to annual, biennial, or triennial extension of a contract nor shall the requirement

for competitive bidding apply to quadrennial or quinquennial year extensions of a contract involving transportation of pupils...." As such, OPT has requested and been granted authorization by New York State to periodically extend these contracts.

The value of these contract extensions is based on current summer prices. However, the Contractors will be granted an annual price adjustment based on the U.S. Department of Labor, Bureau of Labor Statistics regional consumer price index for all urban consumers ("CPI-U") for the NY, NY-Northeastern NJ area, i.e., according to the price adjustment formula provided in New York State Education Law Section 305(14)(a). Prices were originally determined through a competitive bid process and have been adjusted per the contract. The prices under the extensions sought here are, therefore, determined to be fair and reasonable.

The Vendor Research and Price Analysis (VRPA) unit conducted comprehensive background checks for all vendors and no noteworthy findings were identified for Empire State Bus Corp., Empire State Escort, Inc., Pioneer Transportation, R & C Transit, Inc., Safe Coach, Inc. and B & M Escorts, Inc. Background checks for the vendors listed below revealed the following noteworthy information:

**Addie's Transportation and Careful Bus**
Noteworthy information has been identified regarding a February 2008 accident between a bus operated by Careful Bus for the DOE without any children present and an ambulette which resulted in an injury to the ambulette's driver. A $14 million civil judgment was awarded in July 2014. As the verdict is being appealed, this is a civil action and Careful is insured for up to $10 million, the DOE does not believe this precludes a determination that the vendor is responsible.

**Consolidated Bus and JSJ Service**
Affiliate Professional Charter Service previously had a caution in VENDEX indicating that the DOE terminated a Pre-K contract for cause due to performance issues. The affiliate and the DOE reached a monetary settlement. As the prime vendor has a history of satisfactory performance on DOE School-Age transportation contracts, the DOE does not believe this precludes a determination that Consolidated and JSJ are responsible.

**Hoyt Transportation**
VENDEX contains a caution related to the investigation of DOE bus inspectors conducted by the U.S. Attorney's Office for the Southern District of New York, which resulted in the 2009 conviction of several former bus inspectors on bribery, extortion, and conspiracy charges for taking cash payments from a number of bus companies. As a result of this investigation Hoyt was required to sign a Monitoring Agreement that included retaining an Independent Private Sector Inspector General (IPSIG) to oversee its operations and compliance with City contracts. The term of the monitoring agreement has now ended and the IPSIG did not report any noteworthy incidents. Accordingly, the DOE does not believe this matter precludes a determination the vendor is responsible.

**Logan Companies (see below)**
Noteworthy information identified for affiliated companies Logan Transportation Systems Inc., Little Linda Bus Company, Inc., Logan Bus Company, Inc., Grandpa's Bus Company, Inc., Little Richie Bus Service, Inc., Lorissa Bus Service Inc. Bobby's Bus Company Inc., Little Lisa Bus Company, Inc., and Lorinda Enterprise Limited. VENDEX contains a caution related to the investigation of DOE bus inspectors conducted by the U.S. Attorney's Office for the Southern District of New York, which resulted in the 2009 conviction of several former bus inspectors on bribery, extortion, and conspiracy charges for taking cash payments from a number of bus companies. As a result of this investigation, Logan and several of its affiliated entities, though not charged with an offense, were required to sign a Monitoring Agreement that included retaining an Independent Private Sector Inspector General (IPSIG) to oversee its operations and compliance with City contracts. The monitoring agreement has subsequently ended with the IPSIG reporting no noteworthy incidents.

The DOE is also aware of several noteworthy news reports regarding Logan Bus or its affiliates including:

- Several instances, all occurring over five years ago, involving accidents, injuries and noncompliance with all rules regarding the hiring of drivers and attendants.
- A report from 2011 about New York City school bus accidents that mentioned Logan. The DOE responded that due to its stringent reporting standards even minor, insignificant accidents get reported and therefore, the data can be misleading. In light of the fact that the Logan family of companies consists of 40 entities and Logan has a history of satisfactory performance with the DOE, the DOE does not believe these matters preclude a determination that the vendor is responsible.

**Boro Transit, ANJ Service, and SNT Bus**

Affiliate Professional Charter Service previously had a caution in VENDEX indicating that the DOE terminated one of its contracts for cause due to performance issues. The affiliate and the DOE reached a monetary settlement. As the prime vendors have a history of satisfactory performance on DOE contracts, the DOE does not believe this precludes a determination that Boro, ANJ, or SNT are responsible.

**Third Avenue Transportation, Jofaz Transportation**

VENDEX for Jofaz Transportation contains a caution concerning an investigation of DOE bus inspectors that was conducted by the US Attorney's Office for the Southern District of NY and resulted in the 2009 conviction of several former bus inspectors on bribery, extortion and conspiracy charges based on their having taken cash payments from a number of bus companies. As a result of this investigation, affiliates Boro-Wide and Jofaz signed Monitoring Agreements that included retaining an Independent Private Sector Inspector General (IPSIG). All monitoring agreements have now ended with the IPSIG reporting no adverse information.

A 2012 investigation conducted by SCI substantiated that a school bus driver and bus escort employed by the affiliate Boro-Wide committed misconduct which included allowing students to exit the bus at a small grocery store, purchasing items (for the driver), and attempting to get the email address of one of the 11-yr olds. The DOE has received a satisfactory corrective action plan in this matter.
In light of the vendor's satisfactory history of performance and corrective actions taken, the DOE does not believe these matters preclude a finding that the vendor is responsible.

All vendors have provided satisfactory performance and, with the absence of significant adverse information other than the information sited above, they have all been determined responsible.

Estimated total contract amounts are the following:

| BUS VENDOR | ESCORT COMPANY | ESTIMATED TRANSPORTATION AMOUNT | ESTIMATED ESCORT AMOUNT | ESTIMATED TOTAL |
|---|---|---|---|---|
| **Addie's Transportation**<br>5015 Bay Parkway<br>Brooklyn, NY 11230 | Addie's Transportation | $508,112 | $87,820 | $595,932 |
| **Boro Transit, Inc.**<br>50 Snediker Avenue<br>Brooklyn. NY 11207 | **ANJ Service, Inc.**<br>50 Snediker Avenue<br>Brooklyn. NY 11207 | $3,309,950 | $1,205,459 | $4,515,409 |
| **Empire State Bus Corp.**<br>P.O. Box 70801<br>Brooklyn. NY 11207 | **Empire State Escort, Inc.**<br>P.O. Box 70801<br>Brooklyn. NY 11207 | $1,177,716 | $662,493 | $1,840,209 |
| **Consolidated Bus Service, Inc.**<br>50 Snediker Avenue<br>Brooklyn. NY 11207 | **JSJ Service, Inc.**<br>50 Snediker Avenue<br>Brooklyn. NY 11207 | $3,172,688 | $1,804,654 | $4,977,342 |
| **Hoyt Transportation**<br>2620 West 13th Street<br>Brooklyn, NY 11223 | Hoyt Transportation | $8,212,275 | $3,317,510 | $11,529,785 |
| **Jofaz Transportation**<br>1 Coffey Street<br>New York, NY 11231 | Jofaz Transportation | $3,654,824 | $1,842,359 | $5,497,183 |
| **Little Richie Bus**<br>97-14 Atlantic Avenue<br>Ozone Park, NY 11416 | **Little Richie Matron Co.**<br>97-14 Atlantic Avenue<br>Ozone Park, NY 11416 | $4,792,170 | $3,103,509 | $7,895,679 |
| **Logan Bus Company, Inc.**<br>97-14 Atlantic Avenue<br>Ozone Park, NY 11416 | **Logan Matron Co.**<br>97-14 Atlantic Avenue<br>Ozone Park, NY 11416 | $13,076,805 | $7,295,228 | $20,372,033 |
| **Lorinda Enterprises, LTD**<br>97-14 Atlantic Avenue<br>Ozone Park, NY 11416 | **Lorinda Matron Co.**<br>97-14 Atlantic Avenue<br>Ozone Park, NY 11416 | $9,047,806 | $4,941,340 | $13,989,146 |
| **Pioneer Transportation Corp.**<br>2890 Arthur Kill Road<br>Staten Island, NY 10309 | Pioneer Transportation Corp. | $548,610 | $219,652 | $768,262 |
| **R&C Transit, Inc.**<br>96-01 Springfield Blvd.<br>Queens Village, NY 11428 | R&C Transit, Inc. | $96,610 | $52,004 | $148,614 |

| BUS VENDOR | ESCORT COMPANY | ESTIMATED TRANSPORTATION AMOUNT | ESTIMATED ESCORT AMOUNT | ESTIMATED TOTAL |
|---|---|---|---|---|
| **Safe Coach, Inc.**<br>1040 Rockaway Avenue<br>Brooklyn, NY 11236 | **B&M Escorts, Inc.**<br>1040 Rockaway Avenue<br>Brooklyn, NY 11236 | $1,400,759 | $827,356 | $2,228,115 |
| TOTAL | | $48,998,325 | $25,359,384 | $74,357,709 |

**Item:** 4

**Description:**

Two year extension of school year K-12 special ed. and general ed. pupil transportation contracts per New York State Education Law Section 305(14)(a).

# REQUEST FOR AUTHORIZATION TO EXTEND CONTRACTS FOR SCHOOL YEAR K-12 PUPIL TRANSPORTATION AND ATTENDANTS

| Estimated Total Contract Amount | Funding Source | Contract Term | Option | Option Amount | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|---|
| See Table Below | Tax Levy | Two Years | One Year | $476,918,924 | New York State Education Law | No | Requirements |

| Vendor Names & Addresses | See list below. |
|---|---|

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Lisa D'Amato<br>Director, Contracts Management Unit<br>Office of School Support Services | Eric Goldstein<br>Chief Executive<br>Office of School Support Services | David Ross<br>Executive Director |

## PURPOSE

Authorization is requested on behalf of the Office of Pupil Transportation (OPT) to extend contracts with the vendors listed below for pupil transportation for students in grades K-6 (and some in grades 7-8) who do not require special busing and students with disabilities in grades K-12 who require special busing. The existing school-year contracts expire on June 30, 2015.These extension agreements will commence on July 1, 2015 and continue through June 30, 2017, with the option to extend for an additional year through June 30, 2018. Each school bus contractor will have the option to decline the 2017-18 extension in the event of its inability to obtain financing at acceptable market rates.

## DISCUSSION

The Office of Pupil Transportation is responsible to provide and coordinate transportation services to and from school for eligible students in both public and non-public schools. Transportation services include stop-to-stop and door-to-door busing. Daily school bus transportation services are provided to about 160,000 students on almost 7,100 distinct daily bus routes for the regular school year. The fleet used to provide these services is composed of approximately 7,800 buses (including spares).

All of the current school age transportation contracts were originally bid in 1979, 1982, 1984, 1986, 1994 and 1995. These contracts have been extended over the years pursuant to New York State Education Law Section 305(14)(a). Contracts were recently awarded in 2013 and 2014 pursuant to the following Request for Bids:

- Bid Serial# B2192 (contract term of 9/1/13-6/30/18)
- Bid Serial# B2321 (contract term of 9/1/14-6/30/19)

It had been anticipated that additional contracts would be awarded pursuant to Bid Serial #B2394 (proposed contract term of 9/1/15-6/30/20); however, prior to the bid due date for RFB# B2394, it was announced that RFB# B2394 was postponed indefinitely. As a result of the postponement, these

extensions are necessary to ensure uninterrupted transportation services of the routes covered in the aforementioned Request For Bids. It is anticipated that these routes will be bid out again in the future.

New York State Education Law Section 305(14)(a) permits extensions of transportation contracts originally subject to competitive bidding requirements, as follows: "...The requirement for competitive bidding shall not apply to annual, biennial, or triennial extension of a contract nor shall the requirement for competitive bidding apply to quadrennial or quinquennial year extensions of a contract involving transportation of pupils...." As such, OPT has requested and been granted authorization by New York State to periodically extend these contracts.

The value of these contract extensions is based on current School Year prices. However, the Contractors will be granted an annual price adjustment based on the U.S. Department of Labor, Bureau of Labor Statistics regional consumer price index for all urban consumers ("CPI-U") for the NY, NY-Northeastern NJ area, i.e., according to the price adjustment formula provided in New York State Education Law Section 305(14)(a). Prices were originally competitively determined through a bid process and have been adjusted per the contract. The prices under the extensions sought here have therefore been determined to be fair and reasonable.

The Vendor Research and Price Analysis (VRPA) unit conducted comprehensive background checks for all vendors and no noteworthy findings were identified for Allied Transit and Pioneer Transportation. Background checks for the vendors listed below revealed the following noteworthy information:

**Addie's Transportation and Careful Bus**
Noteworthy information has been identified regarding a February 2008 accident between a bus operated by Careful Bus for the DOE without any children present and an ambulette which resulted in an injury to the ambulette's driver. A $14 million civil judgment was awarded in July 2014. As the verdict is being appealed, this is a civil action and Careful is insured for up to $10 million, the DOE does not believe this precludes a determination that the vendor is responsible.

**Consolidated Bus and JSJ Service**
Affiliate Professional Charter Service previously had a caution in VENDEX indicating that the DOE terminated a Pre-K contract for cause due to performance issues. The affiliate and the DOE reached a monetary settlement. As the prime vendor has a history of satisfactory performance on DOE School-Age transportation contracts, the DOE does not believe this precludes a determination that Consolidated and JSJ are responsible.

**Hoyt Transportation**
VENDEX contains a caution related to the investigation of DOE bus inspectors conducted by the U.S. Attorney's Office for the Southern District of New York, which resulted in the 2009 conviction of several former bus inspectors on bribery, extortion, and conspiracy charges for taking cash payments from a number of bus companies. As a result of this investigation Hoyt was required to sign a Monitoring Agreement that included retaining an Independent Private Sector Inspector General (IPSIG) to oversee its operations and compliance with City contracts. The term of the monitoring agreement has now ended and the IPSIG did not report any noteworthy incidents. Accordingly, the DOE does not believe this matter precludes a determination the vendor is responsible.

**Logan Companies (see below)**
Noteworthy information identified for affiliated companies Logan Transportation Systems Inc., Little Linda Bus Company, Inc., Logan Bus Company, Inc., Grandpa's Bus Company, Inc., Little Richie Bus Service, Inc., Lorissa Bus Service Inc. Bobby's Bus Company Inc., Little Lisa Bus Company, Inc., and Lorinda Enterprise Limited. VENDEX contains a caution related to the investigation of DOE bus inspectors conducted by the U.S. Attorney's Office for the Southern District of New York, which resulted in the 2009 conviction of several former bus inspectors on bribery, extortion, and conspiracy charges for taking cash payments from a number of bus companies. As a result of this investigation, Logan and

several of its affiliated entities, though not charged with an offense, were required to sign a Monitoring Agreement that included retaining an Independent Private Sector Inspector General (IPSIG) to oversee its operations and compliance with City contracts. The monitoring agreement has subsequently ended with the IPSIG reporting no noteworthy incidents.

The DOE is also aware of several noteworthy news reports regarding Logan Bus or its affiliates including:

- Several instances, all occurring over five years ago, involving accidents, injuries and noncompliance with all rules regarding the hiring of drivers and attendants.
- A report from 2011 about New York City school bus accidents that mentioned Logan. The DOE responded that due to its stringent reporting standards even minor, insignificant accidents get reported and therefore, the data can be misleading. In light of the fact that the Logan family of companies consists of 40 entities and Logan has a history of satisfactory performance with the DOE, the DOE does not believe these matters preclude a determination that the vendor is responsible.

**MV Transportation and Reliant Transportation**

• In November 2011, a DOE school bus operated by Reliant Transportation, a subsidiary operated by MV with the permission of the DOE, caught fire near Penn Station. Nobody was harmed in the incident and, although the New York State Department of Transportation report has not been issued, MV advises that it has been informed by the DOT that its findings were inconclusive. The bus was one from the fleet of United Transportation, a former DOE vendor, whose buses were purchased by MV. Following the fire, MV conducted its own review of the fleet, suspecting a possible wiring problem with the heating/air system of models from the same year/make. MV found a loose wire by the fuel pump on one bus, which was immediately fixed, however did not identify any issues with the heating/air system wiring.

• From 2004 to 2007, five of MV's contracts were terminated early or not renewed due to performance issues, however, our information shows that none of the matters resulted in a finding of material breach of contract, nor were any of the contracts terminated for cause.

• While there are media reports regarding litigation, accidents, citations and fines, most of these events occurred outside of NY. Two incidents reported from NY were of a less serious nature resulting in no deaths.

• Reliant is debarred through 5/22/15 by the NYS Workers' Compensation Board. These debarments relate only to "public works" contracts, which are primarily construction contracts. In addition, the DOE has confirmed that the vendor has current Workers' Compensation insurance.

In light of the industry, MV's position as a national transportation provider and its volume of business, which includes 150 contracts valued at $973,921,000 in 2012, the DOE believes the number and nature of the matters cited is not unusual. Accordingly, MV's responsiveness in addressing such matters and their successful assumption of routes previously assigned to United Bus supports a determination that MV is responsible.

**Boro Transit, ANJ Service, and SNT Bus**

Affiliate Professional Charter Service previously had a caution in VENDEX indicating that the DOE terminated one of its contracts for cause due to performance issues. The affiliate and the DOE reached a monetary settlement. As the prime vendors have a history of satisfactory performance on DOE contracts, the DOE does not believe this precludes a determination that Boro, ANJ, or SNT are responsible.

**Third Avenue Transportation, Jofaz Transportation**

VENDEX for Jofaz Transportation contains a caution concerning an investigation of DOE bus inspectors that was conducted by the US Attorney's Office for the Southern District of NY and resulted in the 2009 conviction of several former bus inspectors on bribery, extortion and conspiracy charges

based on their having taken cash payments from a number of bus companies. As a result of this investigation, affiliates Boro-Wide and Jofaz signed Monitoring Agreements that included retaining an Independent Private Sector Inspector General (IPSIG). All monitoring agreements have now ended with the IPSIG reporting no adverse information.

A 2012 investigation conducted by SCI substantiated that a school bus driver and bus escort employed by the affiliate Borowide committed misconduct which included allowing students to exit the bus at a small grocery store, purchasing items (for the driver), and attempting to get the email address of one of the 11-yr olds. The DOE has received a satisfactory corrective action plan in this matter.

In light of the vendor's satisfactory history of performance and corrective actions taken, the DOE does not believe these matters preclude a finding that the vendor is responsible.

**All American School Bus**

All American School Bus has affiliates: Rainbow Transit, Citywide Transit, and Indigo Warranties. VENDEX reports that in 2007, Rainbow Transit, an affiliate, was among the bus companies investigated by the U.S. Attorney's office. That investigation resulted in the conviction of several former DOE bus inspectors on bribery, extortion, and conspiracy charges based on the inspectors having taken cash from several bus companies. Rainbow entered into a Monitoring Agreement which includes the hiring of an Independent Private Sector Inspector General (IPSIG) to monitor the business integrity of the companies. The monitoring agreements have now ended with the IPSIG having reported no signs of corruption, criminality, or unethical behavior. As such, this does not preclude a finding of responsibility.

All vendors have provided satisfactory performance and, with the absence of significant adverse information other than the information sited above, they have all been determined responsible.

Estimated total contract amounts are the following:

| VENDOR | ADDRESS | SPECIAL ED. AMOUNT (Including Attendant, if Applicable) | GENERAL ED. AMOUNT | TOTAL |
|---|---|---|---|---|
| All American School Bus Corp. | P.O. Box 2099<br>Long Island City, NY 11102 | | $16,247,277 | $16,247,277 |
| Allied Transit Corp. | 148 Snediker Avenue<br>Brooklyn, NY 11207 | | $7,409,984 | $7,409,984 |
| Bobby's Bus Co., Inc. | 97-14 Atlantic Avenue<br>Ozone Park, NY 11416 | | $32,945,108 | $32,945,108 |
| Boro Transit, Inc. | 50 Snediker Avenue<br>Brooklyn, NY 11207 | $95,659,102 | $56,336,568 | $151,995,67 |
| ANJ Service, Inc.<br>(Boro Attendant) | 50 Snediker Avenue<br>Brooklyn, NY 11207 | $37,776,984 | | $37,776,984 |
| Careful Bus, Inc. | 5015 Bay Parkway<br>Brooklyn, NY 11230 | $18,153,181 | | $18,153,181 |
| X-L Escort Service, Inc. (Careful Bus Attendant) | 5015 Bay Parkway<br>Brooklyn, NY 11230 | $5,901,566 | | $5,901,566 |
| Consolidated Bus Transit Service | 50 Snediker Avenue<br>Brooklyn, NY 11207 | $18,323,844 | | $18,323,844 |
| JSJ Service, Inc.<br>(Consolidated Attendant) | 50 Snediker Avenue<br>Brooklyn, NY 11207 | $6,752,125 | | $6,752,125 |
| Grandpa's Bus Company Inc. | 97-14 Atlantic Avenue<br>Ozone Park, NY 11416 | | $35,383,469 | $35,383,469 |
| Hoyt Transportation | 2620 West 13th Street<br>Brooklyn, NY 11223 | $53,627,313 | | $53,627,313 |
| Jofaz Transportation Inc. | 1 Coffey Street<br>Brooklyn, NY 11231 | | $46,164,673 | $46,164,673 |
| Little Linda Bus Co., Inc | 97-14 Atlantic Avenue<br>Ozone Park, NY 11416 | $2,188,529 | | $2,188,529 |
| Little Linda Matron Co. | 97-14 Atlantic Avenue<br>Ozone Park, NY 11416 | $887,632 | | $887,632 |
| Little Lisa Bus Co., Inc. | 97-14 Atlantic Avenue<br>Ozone Park, NY 11416 | $13,089,198 | | $13,089,198 |
| Little Lisa Matron Co. | 97-14 Atlantic Avenue<br>Ozone Park, NY 11416 | $4,912,678 | | $4,912,678 |
| Little Richie Bus Service, Inc. | 97-14 Atlantic Avenue<br>Ozone Park, NY 11416 | $98,353,709 | | $98,353,709 |
| Little Richie Matron Co. | 97-14 Atlantic Avenue<br>Ozone Park, NY 11416 | $36,771,799 | | $36,771,799 |

| VENDOR | ADDRESS | SPECIAL ED. AMOUNT (Including Attendant, if Applicable) | GENERAL ED. AMOUNT | TOTAL |
|---|---|---|---|---|
| Logan Bus Company, Inc. | 97-14 Atlantic Avenue Ozone Park, NY 11416 | $53,191,087 | $9,202,516 | $62,393,603 |
| Logan Matron Co., Inc. | 97-14 Atlantic Avenue Ozone Park, NY 11416 | $17,554,197 | | $17,554,197 |
| Lorinda Ent. LTD. | 97-14 Atlantic Avenue Ozone Park, NY 11416 | $27,119,238 | | $27,119,238 |
| Lorinda Matron Co., Inc. | 97-14 Atlantic Avenue Ozone Park, NY 11416 | $11,033,034 | | $11,033,034 |
| Lorissa Bus Service, Inc. | 97-14 Atlantic Avenue Ozone Park, NY 11416 | | $12,477,164 | $12,477,164 |
| MV Transportation, Inc. | 1101 Zerega Avenue Bronx, NY 10465 | | $2,959,759 | $2,959,759 |
| Pioneer Transportation Co. | 2890 Arthur Kill Road Staten Island, NY 10309 | $57,745,075 | $134,403,101 | $192,148,176 |
| **TOTAL** | | **$559,040,291** | **$353,529,619** | **$912,569,910** |

**Item:** 5

**Description:**

Contract extension for MV Transportation general education pupil transportation per New York State Education Law 305 (14)(a).

# REQUEST FOR AUTHORIZATION TO EXTEND CONTRACT WITH MV TRANSPORTATION INC. FOR GENERAL EDUCATION TRANSPORTATION SERVICES

| Estimated Total Contract Cost | Funding Source | Contract term | Procurement Method | Is Contract Retroactive | Contract Type |
|---|---|---|---|---|---|
| $1,288,737 | Tax Levy | One year | New York State Education Law | Yes | Requirements |
| **Vendor Name & Address** | MV Transportation Inc.<br>297 Norman Avenue<br>Brooklyn, NY 11222 | | | | |

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Lisa D'Amato<br>Director, Contracts Management Unit<br>Office of School Support Services | Eric Goldstein<br>Chief Executive<br>Office of School Support Services | David Ross<br>Executive Director<br>Division of Contracts & Purchasing |

## PURPOSE

Approval is sought to retroactively extend contract with MV Transportation Inc. (MV) to provide general education bus services. The extension term commences on July 1, 2014 through June 30, 2015. The estimated total contract cost includes expenditures for the retroactive services and the projected costs for the remainder of the school year.

## DISCUSSION

The routes covered under MV's original contract included both special education and general education transportation services but, prior to the June 30, 2014 contract expiration, MV assigned a portion of the special education routes to All American. MV continued transporting the general education students within Brooklyn District 16 through the 2014-2015 school year, however, these specific routes were inadvertently omitted from previous transportation extension requests for authorization.

New York State Education Law § 305 permits extensions of contracts originally subject to competitive bidding requirements in Subdivision 14. Specifically, this Subdivision states: "...The requirement for competitive bidding shall not apply to annual, biennial, or triennial extensions of a contract nor shall the requirement for competitive bidding apply to quadrennial or quinquennial year extensions of a contract involving transportation of pupils..."

The estimated contract amount is based on monies currently owed to MV for services between July 1, 2014 and March 31, 2015 ($821,243) and anticipated spend for the remainder of the extension term ($407,494).

MV has been providing services at the same daily rate as their previous agreement plus the annual price adjustment based on U.S. Department of Labor, Bureau of Labor Statistics regional consumer price index for the NY, NY-Northeastern NJ area. As such prices have determined to be fair and reasonable.

MV Transportation has current VENDEX forms on file and the comprehensive background check revealed the following noteworthy information:

• In November 2011, a DOE school bus operated by Reliant Transportation, a subsidiary operated by MV with the permission of the DOE, caught fire near Penn Station. Nobody was harmed in the incident and, although the New York State Department of Transportation report has not been issued, MV advises that it has been informed by the DOT that its findings were inconclusive. The bus was one from the fleet of United Transportation, a former DOE vendor, whose buses were purchased by MV. Following the fire, MV conducted its own review of the fleet, suspecting a possible wiring problem with the heating/air system of models from the same year/make. MV found a loose wire by the fuel pump on one bus, which was immediately fixed, however did not identify any issues with the heating/air system wiring.
• From 2004 to 2007, five of MV's contracts were terminated early or not renewed due to performance issues, however, our information shows that none of the matters resulted in a finding of material breach of contract, nor were any of the contracts terminated for cause.
• While there are media reports regarding litigation, accidents, citations and fines, most of these events occurred outside of NY. Two incidents reported from NY were of a less serious nature resulting in no deaths.
• Reliant is debarred through 5/22/15 by the NYS Workers' Compensation Board. These debarments relate only to "public works" contracts, which are primarily construction contracts. In addition, the DOE has confirmed that the vendor has current Workers' Compensation insurance.

In light of the industry, MV's position as a national transportation provider and its volume of business, which includes 150 contracts valued at $973,921,000 in 2012, the DOE believes the number and nature of the matters cited is not unusual. Accordingly, MV's responsiveness in addressing such matters and their successful assumption of routes previously assigned to United Bus supports a determination that MV is responsible.

**Item:** 6

## Description:

Universal Prekindergarten Services for four years via Innovated Procurement.

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH PROVIDERS OF EARLY CHILDHOOD EDUCATION SERVICES FOR FOUR-YEAR-OLDS IN THE UNIVERSAL PREKINDERGARTEN (UPK) PROGRAM (RFP R1067)

| Estimated Annual / Total Contract Amounts | Funding Source | Contract Term | Options | Estimated Option Amount | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|---|
| $22,744,440.40 / $70,209,572.00 | New York State Education Department (NYSED), Tax Levy | Three Years | Options to Extend for Two 1-Year Periods or One 2-Year Period | $45,488,880.80 | Request for Proposals (RFP) via an Innovative Procurement per Section 3-13 of DOE Procurement Policy & Procedures | No | Requirements |

| Vendor Name & Address | See attached table. |
|---|---|

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Xanthe Jory<br>Executive Director, Expansion Planning<br>Division of Early Childhood Education | Sophia Pappas<br>Chief Executive Officer<br>Division of Early Childhood Education | Angela Edwards<br>Chief Administrator<br>Central Office Procurement |

## PURPOSE

Authorization is requested to contract with the vendors listed in the attached table to provide high-quality instructional programming as part of the Full-Day 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.

Additionally, New York State Education Law provides for a statewide Universal Prekindergarten Program and contracts for these services are necessary. State Regulations require that at least 10 percent of State funding goes to community-based organizations. Currently in New York City, approximately 60 percent of UPK children are served in community-based organizations that contract

directly with the DOE. This solicitation was conducted as a modified Request for Proposals (RFP) and not as a Request for Bids (RFB) because these services are administered directly to children and must be evaluated on nine (9) criteria listed in the RFP.

The Committee on Contracts (COC) approved the use of an Innovative Procurement method to release this modified RFP and receive proposals through the City's Health and Human Services (HHS) Accelerator System. The COC approval allowed the DOE to modify the UPK RFP for pre-qualification and delegate the HHS Accelerator Director, a non-DOE employee, with required authority to make prequalification decisions on the DOE's behalf. The intended use of this system is to streamline the receipt and evaluation of proposals in order to expedite the development and registration of contracts pursuant to the RFP.

The HHS Accelerator is essentially a document vault system for data and document exchange during the contract cycle or on an as needed basis. It allows for a more simplified RFP document and significant paper reduction since vendors will be required to submit their proposal and relevant documents through the system. The DOE will have access to vendors' documents, thus reducing the need to request documents separately for each procurement or contract action. Further, use of the HHS Accelerator online system increases speed and accuracy for proposer responsiveness checks.

A modified RFP was released in November 2014, seeking to award eligible early childhood providers who are willing to collaborate with the DOE's Division of Early Childhood Education to implement the UPK Program in New York City districts with a need for more seats than the DOE is able to offer within the New York City public school system. The deadline for proposals was December 19, 2014.

The Division of Early Childhood Education (DECE) performed a needs analysis to determine areas to target for full-day seats citywide. DECE measures this seat gap by evaluating the difference between the estimated number of Pre-K aged students in each district and zone, and the number of Pre-K seats available The RFP requested vendors to submit proposals for any areas within the five boroughs and 32 community school districts.

Contract awards pursuant to this RFP are contingent upon the need of the area, capacity and performance of the provider and availability of funding. Additionally, demand was also factored into award decisions based on the most up-to-date demand data available at the time of award.

Of the 364 proposals received in HHS Accelerator, 355 were evaluated after removing the duplicates and non-responsive proposals during the responsiveness checks. There are 40 vendors recommended for award of full-day programs at 50 sites on this Request for Authorization. Additional sites will be included in subsequent RAs. Contracts for these services are necessary because the DOE does not possess the personnel to perform them.

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| Enrollment/Community Served | 5 |
| Instruction | 17 |
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- Cardinal McCloskey School & Home for Children
  In 2013, the DOE declared Little Angels Head Start Program (LAHSP) in default and partially terminated several contracts for cause, but the problems that led to the termination were site specific. LAHSP had indicated to the DOE that although the contracts did not grant it such authority, it was unilaterally cancelling certain contracts for services at selected sites. On the basis of the underlying site specific issues, as well as LAHSP's impermissible decision to unilaterally cancel the contracts, the DOE partially terminated, the contracts at those sites for cause. However, the DOE permitted service to continue at other sites covered by these contracts based upon corrective actions that had been taken by LAHSP. In light of the fact that the termination was site specific, the site that is the subject of the instant award was not one of the sites involved, and performance by the vendor at this location has been satisfactory, the DOE does not believe this precludes a determination that the vendor is responsible. As part of an ongoing review of child foster care agency books, the New York State Attorney General's (AG) office has recouped $3.8 million in Medicaid funds from more than 65 child foster care facilities. Cardinal McCloskey School & Home for Children (Cardinal McCloskey) in White Plains, NY, was required to repay $73,000 to New York State. Over $60K of Cardinal McCloskey's overbilling was due to the coordination of transportation services by foster parents without the school's approval and the balance was attributed to internal billing errors for the foster parent program. The school's procedure manual now indicates that Cardinal McCloskey will arrange for children's transportation and it has a clear policy of reporting foster care billing. In light of the payment of the settlement amount and the corrective actions taken, the DOE does not believe this precludes a determination that the vendor is responsible.

- Catholic School Region of Northeast – East Bronx
  The vendor is debarred until March 30, 2015 by the New York State Worker's Compensation Board. Such debarments relate only to Public Works contracts, and are therefore not applicable to universal pre-kindergarten services. Moreover, the Worker's Compensation Board web site indicates that the vendor has current insurance. Therefore, the DOE does not believe this matter precludes a determination that the vendor is responsible.

- NYSARC, Inc. NYC Chapter
  - News reports contained several notable incidents, including:
    - A person receiving services from AHRC who sexually harassed a woman.
    - A disabled man who died after being left on an AHRC vehicle.
    - The former CFO of AHRC who withheld taxes and was charged with fraud.

  - The Chief Compliance Officer for affiliate AHRC New York City has provided the DOE with documentation demonstrating that the program has implemented new policies and procedures to prevent these events from reoccurring. These include:
    - A semi-annual review of participants had been implemented in order to oversee participants of AHRC who required special supervision
    - A policy for bus drivers was implemented to require a detailed inspection of the vehicle at the end of trips and to document vehicle attendance regularly.
    - A policy for senior management was implemented to conduct annual internal audits of disclosed tax information.

  In light of the corrective actions taken by NYSARC, the DOE does not believe these matters preclude determination that the vendor is responsible.

- YMCA of Greater New York
  VENDEX reports six unsatisfactory evaluations, four from the NYC Department of Youth and Community Development (DYCD) and two from the Administration for Children's Services (ACS), the most recent in 2011. The vendor has received better ratings in subsequent evaluations from each agency. Accordingly, the DOE does not believe this precludes a determination that the vendor is responsible.

- Therapy and Learning Center, Inc.
  An October 31, 2013 New York State Attorney General ("AG") press release discussed an AG's investigation which substantiated that the former Therapy and Learning Center, Inc., ("TLC") Executive Director, Sylvia Kuper, used $220,000 in TLC funds to pay for her personal expenses such as fees for a personal consulting service and luxury car lease payments. The press release indicates that the AG obtained a $240,000 settlement agreement paid by Kuper as restitution and to defray the costs of the AG's investigation. As per the settlement, Kuper was to resign and be barred from working at any not-for-profits. Furthermore, the settlement required TLC to reconstitute its board members and to strengthen its internal controls. TLC self-reported this matter in their VENDEX and has indicated that they have a new executive director, a newly elected board, improved internal controls, and have hired an outside independent auditor. In light of the vendor's response, the DOE does not believe these matters preclude a determination that the vendor is responsible.

| Vendor | Site District | SiteID | Geographic Borough | Site Zip Code | Awarded # of Full-Day Seats | Negotiated Cost per Child for Full-Day Seats | Negotiated Annual Contract Amount for Full-Day Seats | Start-up costs for furniture and materials | Start-up costs for facilities/ permits |
|---|---|---|---|---|---|---|---|---|---|
| St. Peter Catholic Academy | 21 | KAKI | K | 11214 | 72 | $10,033.00 | $ 722,376.00 | 24000.00 | $0.00 |
| Cortelyou Early Childhood Center | 22 | KASI | K | 11226 | 36 | $10,381.00 | $ 373,716.00 | $30,001.60 | $0.00 |
| Cortelyou Early Childhood Center | 22 | K8DJ | K | 11210 | 18 | $10,602.00 | $ 190,836.00 | $15,000.80 | $0.00 |
| Raymond S. Edwards- Mohdc | 18 | K8GP | K | 11203 | 54 | $11,990.00 | $ 647,460.00 | $45,000.00 | $46,800.00 |
| Therapy and Learning Center, Inc. | 15 | K8N8 | K | 11215 | 32 | $11,743.00 | $ 375,776.00 | $0.00 | $0.00 |
| Buratino International Day Care | 21 | K8QE | K | 11235 | 36 | $10,830.00 | $ 389,880.00 | $12,731.00 | $3,269.00 |
| A2Z Kidz Center Llc | 22 | KCKZ | K | 11235 | 40 | $11,475.00 | $ 459,000.00 | $30,000.00 | $55,000.00 |
| A8C Plus Inc | 21 | KCMV | K | 11235 | 12 | $11,477.00 | $ 137,724.00 | $8,140.00 | $2,500.00 |
| Friends of Crown Heights Educational Centers Inc. | 22 | KCNA | K | 11226 | 36 | $10,593.00 | $ 381,348.00 | $30,000.00 | $0.00 |
| Marie Blakney | 18 | KCNU | K | 11236 | 12 | $10,820.00 | $ 129,840.00 | $14,500.00 | $11,750.00 |
| PNW Enterprises Ltd. d/b/a NY Kids Club | 13 | KCNY | K | 11201 | 18 | $11,821.00 | $ 212,778.00 | $0.00 | $0.00 |
| PNW Enterprises Ltd. d/b/a NY Kids Club | 13 | KCNZ | K | 11217 | 36 | $14,526.00 | $ 522,936.00 | $2,620.00 | $0.00 |
| Program Support | 15 | KCO8 | K | 11238 | 18 | $11,726.00 | $ 211,068.00 | $14,920.00 | $36,000.00 |
| Stepz 2 Success Childcare Center, Inc. | 22 | KCOG | K | 11225 | 12 | $11,234.00 | $ 134,808.00 | $2,000.00 | $0.00 |
| Christina Reyes/ Little Totz Red Wagon | 32 | KCOK | K | 11221 | 12 | $10,360.00 | $ 124,320.00 | $10,000.00 | $12,000.00 |
| Church of the Good Shepherd | 6 | MADL | M | 10034 | 36 | $10,794.00 | $ 388,584.00 | $30,000.00 | $36,000.00 |
| Catholic School Region of Manhattan | 1 | M8AA | M | 10009 | 90 | $11,111.00 | $ 999,990.00 | $75,000.00 | $0.00 |
| Childcare Partners NY West | 2 | MBHM | M | 10004 | 37 | $11,984.72 | $ 443,434.64 | $14,458.40 | $0.00 |
| Immaculate Conception School | 30 | QACC | Q | 11105 | 72 | $9,700.00 | $ 698,400.00 | $45,000.00 | $0.00 |
| Ave Maria Catholic Academy | 27 | QADN | Q | 11414 | 36 | $9,700.00 | $ 349,200.00 | $11,800.00 | $0.00 |
| Al-Ber Inc. | 30 | QALQ | Q | 11103 | 34 | $10,240.00 | $ 348,160.00 | $8,495.00 | $22,700.00 |
| YMCA of Greater New York | 30 | QATO | Q | 11101 | 53 | $10,318.00 | $ 546,854.00 | $0.00 | $0.00 |
| Up The Ladder | 27 | QAVV | Q | 11416 | 28 | $10,425.00 | $ 291,900.00 | $2,390.00 | $0.00 |
| Christ Evangelical Lutheran Church | 30 | QAYK | Q | 11377 | 18 | $9,700.00 | $ 174,600.00 | $2,815.00 | $1,720.00 |
| St. Mel Catholic Academy | 25 | Q8CA | Q | 11354 | 36 | $9,375.00 | $ 337,500.00 | $14,500.00 | $0.00 |
| YMCA of Greater New York | 24 | QBEK | Q | 11385 | 36 | $10,256.00 | $ 369,216.00 | $0.00 | $0.00 |
| Rainbow Child Development Center Inc. | 26 | QBLV | Q | 11362 | 36 | $10,225.00 | $ 368,100.00 | $30,000.00 | $54,000.00 |
| HAPPILY EVER AFTER DAYCARE | 24 | QBME | Q | 11385 | 36 | $10,100.00 | $ 363,600.00 | $0.00 | $0.00 |
| Ivy United USA Inc | 28 | QBMK | Q | 11375 | 34 | $9,700.00 | $ 329,800.00 | $10,000.00 | $23,016.00 |
| St. Patrick School | 31 | RA8Z | R | 10306 | 40 | $10,210.00 | $ 408,400.00 | $29,898.00 | $36,600.00 |
| Sisters of St. John the Baptist, Inc. | 31 | RAEM | R | 10305 | 40 | $10,686.00 | $ 427,440.00 | $29,928.00 | $29,000.00 |
| The Child Study Center of New York | 31 | RAFJ | R | 10310 | 29 | $9,837.00 | $ 285,273.00 | $0.00 | $0.00 |
| Staten Island Skating Pavilion | 31 | RAIM | R | 10309 | 18 | $10,193.00 | $ 183,474.00 | $3,798.00 | $0.00 |
| NYSARC, Inc., NYC Chapter | 11 | XAAF | X | 10462 | 12 | $11,133.06 | $ 133,596.72 | $0.00 | $0.00 |
| Catholic School Region of Northeast-East Bronx | 8 | XABL | X | 10472 | 72 | $10,630.00 | $ 765,360.00 | $60,000.00 | $0.00 |
| Catholic School Region of Northeast-East Bronx | 11 | XA8T | X | 10467 | 36 | $10,926.48 | $ 393,353.28 | $30,000.00 | $0.00 |
| Our Lady of the Assumption School | 8 | XACJ | X | 10461 | 54 | $10,000.00 | $ 540,000.00 | $41,787.00 | $100,000.00 |
| Catholic School Region of Northwest-South Bronx | 10 | XADH | X | 10467 | 36 | $10,932.71 | $ 393,577.56 | $30,000.00 | $0.00 |
| Catholic School Region of Northeast-East Bronx | 8 | XADL | X | 10465 | 54 | $10,585.18 | $ 571,599.72 | $45,000.00 | $0.00 |
| St. Helena Parochial Elementary School | 11 | XADQ | X | 10462 | 80 | $10,000.00 | $ 800,000.00 | $58,261.00 | $80,000.00 |
| Providence Rest Child Day Care Center, Inc. | 8 | XAJR | X | 10465 | 18 | $9,364.19 | $ 168,555.42 | $11,400.00 | $6,500.00 |
| Riverdale Temple Nursery School | 10 | XAPC | X | 10471 | 31 | $10,151.66 | $ 314,701.46 | $0.00 | $0.00 |
| Mind-Builders Creative Arts Center | 11 | XASO | X | 10467 | 18 | $10,546.20 | $ 189,831.60 | $10,007.00 | $0.00 |
| Cardinal McCloskey School and Home for Children | 10 | XASW | X | 10453 | 72 | $10,727.88 | $ 772,407.36 | $57,762.00 | $0.00 |
| Catholic School Region of Northeast-East Bronx | 11 | XASY | X | 10464 | 36 | $10,955.56 | $ 394,400.16 | $30,000.00 | $0.00 |
| Catholic School Region of Northeast-East Bronx | 11 | XATB | X | 10466 | 120 | $11,375.00 | $ 1,365,000.00 | $83,583.00 | $120,000.00 |
| ~~Catholic School Region of Northeast-East Bronx~~ | ~~11~~ | ~~XAWP~~ | ~~X~~ | ~~10469~~ | ~~72~~ | ~~$10,313.79~~ | ~~$ 742,592.88~~ | ~~$60,000.00~~ | ~~$0.00~~ |
| Catholic School Region of Northwest-South Bronx | 9 | XAWT | X | 10457 | 120 | $11,053.00 | $ 1,326,360.00 | $100,000.00 | $0.00 |
| Catholic School Region of Northwest-South Bronx | 7 | XAWU | X | 10451 | 120 | $10,142.00 | $ 1,217,040.00 | $100,000.00 | $0.00 |
| Oaktree House Learning Inc | 12 | XAYH | X | 10462 | 30 | $10,942.42 | $ 328,272.60 | $19,900.00 | $14,700.00 |

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH PROVIDERS OF EARLY CHILDHOOD EDUCATION SERVICES FOR FOUR-YEAR-OLDS IN THE UNIVERSAL PREKINDERGARTEN (UPK) PROGRAM (RFP R1067)

| Estimated Annual / Total Contract Amounts | Funding Source | Contract Term | Options | Estimated Option Amount | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|---|
| $22,744,440.40 / $70,209,572.00 | New York State Education Department (NYSED), Tax Levy | Three Years | Options to Extend for Two 1-Year Periods or One 2-Year Period | $45,488,880.80 | Request for Proposals (RFP) via an Innovative Procurement per Section 3-13 of DOE Procurement Policy & Procedures | No | Requirements |

| Vendor Name & Address | See attached table. |
|---|---|

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Xanthe Jory<br>Executive Director, Expansion Planning<br>Division of Early Childhood Education | Sophia Pappas<br>Chief Executive Officer<br>Division of Early Childhood Education | Angela Edwards<br>Chief Administrator<br>Central Office Procurement |

## PURPOSE

Authorization is requested to contract with the vendors listed in the attached table to provide high-quality instructional programming as part of the Full-Day 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.

Additionally, New York State Education Law provides for a statewide Universal Prekindergarten Program and contracts for these services are necessary. State Regulations require that at least 10 percent of State funding goes to community-based organizations. Currently in New York City, approximately 60 percent of UPK children are served in community-based organizations that contract

directly with the DOE. This solicitation was conducted as a modified Request for Proposals (RFP) and not as a Request for Bids (RFB) because these services are administered directly to children and must be evaluated on nine (9) criteria listed in the RFP.

The Committee on Contracts (COC) approved the use of an Innovative Procurement method to release this modified RFP and receive proposals through the City's Health and Human Services (HHS) Accelerator System. The COC approval allowed the DOE to modify the UPK RFP for pre-qualification and delegate the HHS Accelerator Director, a non-DOE employee, with required authority to make prequalification decisions on the DOE's behalf. The intended use of this system is to streamline the receipt and evaluation of proposals in order to expedite the development and registration of contracts pursuant to the RFP.

The HHS Accelerator is essentially a document vault system for data and document exchange during the contract cycle or on an as needed basis. It allows for a more simplified RFP document and significant paper reduction since vendors will be required to submit their proposal and relevant documents through the system. The DOE will have access to vendors' documents, thus reducing the need to request documents separately for each procurement or contract action. Further, use of the HHS Accelerator online system increases speed and accuracy for proposer responsiveness checks.

A modified RFP was released in November 2014, seeking to award eligible early childhood providers who are willing to collaborate with the DOE's Division of Early Childhood Education to implement the UPK Program in New York City districts with a need for more seats than the DOE is able to offer within the New York City public school system. The deadline for proposals was December 19, 2014.

The Division of Early Childhood Education (DECE) performed a needs analysis to determine areas to target for full-day seats citywide. DECE measures this seat gap by evaluating the difference between the estimated number of Pre-K aged students in each district and zone, and the number of Pre-K seats available The RFP requested vendors to submit proposals for any areas within the five boroughs and 32 community school districts.

Contract awards pursuant to this RFP are contingent upon the need of the area, capacity and performance of the provider and availability of funding. Additionally, demand was also factored into award decisions based on the most up-to-date demand data available at the time of award.

Of the 364 proposals received in HHS Accelerator, 355 were evaluated after removing the duplicates and non-responsive proposals during the responsiveness checks. There are 40 vendors recommended for award of full-day programs at 50 sites on this Request for Authorization. Additional sites will be included in subsequent RAs. Contracts for these services are necessary because the DOE does not possess the personnel to perform them.

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  On October 2, 2012, DOI was informed that a principal of Happily Ever After gave a Dept. of Buildings (DOB) employee a $25 Dunkin' Donuts gift card as a "thank you" for assistance in obtaining a Certificate of Occupancy for her day care facility. The DOB employee did not accept the gift card. DOI was informed and sent a letter informing the vendor's principal that City employees are prohibited from accepting gifts or gratuities from people doing business with the City. Further, the DOE contacted the individual and received a notarized letter acknowledging the incident, confirming compliance with the rules and regulations regarding the restrictions about giving gifts and/or gratuities to City employees, committing to future compliance and assuring that all employees are aware of, and abiding by, these rules. Accordingly, we do not believe this precludes a determination that the vendor is responsible.

- Cardinal McCloskey School & Home for Children
  In 2013, the DOE declared Little Angels Head Start Program (LAHSP) in default and partially terminated several contracts for cause, but the problems that led to the termination were site specific. LAHSP had indicated to the DOE that although the contracts did not grant it such authority, it was unilaterally cancelling certain contracts for services at selected sites. On the basis of the underlying site specific issues, as well as LAHSP's impermissible decision to unilaterally cancel the contracts, the DOE partially terminated, the contracts at those sites for cause. However, the DOE permitted service to continue at other sites covered by these contracts based upon corrective actions that had been taken by LAHSP. In light of the fact that the termination was site specific, the site that is the subject of the instant award was not one of the sites involved, and performance by the vendor at this location has been satisfactory, the DOE does not believe this precludes a determination that the vendor is responsible. As part of an ongoing review of child foster care agency books, the New York State Attorney General's (AG) office has recouped $3.8 million in Medicaid funds from more than 65 child foster care facilities. Cardinal McCloskey School & Home for Children (Cardinal McCloskey) in White Plains, NY, was required to repay $73,000 to New York State. Over $60K of Cardinal McCloskey's overbilling was due to the coordination of transportation services by foster parents without the school's approval and the balance was attributed to internal billing errors for the foster parent program. The school's procedure manual now indicates that Cardinal McCloskey will arrange for children's transportation and it has a clear policy of reporting foster care billing. In light of the payment of the settlement amount and the corrective actions taken, the DOE does not believe this precludes a determination that the vendor is responsible.

- Catholic School Region of Northeast – East Bronx
  The vendor is debarred until March 30, 2015 by the New York State Worker's Compensation Board. Such debarments relate only to Public Works contracts, and are therefore not applicable to universal pre-kindergarten services. Moreover, the Worker's Compensation Board web site indicates that the vendor has current insurance. Therefore, the DOE does not believe this matter precludes a determination that the vendor is responsible.

- NYSARC, Inc. NYC Chapter
  - News reports contained several notable incidents, including:
    - A person receiving services from AHRC who sexually harassed a woman.
    - A disabled man who died after being left on an AHRC vehicle.
    - The former CFO of AHRC who withheld taxes and was charged with fraud.

  - The Chief Compliance Officer for affiliate AHRC New York City has provided the DOE with documentation demonstrating that the program has implemented new policies and procedures to prevent these events from reoccurring. These include:
    - A semi-annual review of participants had been implemented in order to oversee participants of AHRC who required special supervision
    - A policy for bus drivers was implemented to require a detailed inspection of the vehicle at the end of trips and to document vehicle attendance regularly.
    - A policy for senior management was implemented to conduct annual internal audits of disclosed tax information.

  In light of the corrective actions taken by NYSARC, the DOE does not believe these matters preclude determination that the vendor is responsible.

- YMCA of Greater New York
  VENDEX reports six unsatisfactory evaluations, four from the NYC Department of Youth and Community Development (DYCD) and two from the Administration for Children's Services (ACS), the most recent in 2011. The vendor has received better ratings in subsequent evaluations from each agency. Accordingly, the DOE does not believe this precludes a determination that the vendor is responsible.

- Therapy and Learning Center, Inc.
  An October 31, 2013 New York State Attorney General ("AG") press release discussed an AG's investigation which substantiated that the former Therapy and Learning Center, Inc., ("TLC") Executive Director, Sylvia Kuper, used $220,000 in TLC funds to pay for her personal expenses such as fees for a personal consulting service and luxury car lease payments. The press release indicates that the AG obtained a $240,000 settlement agreement paid by Kuper as restitution and to defray the costs of the AG's investigation. As per the settlement, Kuper was to resign and be barred from working at any not-for-profits. Furthermore, the settlement required TLC to reconstitute its board members and to strengthen its internal controls. TLC self-reported this matter in their VENDEX and has indicated that they have a new executive director, a newly elected board, improved internal controls, and have hired an outside independent auditor. In light of the vendor's response, the DOE does not believe these matters preclude a determination that the vendor is responsible.

| Vendor | Site District | Site ID | Geographic Borough | Site Zip Code | Awarded # of Full-Day Seats | Negotiated Cost per Child for Full-Day Seats | Negotiated Annual Contract Amount for Full-Day Seats | Start-up costs for furniture and materials | Start-up costs for facilities/ permits |
|---|---|---|---|---|---|---|---|---|---|
| St. Peter Catholic Academy | 21 | KAKI | K | 11214 | 72 | $10,033.00 | $ 722,376.00 | 24000.00 | $0.00 |
| Cortelyou Early Childhood Center | 22 | KASI | K | 11226 | 36 | $10,381.00 | $ 373,716.00 | $30,001.60 | $0.00 |
| Cortelyou Early Childhood Center | 22 | K8DJ | K | 11210 | 18 | $10,602.00 | $ 190,836.00 | $15,000.80 | $0.00 |
| Raymond S. Edwards- Mohdc | 18 | K8GP | K | 11203 | 54 | $11,990.00 | $ 647,460.00 | $45,000.00 | $46,800.00 |
| Therapy and Learning Center, Inc. | 15 | K8N8 | K | 11215 | 32 | $11,743.00 | $ 375,776.00 | $0.00 | $0.00 |
| Buratino International Day Care | 21 | K8QE | K | 11235 | 36 | $10,830.00 | $ 389,880.00 | $12,731.00 | $3,269.00 |
| A2Z Kidz Center Llc | 22 | KCKZ | K | 11235 | 40 | $11,475.00 | $ 459,000.00 | $30,000.00 | $55,000.00 |
| ABC Plus inc | 21 | KCMV | K | 11235 | 12 | $11,477.00 | $ 137,724.00 | $8,140.00 | $2,500.00 |
| Friends of Crown Heights Educational Centers Inc. | 22 | KCNA | K | 11226 | 36 | $10,593.00 | $ 381,348.00 | $30,000.00 | $0.00 |
| Marie Blakney | 18 | KCNU | K | 11236 | 12 | $10,820.00 | $ 129,840.00 | $14,500.00 | $11,750.00 |
| PNW Enterprises Ltd. d/b/a NY Kids Club | 13 | KCNY | K | 11201 | 18 | $11,821.00 | $ 212,778.00 | $0.00 | $0.00 |
| PNW Enterprises Ltd. d/b/a NY Kids Club | 13 | KCNZ | K | 11217 | 36 | $14,526.00 | $ 522,936.00 | $2,620.00 | $0.00 |
| Program Support | 15 | KCO8 | K | 11238 | 18 | $11,726.00 | $ 211,068.00 | $14,920.00 | $36,000.00 |
| Stepz 2 Success Childcare Center, Inc. | 22 | KCOG | K | 11225 | 12 | $11,234.00 | $ 134,808.00 | $2,000.00 | $0.00 |
| Christina Reyes/ Little Totz Red Wagon | 32 | KCOK | K | 11221 | 12 | $10,360.00 | $ 124,320.00 | $10,000.00 | $12,000.00 |
| Church of the Good Shepherd | 6 | MADL | M | 10034 | 36 | $10,794.00 | $ 388,584.00 | $30,000.00 | $36,000.00 |
| Catholic School Region of Manhattan | 1 | M8AA | M | 10009 | 90 | $11,111.00 | $ 999,990.00 | $75,000.00 | $0.00 |
| Childcare Partners NY West | 2 | MBHM | M | 10004 | 37 | $11,984.72 | $ 443,434.64 | $14,458.40 | $0.00 |
| Immaculate Conception School | 30 | QACC | Q | 11105 | 72 | $9,700.00 | $ 698,400.00 | $45,000.00 | $0.00 |
| Ave Maria Catholic Academy | 27 | QADN | Q | 11414 | 36 | $9,700.00 | $ 349,200.00 | $11,800.00 | $0.00 |
| Al-Ber Inc. | 30 | QALQ | Q | 11103 | 34 | $10,240.00 | $ 348,160.00 | $8,495.00 | $22,700.00 |
| YMCA of Greater New York | 30 | QATO | Q | 11101 | 53 | $10,318.00 | $ 546,854.00 | $0.00 | $0.00 |
| Up The Ladder | 27 | QAVV | Q | 11416 | 28 | $10,425.00 | $ 291,900.00 | $2,390.00 | $0.00 |
| Christ Evangelical Lutheran Church | 30 | QAYK | Q | 11377 | 18 | $9,700.00 | $ 174,600.00 | $2,815.00 | $1,720.00 |
| St. Mel Catholic Academy | 25 | Q8CA | Q | 11354 | 36 | $9,375.00 | $ 337,500.00 | $14,500.00 | $0.00 |
| YMCA of Greater New York | 24 | Q8EK | Q | 11385 | 36 | $10,256.00 | $ 369,216.00 | $0.00 | $0.00 |
| Rainbow Child Development Center Inc. | 26 | QBLV | Q | 11362 | 36 | $10,225.00 | $ 368,100.00 | $30,000.00 | $54,000.00 |
| HAPPILY EVER AFTER DAYCARE | 24 | Q8ME | Q | 11385 | 36 | $10,100.00 | $ 363,600.00 | $0.00 | $0.00 |
| Ivy United USA Inc | 28 | QBMK | Q | 11375 | 34 | $9,700.00 | $ 329,800.00 | $10,000.00 | $23,016.00 |
| St. Patrick School | 31 | RABZ | R | 10306 | 40 | $10,210.00 | $ 408,400.00 | $29,898.00 | $36,600.00 |
| Sisters of St. John the Baptist, Inc. | 31 | RAEM | R | 10305 | 40 | $10,686.00 | $ 427,440.00 | $29,928.00 | $29,000.00 |
| The Child Study Center of New York | 31 | RAFJ | R | 10310 | 29 | $9,837.00 | $ 285,273.00 | $0.00 | $0.00 |
| Staten Island Skating Pavilion | 31 | RAIM | R | 10309 | 18 | $10,193.00 | $ 183,474.00 | $3,798.00 | $0.00 |
| NYSARC, Inc., NYC Chapter | 11 | XAAF | X | 10462 | 12 | $11,133.06 | $ 133,596.72 | $0.00 | $0.00 |
| Catholic School Region of Northeast-East Bronx | 8 | XABL | X | 10472 | 72 | $10,630.00 | $ 765,360.00 | $60,000.00 | $0.00 |
| Catholic School Region of Northeast-East Bronx | 11 | XABT | X | 10467 | 36 | $10,926.48 | $ 393,353.28 | $30,000.00 | $0.00 |
| Our Lady of the Assumption School | 8 | XACJ | X | 10461 | 54 | $10,000.00 | $ 540,000.00 | $41,787.00 | $100,000.00 |
| Catholic School Region of Northwest-South Bronx | 10 | XADH | X | 10467 | 36 | $10,932.71 | $ 393,577.56 | $30,000.00 | $0.00 |
| Catholic School Region of Northeast-East Bronx | 8 | XADL | X | 10465 | 54 | $10,585.18 | $ 571,599.72 | $45,000.00 | $0.00 |
| St. Helena Parochial Elementary School | 11 | XADQ | X | 10462 | 80 | $10,000.00 | $ 800,000.00 | $58,261.00 | $80,000.00 |
| Providence Rest Child Day Care Center, Inc. | 8 | XAJR | X | 10465 | 18 | $9,364.19 | $ 168,555.42 | $11,400.00 | $6,500.00 |
| Riverdale Temple Nursery School | 10 | XAPC | X | 10471 | 31 | $10,151.66 | $ 314,701.46 | $0.00 | $0.00 |
| Mind-Builders Creative Arts Center | 11 | XASO | X | 10467 | 18 | $10,546.20 | $ 189,831.60 | $10,007.00 | $0.00 |
| Cardinal McCloskey School and Home for Children | 10 | XASW | X | 10453 | 72 | $10,727.88 | $ 772,407.36 | $57,762.00 | $0.00 |
| Catholic School Region of Northeast-East Bronx | 11 | XASY | X | 10464 | 36 | $10,955.56 | $ 394,400.16 | $30,000.00 | $0.00 |
| Catholic School Region of Northeast-East Bronx | 11 | XAT8 | X | 10466 | 120 | $11,375.00 | $ 1,365,000.00 | $83,583.00 | $120,000.00 |
| Catholic School Region of Northeast-East Bronx | 11 | XAWP | X | 10469 | 72 | $10,313.79 | $ 742,592.88 | $60,000.00 | $0.00 |
| Catholic School Region of Northwest-South Bronx | 9 | XAWT | X | 10457 | 120 | $11,053.00 | $ 1,326,360.00 | $100,000.00 | $0.00 |
| Catholic School Region of Northwest-South Bronx | 7 | XAWU | X | 10451 | 120 | $10,142.00 | $ 1,217,040.00 | $100,000.00 | $0.00 |
| Oaktree House Learning Inc | 12 | XAYH | X | 10462 | 30 | $10,942.42 | $ 328,272.60 | $19,900.00 | $14,700.00 |

**Item:** 7

**Description:**

Withdrawn

**Item:** 8

**Description:**

Withdrawn

**Item:** 9

**Description:**

Withdrawn

**Item:** 10

**Description:**

Ongoing assistance to principals and assistant principals in the evaluation and discipline process of poorly performing tenured pedagogues and related support for school supervisors.

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH LABOR SUPPORT UNIT CONSULTANTS

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $260,000 / $520,000 | Tax Levy | Two Years | None | Negotiated Service | Yes | Requirements |

| Vendor Name & Address | See list below. |
|---|---|

| Contract Manager | Lead Contracting Officer | Division of Contracts and Purchasing Contact |
|---|---|---|
| Karen Sardoff<br>Administrative Education Analyst<br>Office of Labor Relations | David Brodsky<br>Director<br>Office of Labor Relations | Denesia Stroom-Blair<br>Procurement Analyst<br>Central Office Procurement |

## PURPOSE

Authorization is requested to contract with the vendors listed below to serve in the Labor Support Unit (LSU) and provide ongoing assistance to principals and assistant principals in the evaluation and discipline process for poorly performing tenured pedagogues. All of the contracts will be active for approximately two years, having commenced on or around September 1, 2014 and terminating on or around August 31, 2016.

## DISCUSSION

A Request for Proposals (RFP) was originally deemed the preferred procurement method because the service requires vendors to have a working knowledge of the discipline process for pedagogues and prior experience with supervising classroom instruction and improving underperforming pedagogues. This RFP was open-ended in that it allowed candidates the opportunity to submit proposals upon receiving the required supervisory certification. Award is recommended pursuant to the Department's rules for Negotiated Services because the RFP section of the Department's Policy and Procedures does not provide for open-ended RFPs.

The vendors recommended for award clearly articulate their current experiences as LSU consultants and demonstrated knowledge of the collective bargaining agreement. Each has also had extensive experience as a school supervisor.

Vendors 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 consultants' 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 have been determined to be fair and reasonable. The 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.

| VENDOR | COMPONENT | ESTIMATED ANNUAL AMOUNT |
|---|---|---|
| Principal Solutions dba Myron B. Rock | 1 | $30,000 |
| Wendy S. Weiss | 1 | $30,000 |
| Saul Brodsky | 1 | $40,000 |
| Joseph D. Cantara | 1 | $45,000 |
| Joseph F. Belesi | 1 | $45,000 |
| Marlene Gonzalez | 1 | $30,000 |
| Mark Bronstein | 1 | $40,000 |

A vendor background review, including the federal debarment list and VCIP, has revealed no significant adverse information for any of the vendors recommended here. The contract manager considers these vendors to have been in compliance with the requirements of previous contracts and to have performed satisfactorily. Therefore, the vendors are found to be responsible.

On April 16, 2015, the Committee on Contracts approved a request to contract with these vendors.

**Item:** 11

**Description:**

Training program in leadership skills for high school students in 10th and 11th grades.

# REQUEST FOR AUTHORIZATION TO AMEND A CONTRACT WITH CORO NEW YORK LEADERSHIP CENTER

| Estimated Annual Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| Original Contract: $216,440<br>Contract Increases: $ 99,560<br>Total: $316,000 | Tax Levy | One Year (7/01/14 – 6/30/15) | None | Amendment | Yes | Full Value |

| Vendor Name & Address | Coro New York Leadership Center<br>42 Broadway, Suite 1827<br>New York, NY 10004 |
|---|---|

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Ainsley Rudolfo<br>Executive Director of Programs & Partnerships<br>Office of Deputy Chancellor for Equity Access | Janel Matthews<br>Chief of Staff<br>Office of the Senior Deputy Chancellor | Denesia Stroom-Blair<br>Procurement Analyst<br>Central Office Procurement |

## PURPOSE

Authorization is requested to amend a contract with Coro New York Leadership Center (Coro), a not-for-profit organization, to provide training in leadership skills to tenth and eleventh grade students. This program will operate under the Mayor's Youth Leadership Council (MYLC) with funding provided by the Mayor's Office and Coro.

## DISCUSSION

Coro was awarded funding by the Mayor's Office to operate the MYLC in partnership with the DOE and the NYC Department of Citywide Administrative Services (DCAS). The original contract provided for one year of services for $216,440.

Coro, the Mayor's Office, and the DOE created and designed the MYLC, a pilot program to develop the leadership skills of a diverse group of tenth and eleventh grade students and to enhance their knowledge of how public policy is created in the City. The program allows students to work directly with the Mayor and other City officials to offer input into New York City policymaking with the purpose of developing students' interest in careers in government. Coro is uniquely positioned to provide these services because it has developed a curriculum tailored to the needs of these students and the DOE.

This amendment is retroactive because the Office of the Mayor identified additional funds to support this initiative after the start of the school year, which resulted in administrative delays.

DCP's search of VENDEX, the federal debarment list, and DOE internal sources found no significant adverse information. Coro has therefore been determined to be a responsible vendor.

On April 16, 2015, the Committee on Contracts approved a request to contract with Coro, based on the DOE's ongoing partnership with City Hall and Coro and the need to maintain the continuity of the MYLC program.

**Item:** 12

**Description:**

Training with adults working with teens in NYC schools and CBOs.

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH generationON, A DIVISION OF THE POINTS OF LIGHT FOUNDATION

| Estimated Annual / Total Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $70,000 | Tax Levy | One Year (7/1/14 – 6/30/15) | None | Negotiated Service | Yes | Full Value |

| | |
|---|---|
| Vendor Name & Address | Points of Lights Foundation<br>600 Means St. NW, Suite 210<br>Atlanta, GA 30318 |

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Jessica Kaplan<br>Deputy Executive Director<br>Office of Curriculum, Instruction and Professional Development | Anna Commitante<br>Senior Executive Director<br>Office of Curriculum, Instruction and Professional Development | Denesia Stroom-Blair<br>Procurement Analyst<br>Central Office Procurement |

## PURPOSE

Authorization is requested on behalf of the New York City Service Office of the Mayor to contract with generationON, a Division of the Points of Light Foundation (generationON), to provide youth leadership training to adults who work with teens.

## DISCUSSION

The Mayor's Service in Schools Initiative strives to increase the number of City school students engaged in community service and service-learning experiences to effect positive change in their communities and the world. At the heart of the initiative's work is building adults' capacity to engage youth in service and leadership development, which in turn is strongly tied to academic achievement.

generationOn works with New York City agencies and community-based organizations, including the Department of Parks and Recreation's GreenThumb and GrowNYC programs, the NYPD Borough Patrol Youth Leadership Councils, the Department of Youth and Community Development's (DYCD) Teen Action Program, Beacon and Cornerstone sites, the DEP's Youth Conservation Corps, and DOE principals and/or their designees. Together, they identify adult volunteers for participation in its goLEAD youth leadership initiative.

Adults who become certified goLEAD facilitators:

- Join a growing network of hundreds of dedicated adults with nearly two decades of successful youth development;
- Inspire youth to commit to community service;
- Equip youth with critical leadership and communication skills;
- Mobilize youth to plan a capstone service project to benefit the community;
- Develop young leaders prepared to continue making positive change in their local and global communities.

Youths who participate in the City programs and CBOs listed above are chosen to take part in a goLEAD youth leadership Institute, in which they:

- Attend a 30-hour goLEAD Institute hosted by a certified goLEAD facilitator, during which they complete leadership development activities, team-building exercises, and practice self- and group-reflection;
- Engage in creative community service work using the steps of service-learning and the goLEAD program; and
- Become service-learning ambassadors in their communities by playing leadership roles in engaging youth in service and service-learning.

This contract is retroactive because funds from New York City Service Office of the Mayor were approved in late December 2014, which resulted in administrative delays.

A review of the vendor's background in the DCP's files and VENDEX systems found no significant adverse information. The vendor 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 New York City Service Office of the Mayor discretionary allocation specifically names this vendor for the amount stated above based on the determination that the services provided by generationON meet the specific needs of the target population and align with the New York City Service Office of the Mayor's strategic goals.

**Item:** 13

**Description:**

Pre-bound books for use in school libraries.

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH MULTIPLE VENDORS TO PROVIDE PRE-BOUND LIBRARY BOOKS AND PROCESSING

| Estimated Annual / Total Contact Amount | Funding Source | Contract Term | Options | Estimated Option Amount | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|---|
| $5,039,732 / $25,198,660 | Reimbursable, Tax Levy | Five Years | Two 1-Year Extensions | $10,079,464 | Request For Bids (RFB) | No | Requirements |

| Vendor Names | See Table 2 below. |
|---|---|

| Contract Manager | Lead Contracting Officer | Division of Contracts and Purchasing Contact |
|---|---|---|
| James McBride<br>Chief Administrator<br>Technology & Instructional Material Procurement<br>Division of Contracts and Purchasing | Susan Dick - McKeon<br>Chief Administrator<br>School Based Procurement<br>Division of Contracts and Purchasing | Lisette Cruz<br>Procurement Analyst |

## PURPOSE

Authorization is requested to contract with the vendors listed below to provide library books and processing. The contracts were bid in five aggregate classes and awards have been recommended to multiple vendors in each of the classes as follows:

Table 1. Aggregate Classes

| CLASS | DESCRIPTION | NO. OF CONTRACTS TO BE AWARDED |
|---|---|---|
| A | Library Books and Processing | 4 |
| B | Pre-Bound Library Books and Processing | 3 |
| C | Subscription Book and Media Services & Processing | 3 |
| D | Library Media and Processing | 3 |
| E | Foreign Language Materials | 4 |

Prior Requests for Authorization covered awards to vendors for all classes except Class B - Pre-Bound Library Books and Processing, which is covered here. Pre-bound books are books that have been rebound with a library quality hardcover binding.

## DISCUSSION

A Best Value Request for Bids (RFB) was issued seeking bids from vendors who could supply the DOE with library books and processing within the five unique classes identified. The purpose of the RFB was to establish cost-effective contracts that provide the DOE's end users the option to acquire a wide selection of library books and processing. Processing includes but is not limited to automation kits (barcodes, spine labels, etc.), MARC (machine-readable cataloging) records, property labels, and theft detection tags.

The bid blanks required that bidders provide a percentage discount off the publisher's list price or the school library price (whichever is lower), the cost of processing for each individual book, and the shipping rate. The bid blanks included estimated annual expenditures to provide vendors with an anticipated volume of purchases.

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

Prospective awardees were required to demonstrate their ability to provide:

- At least two reading leveling systems (e.g., Lexile, accelerated reading levels, Fountas & Pinnell, independent reading level assessment, guided reading, etc.) and
- Cataloging (categorizing the book for future search and retrieval) that is performed by a professional librarian with a Master's degree in Library or Information Science or its equivalent.

Overall, bids were received from 14 vendors, including 10 bids in Class B, as provided in Table 2 below. The bid document stated that the DOE would award contracts to three or more vendors for each of the classes so as to ensure availability of a wide variety of items at all times. For this class, four vendors are necessary to fulfil the list of over 900 titles Librarians will be instructed to order library materials from the lowest-cost contracted vendor, where available. Similarly, information will be provided to schools regarding discount offerings by each vendor in order for schools to make informed purchasing decisions.

Awards are recommended as shown in the table below. The bids for Class B from Perma-Bound, Follett, Rainbow Books, and Baker & Taylor were determined to be non-responsive for failure to meet bid specifications regarding library book corners, which protect the cover boards of each book. As Class B library books are paperback books being re-bound as hard-cover books for use in libraries, it is necessary that the books be bound in accordance with the standards contained in the bid specification in order to extend their useful life. AEP's bid was found non-responsive due to the extremely poor binding quality of the sample it submitted. Also, the sample provided by AEP failed to meet the Department's standards. Lectorum was found non-responsive because its sample did not utilize a side-sewn binding, a method of sewing loose pages together so they don't fall out. In a letter to the DOE dated March 11, 2015 Cengage acknowledged that it does not provide pre-bound books and that it submitted a bid for Class B in error.

Table 2. Class B - Pre-Bound Library Books And Processing

| VENDOR NAME | CONTRACT AMOUNT | COMMENTS |
|---|---|---|
| Rainbow Books | $ 817,458 | Non-responsive - No library corners. |
| Cengage Learning | $ 911,347 | Bid submitted in error – Vendor does not offer pre-bound books. |
| **Children's Plus** | **$1,378,406** | **Awarded.** |
| Lectorum | $1,460,285 | Non-responsive - No side-sewn binding. |
| PermaBound | $1,534,936 | Non-responsive - No library corners. |
| Follett | $1,635,542 | Non-responsive - No library corners. |
| Baker and Taylor | $1,693,006 | Non-responsive - No library corners. |
| **Mackin** | **$1,806,163** | **Awarded.** |
| AEP | $1,849,933 | Non-responsive – Extremely poor binding, improper text block. |
| **Bound To Stay Bound** | **$1,855,163** | **Awarded.** |
| **CLASS B TOTAL** | **$4,281,079** | |

The discounts off publisher list price for Class B averaged 19 percent and account for 9.6 percent of total contract spend. Pre-bound library books under Class B is a new class; therefore, there are no

older contracts with which to compare the current rates. Of the vendors who submitted bids, only three submitted samples that met the bid specifications. While pricing for two of the three awarded vendors are on the higher end of the spectrum, the quality of their products were determined to be the highest among all vendors. Also, both Mackin and Bound to Stay Bound have offered the DOE most favored nation pricing. The DOE requested a voluntary price reduction from Bound to Stay Bound, which was denied on the basis that the vendor has already offered us the lowest price offered to any customer. The average discount that NYCDOE would receive from Bound to Stay Bound is $1.28 per book, which is an average of 7% per book off the BTSB catalog price. The highest discount that Bound to Stay Bound offers other customers is $0.70 per book, which is the equivalent of 4% per book off the BTSB catalog price. This average per book price and discount may improve over time for the NYCDOE because these prices are guaranteed for 5 years whereas every other Bound to Stay Bound customer is subject to a potential annual price increase. Each vendor is only able to provide approximately one third of the DOE's requested titles, so it is necessary to award three vendors. Based on these considerations, the vendors' pricing has been determined to be fair and reasonable.

Checks of the federal debarment list, VENDEX, and the DOE's own vendor records revealed no significant adverse information for any of the recommended vendors. Comprehensive background checks are being performed by DCP Vendor Research Unit, and if significant adverse information is found, a revised responsibility determination will be made.

**Item:** 14

**Description:**

Literacy professional development services.(RA #2)

# REQUEST FOR AUTHORIZATION (RA#2) FOR LITERACY PROFESSIONAL DEVELOPMENT (MTAC R0996)

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $230,000 / $1,150,000 | Tax Levy & Reimbursable Funds | Five Years | None | Multiple Task Award Contract (MTAC) | No | Requirements |

| Vendor's Name & Address | Component(s) | Estimated Annual / Total Amount |
|---|---|---|
| Kaplan K12 Learning Services, LLC<br>395 Hudson Street, 4th Floor<br>New York, NY 10014 | 2 | $30,000 / $150,000 |
| New York City Writing Project<br>(Research Foundation of CUNY for Institute for Literacy Studies/Lehman College)<br>250 Bedford Park Boulevard West, Room 116<br>Bronx, NY 10468 | 1 & 2 | $200,000 / $1,000,000 |

| Service Requestor / Contract Manager | Division of Contracts and Purchasing Contact |
|---|---|
| Jessica Kaplan<br>Deputy Executive Director<br>Office of Curriculum, Instruction & Professional Development<br>Division of Teaching and Learning | Lenon Ruiz<br>Procurement Analyst<br>Instructional Service Procurement |

## PURPOSE

Authorization is requested on behalf of the Division of Teaching and Learning to contract with Kaplan and the New York City Writing Project (Research Foundation of CUNY for Institute for Literacy Studies/Lehman College) (NYCWP) to provide systemwide literacy professional development services. These services will be provided at the discretion of participating schools, central offices operating on behalf of schools, or consortiums of schools.

## DISCUSSION

To help ensure that its students achieve the higher standards in literacy that adoption of Common Core Learning Standards (CCLS) requires, the DOE must acquire professional development services for its teachers, leaders, coaches, administrators, and support staff. These services will increase literacy content and pedagogical knowledge, support the implementation of CCLS, and align resources to improve student achievement. These services will also support schools and learning communities as they plan and conduct effective instruction and professional development in literacy.

Contracted vendors will provide high-quality, needs-based, and CCLS-aligned professional development and support instruction for teachers and other staff covering kindergarten through 12th grade. Services will focus on literacy content, pedagogy, citywide core curriculum programs, research, and best practices and will include institutes, workshops, seminars, coursework, conferences, walk-throughs, and intervisitations.

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

There are currently 17 vendors contracted pursuant to a previous solicitation to provide literacy professional development services; 13 of these contracts will expire on June 30, 2015. Under these contracts, vendors provided services to 980 schools and 72 central and/or field offices, including Children First Networks, school clusters, and the Bureau of Non-Public Schools.

In response to the most recent solicitation, vendors proposed for one or both of these focus areas: 1) Literacy Professional Development and 2) Literacy Consultants/Coaches.

Proposals were evaluated by a minimum of three evaluators. The evaluation committees included a principal, a teacher, senior instructional coaches, and program directors. Proposals were scored based on program plan (25 points), organizational capacity (25 points), pricing (25 points), and demonstrated effectiveness (25 points). Successful vendors were required to achieve a minimum score of 80 points.

Seven vendors were recommended for contract awards under the previous RA and two are recommended here.

The recommended vendors' services introduce shifts in pedagogy and provide direction on efficient and effective ways to use student data to inform instructional practices and improve student achievement. Professional development offerings will provide specific support to schools and teachers for implementing around all or some components of reading and other components of literacy instruction in ELA and content area classrooms, including foundational literacy skills. Program delivery methods include customized workshops, support, and coaching.

The table below shows the proposed and negotiated average hourly rates for each vendor recommended here for award. The negotiated rates range from $144 for Kaplan, which offers research-based coaching that incorporate best practices, implementation design, and data, with a focus on analyzing text, applying text-based evidence, and building vocabulary, to $175 for NYCWP's "teachers teaching teachers" model, which reinforces on-site consulting, graduate seminars, workshops, strategic planning, and/or direct support. NYCWP also offers an annual variable in-kind contribution based on tuition fees for graduate-level credits. Negotiations resulted in an average cost savings of approximately 25 percent in program hourly rates for Kaplan. The prices offered by both vendors have been determined to be fair and reasonable based on a comparison with hourly rates for like services by vendors contracted under this solicitation.

**HOURLY RATES FOR RECOMMENDED VENDORS**

| Awarded Vendor | Original Average Hourly Rate | Negotiated Average Hourly Rate |
|---|---|---|
| Kaplan K12 Learning Services, LLC | $192 | $144 |
| New York City Writing Project | $176 | $175 |

The estimated annual contract amount for NYCWP was derived from a previous contract for these types of services. Kaplan is a new vendor for these services with an estimated minimum amount for a requirements contract of $30,000.

Comprehensive background checks conducted on NYCWP revealed no significant adverse information. The following are noteworthy findings for Kaplan K12 Learning Services, LLC:

- In 2010 Kaplan Inc. 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 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. Kaplan has paid its contribution into the escrow account; however, the money has as yet not been distributed due to disputes among the plaintiffs.
- In 2011, Kaplan finalized an agreement to terminate 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 an 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 had 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. The 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. This matter has now been dismissed.

The DOE does not believe that the above matters should preclude a determination of an award. Therefore, both vendors have been determined to be responsible to provide approved services.

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:** 15

**Description:**

Math professional development services for teachers, leaders, coaches, administrators and support staff.

# REQUEST FOR AUTHORIZATION (RA#2) FOR MATH-RELATED SERVICES AND PROFESSIONAL DEVELOPMENT (MTAC R1026)

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $220,000 / $1,100,000 | Tax Levy & Reimbursable Funds | Five Years | None | Multiple Task Award Contract (MTAC) | No | Requirements |

| Vendor Names & Addresses | See Table B below. |
|---|---|

| Service Requestor / Contract Manager | Division of Contracts and Purchasing Contact |
|---|---|
| Jessica Kaplan<br>Deputy Executive Director<br>Office of Curriculum, Instruction & Professional Development<br>Division of Teaching and Learning | Lenon Ruiz<br>Procurement Analyst<br>Instructional Service Procurement |

## PURPOSE

Authorization is requested on behalf of the Division of Teaching and Learning to contract with the four vendors listed below to provide systemwide mathematics-related professional development services. These services will be provided at the discretion of participating schools, central offices operating on behalf of schools, or consortiums of schools.

## DISCUSSION

To help ensure that its students achieve the higher standards in mathematics that adoption of Common Core Learning Standards (CCLS) requires, the DOE must acquire professional development services for its teachers, leaders, coaches, administrators, and support staff. These services will increase math content and pedagogical knowledge, support the implementation of CCLS, and align resources to improve student achievement. These services will also support schools and learning communities as they plan and conduct effective instruction and professional development in math.

Vendors will provide high-quality, needs-based, and CCLS-aligned professional development and support instruction for teachers and other staff covering prekindergarten through 12th grade. Services will focus on math content, pedagogy, citywide core curriculum programs, cognitive development, research, and best practices, and will include institutes, workshops, seminars, course work, conferences, walk-throughs, and inter-visitations.

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

There are currently eight vendors contracted pursuant to a previous solicitation to provide math-related professional development services; two of these contracts will expire on June 30, 2015. Under these contracts, vendors here provided services to 369 schools and 14 central and/or field offices, including Children First Networks, School Clusters, and the Bureau of Non-Public Schools.

In response to the most recent solicitation, vendors proposed for one or more of the following focus areas: 1) Mathematics Professional Development and 2) Mathematics Consultants/Coaches.

Proposals were evaluated by a minimum of three evaluators. The evaluation committees included a principal, teacher, senior instructional coaches, achievement coaches and program directors. Proposals were scored based on program plan (25 points), organizational capacity (25 points), pricing (25 points), and demonstrated effectiveness (25 points). Successful vendors were required to achieve a minimum score of 80 points.

Four vendors were recommended for contract awards under the previous RA and four are recommended here.

The recommended vendors' services introduce shifts in pedagogy and provide direction on ways to use student data to inform instructional practices that will improve student achievement and prepare them for college and careers in math. Professional development offerings will provide specific support to schools and teachers for implementing CCLS. Program delivery methods include customized workshops, support, and coaching.

Table A shows the proposed and negotiated average hourly rates for each vendor recommended here for award. The negotiated rates range from $144 for Kaplan, which offers research-based coaching that incorporates best practices, implementation design, and data, with a focus on conceptual understanding, procedural fluency, problem solving, and communication, to $209 for Educational Testing Service, which provides customized services focusing on job-embedded models and inquiry-based methodology aimed at increasing teacher knowledge and understanding of math and pedagogical content aligned to CCLS. Negotiations resulted in an average cost savings to the DOE of approximately 23 percent in program hourly rates. All four vendors' pricing was determined to be fair and reasonable based on a comparison with hourly rates for like services by vendors contracted under similar solicitations.

**TABLE A. HOURLY RATES FOR RECOMMENDED VENDORS**

| Awarded Vendor | Original Average Hourly Rate | Negotiated Average Hourly Rate |
|---|---|---|
| Mark Farag | $150 | $150 |
| Fordham University | $449 | $171 |
| Kaplan K12 Learning Services, LLC | $192 | $144 |
| Educational Testing Service | $219 | $209 |

The estimated annual contract amount for Fordham University and Kaplan was derived from previous contracts for these types of services. Mark Farag and Educational Testing Service are new vendors with an estimated minimum amount for a requirements contract of $30,000.

Background checks for all four vendors included VENDEX, the Uniform Commercial Code, the Federal Tax Lien, and the Federal Excluded Parties List System. A comprehensive background check was conducted on Fordham University, Kaplan, and Educational Testing Service. The following are noteworthy findings:

Fordham

Information gleaned from the vendor's disclosures in VENDEX and the VENDEX Caution database reveals that various NYC agencies have issued summonses for violations of the fire code, vehicle and traffic law, building code and street sanitation regulations, among others, resulting in judgments or liens being filed. Documentation received shows that except for one, all matters have been resolved. VENDEX also reports that Fordham has been the subject of "multiple investigations by various government entities (during the time period) 2009-2013, including New York State Division of Human Rights, EEOC, ECB, Office of Civil Rights, and the NLRB regarding sex, race, religion and disability discriminations." Of the 18 matters listed, all with the exception of two have been resolved. In light of the vendor's size, which encompasses multiple sites throughout New York City and represents ten colleges, more than 15,000 students, and 1,000 faculty members, the DOE does not believe these matters to be out of the ordinary.

Kaplan

- In 2010 Kaplan Inc. 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 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. Kaplan has paid its contribution into the escrow account; however, the money has as yet not been distributed due to disputes among the plaintiffs.
- In 2011, Kaplan finalized an agreement to terminate 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 an 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 had 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. The 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. This matter has now been dismissed.

Educational Testing Service (ETS)

An investigation conducted by the Special Commissioner of Investigation (SCI) in 2014 substantiated that ETS, working as a subcontractor, routinely made payments to DOE employees for administering the SAT during the regular school day. As a result, they were paid by ETS and the DOE for performing the same assignment. ETS is consulting with the DOE's Office of Legal Services to develop an understanding of conflict of interest rules and is developing a plan to ensure compliance. As the conflicts matters are personal to the City employees involved and do not apply to the vendor, SCI made no recommendation regarding ETS. ETS is working to develop a plan to prevent this from recurring, and the services provided under this contract will not involve any payments, stipends, or scholarships for any DOE employees.

The DOE does not believe that the above matters should preclude a determination of an award. All four vendors are determined to be responsible to provide approved services.

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.

**TABLE B. ESTIMATED CONTRACT AMOUNTS FOR RECOMMENDED VENDORS**

| Vendor Name & Address | Component(s) | Estimated Annual / Total Amount |
|---|---|---|
| Mark Farag<br>225C Signs Road<br>Staten Island, NY 10314 | 1 | $30,000 / $150,000 |
| Fordham University<br>441 E. Fordham Rd<br>Bronx, NY 10458 | 1 & 2 | $90,000 / $450,000 |
| Kaplan K12 Learning Services, LLC<br>395 Hudson Street, 4th Floor<br>New York, NY 10014 | 2 | $70,000 / $350,000 |
| Educational Testing Service<br>660 Rosedale Road<br>Princeton, NJ 08541 | 1 & 2 | $30,000 / $150,000 |

**Item:** 16

**Description:**

Student support services including academic skills enhancement and individual counseling (RA#14)

# REQUEST FOR AUTHORIZATION (RA #14) FOR STUDENT SUPPORT SERVICES (MTAC R0898)

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $100,000 / $500,000 | Various – Tax Levy & Reimbursable | Five Years | None | Multiple Task Award Contract (MTAC) | No | Requirements |

| Vendor's Name & Address | Component(s) | Estimated Annual / Total Amount |
|---|---|---|
| Practice Makes Perfect<br>242 West 30th Street, Room 806<br>New York, NY 10001 | 17 | $70,000 / $350,000 |
| CounterForce / Society for Hebrew Day Schools<br>813 Quentin Road<br>Brooklyn, NY 11223 | 2 | $30,000 / $150,000 |

| Service Requestor | Division of Contracts and Purchasing Contact |
|---|---|
| Robert Weiner<br>Chief Operating Officer<br>Office of Safety & Youth Development | Joy Gentolia<br>Director<br>Instructional Services Procurement |

## PURPOSE

Authorization is requested on behalf of the Office of Safety and Youth Development (OSYD) to contract with the above-named vendors to provide direct student support services and to increase opportunities for educational enrichment. These programs will be provided at the discretion of each participating school or central office operating on behalf of a school or consortium of schools.

## DISCUSSION

Student support services sought through this MTAC fall within 19 components as follows:

1) leadership development and civic engagement
2) individual counseling
3) group counseling
4) mentoring
5) recreation/sports
6) college/post-secondary planning
7) career awareness and the world of work
8) conflict resolution/peer mediation
9) violence prevention/student safety
10) bullying prevention
11) substance abuse and problem gambling prevention and intervention
12) Internet safety
13) school attendance improvement
14) family support services
15) tutoring/homework assistance

16) study/test-taking skills
17) academic skills enhancement
18) thematic projects
19) family literacy

These services may take place inside or outside of school during the school day, after school, or on non-school days.

Proposals were distributed to an evaluation committee that included instructional specialists, operations analysts, grant managers, and directors from OSYD. To ensure scoring consistency, a training session was conducted for all committee members in which they received an overview of the process and a scoring rubric. Proposals were scored based on the following criteria: program plan (35 points), organizational capacity (20 points), pricing (25 points), and demonstrated effectiveness (20 points). Successful vendors were required to achieve a minimum score of 80 points.

One hundred two (102) vendors were recommended for contract awards under previous RAs and two are recommended here.

A vendor can offer single workshops for a component or offer an à la carte menu of services covering the 19 components listed above.

The negotiated average hourly rates range from $78 for individual counseling programs by CounterForce, which incorporate assessment, crisis management, and problem-solving strategies to help students overcome personal issues affecting their academic achievement, behavior, and attendance, to $278 for Practice Makes Perfect's on-site five-week summer program for struggling inner-city students in grades K-12, which is designed to narrow the achievement gap from one school year to the next and reverse summer loss of academic knowledge and skills through intensive, individualized standards-based instruction across the curriculum. Students hone communication and leadership skills while participating in community service projects, and receive one-on-one support from high-achieving peer and near-peer mentors in their neighborhoods.

| Awarded Vendor | Proposed Average Hourly Rate | Negotiated Average Hourly Rate |
|---|---|---|
| Practice Makes Perfect | $289 | $278 |
| CounterForce | $78 | $78 |

Negotiations resulted in an average cost savings of approximately four percent in program hourly rates for Practice Makes Perfect. DCP determined the vendors' pricing to be fair and reasonable based on a comparison with hourly rates for like services by vendors contracted under this solicitation.

The estimated annual contract amount for Practice Makes Perfect was derived from previous expenditures for similar services. CounterForce is a new vendor with an estimated minimum amount for a requirements contract of $30,000.

Background checks, including VENDEX, the Vendor CIP Report, the Uniform Commercial Code, the Federal Tax Lien, and the System for Award Management, found no significant adverse information. Therefore, both vendors have been determined to be responsible to provide approved services.

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:** 17

**Description:**

Professional development and direct student services in social studies (RA #1)

# REQUEST FOR AUTHORIZATION (RA #1) FOR SOCIAL STUDIES PROFESSIONAL DEVELOPMENT AND DIRECT STUDENT SERVICES (MTAC R0997)

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $68,000 / $340,000 | Various | Five Years | None | Multiple Task Award Contract (MTAC) | No | Requirements |

| Vendor's Name & Address | Component(s) | Estimated Annual / Total Amount |
|---|---|---|
| Teaching Matters, Inc.<br>475 Riverside Drive, Suite 1270<br>New York, NY 10115 | 1,2 | $38,000 / $190,000 |
| Joseph Montecalvo Consulting<br>6317 Locomotive Lane<br>Cicero, NY 13039 | 1 | $30,000 / $150,000 |

| Service Requestor/Contract Manager | Division of Contracts and Purchasing Contact |
|---|---|
| Jessica Kaplan<br>Deputy Executive Director<br>Office of Curriculum, Instruction and Professional Development<br>Division of Teaching and Learning | Joy Gentolia<br>Director<br>Instructional Service Procurement |

## PURPOSE

Authorization is requested on behalf of the Division of Teaching and Learning to contract with the vendors listed above for social studies professional development and direct student services. These services will be provided at the discretion of participating schools, central offices operating on behalf of schools, or consortiums of schools.

## DISCUSSION

The Chancellor wants to ensure that all New York City schools work collaboratively with parents, educators, school communities, and external stakeholders to improve student achievement and that every child graduates from high school prepared for college or a career. Toward that end, efforts in social studies are focused on raising the level of content understanding (U.S. history, world history, geography, economics, civics/citizenship, and government), integrating national social studies standards, Common Core Learning Standards, and the New York State Social Studies Framework K-12, while ensuring student engagement, inquiry, and subject area literacy.

Vendors will provide professional development and direct student services in social studies to support the implementation of the DOE's initiatives, engaging teachers and students in work that incorporates social studies best practices, inquiry-based instruction, disciplinary literacy, and informed action around the topics of citizenship, leadership, and democracy.

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

There are currently 14 vendors contracted pursuant to a previous solicitation to provide social studies professional development and direct student services; 10 of these contracts will expire on June 30, 2015. Under these contracts, vendors provided services to 293 schools and 10 central and/or field offices, including Children First Networks, the Office of Curriculum and Instruction, and the Bureau of Non-Public Schools.

In response to the most recent solicitation, vendors proposed for one or both of these focus areas: 1) Social Studies Professional Development and 2) Social Studies Direct Student Services.

Of the first batch of seven proposals received, one vendor did not meet the minimum qualifications and one vendor rescinded its proposal. The remaining five were evaluated by a minimum of three members drawn from a pool of five evaluators consisting of former instructors and operations personnel from the Office of Curriculum, Instruction and Professional Development. 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. Proposals were scored based on program plan (25 points), organizational capacity (25 points), pricing (25 points), and demonstrated effectiveness (25 points). Successful vendors were required to achieve a minimum score of 80 points. The committee recommended all five vendors for award, of which two are named here and three are still undergoing price analysis and background checks.

The table below shows the proposed and negotiated average hourly rates for each vendor recommended here for award. The negotiated average hourly rates range from $98 for Joseph Montecalvo Consulting's workshops on integrating assessment and digital technology into standards-based social studies lessons, to $189 for Teaching Matters' middle grades civics PD program, which uses technology, media, and role-playing exercises to increase students' understanding of U.S. government and its impact on their daily lives.

| HOURLY RATES FOR RECOMMENDED VENDORS | | |
|---|---|---|
| Awarded Vendor | Proposed Average Hourly Rate | Negotiated Average Hourly Rate |
| Teaching Matters, Inc. | $195 | $189 |
| Joseph Montecalvo Consulting | $98 | $98 |

Negotiations resulted in an average cost savings to the DOE of approximately three percent in Teaching Matters, Inc.'s program hourly rates. DCP determined both vendors' pricing to be fair and reasonable based on a comparison with hourly rates for like services by vendors contracted under the previous social studies solicitation.

The estimated annual contract amount for Teaching Matters was derived from a previous contract for these types of services. Joseph Montecalvo Consulting is a new vendor with an estimated minimum amount for a requirements contract of $30,000.

Background checks, including VENDEX, the Vendor CIP Report, the Uniform Commercial Code, the Federal Tax Lien, and the System for Award Management, found no significant adverse information. Therefore, both vendors have been determined to be responsible to provide approved services.

The MTAC process is the preferred procurement method as this process allows the DOE to award contracts for similar service 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 a 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:** 18

**Description:**

Services to promote safe and supportive school communities in the areas of social emotional learning, behavior management and respect for diversity. (RA #4)

# REQUEST FOR AUTHORIZATION FOR SERVICES TO PROMOTE SAFE AND SUPPORTIVE SCHOOL COMMUNITIES (MTAC #R0920) (RA #4)

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $60,000 / $300,000 | Various | Five Years | None | Multiple Task Award Contract (MTAC) | No | Requirements |

| Vendor's Name & Address | Component | Estimated Annual / Total Amount |
|---|---|---|
| Partners Healthcare System<br>Massachusetts General Physicians Org.<br>dba Think:Kids at Massachusetts General Hospital<br>151 Merrimac Street<br>Boston, MA 02114 | 2 - Behavior Management | $30,000 / $150,000 |
| Zaner-Bloser<br>1201 Dublin Road<br>Columbus, OH 43215 | 1 - Social Emotional Learning | $30,000 / $150,000 |

| Service Requestor / Contract Manager | Division of Contracts & Purchasing Contact |
|---|---|
| Robert Weiner, Chief Operating Officer<br>Office of Safety and Youth Development | Aldrina Hazell, Procurement Analyst<br>Instructional Service Procurement |

## PURPOSE

Authorization is requested on behalf of the Office of Safety and Youth Development (OSYD) to contract with the vendors named above to provide services that promote safe, inclusive, and supportive school communities. These services will be provided at the discretion of each participating school or central office operating on behalf of a school or consortium of schools.

## DISCUSSION

Research has demonstrated a clear correlation between students' academic achievement and their social and emotional development. Accordingly, the services sought through this MTAC include professional development, family workshops, and curriculum-based lessons for students in behavior management, respect for diversity, social emotional learning, team building, and school culture. Services are organized into seven components: 1) Social Emotional Learning, 2) Behavior Management, 3) Promoting Respect for Diversity, 4) Facilitation Skills and/or Team Building, 5) Integrated Services Program, 6) Restorative Approaches/Use of Positive, Progressive Discipline, and 7) School Culture / Approach to Establishing and Sustaining a Positive School Culture.

All organizations that provide direct student services must have capacity to provide related research-based professional development to staff. Services may include full-day, half-day, or multiple-day workshops; individual or group coaching sessions; individual and/or ongoing curriculum-based lessons for students; individual or group counseling sessions on specific topics; short or long-term student projects; and group facilitation services.

Proposals were distributed to an evaluation committee that included administrators, program managers and instructional specialists from OSYD. To ensure scoring consistency, a training session was conducted for all committee members at which they received an overview of the process and a scoring rubric. Proposals were scored based on the following criteria: program plan (35 points), organizational capacity (20 points), demonstrated effectiveness (20 points) and pricing (25 points). Successful vendors were required to achieve a minimum score of 80 points.

Twenty-four proposals received prior contract approval and two are recommended in this RA.

The goal of Think:Kids is to empower students to build skills necessary to stay in school, improve academic performance, and set education and career achievement goals. Think:Kids focuses on teaching the most challenging students the thinking skills needed to succeed while developing the relationship between school staff and students to create positive change. Think:Kids uses weekly phone or video conference consultations with participants to help reinforce those goals.

Zaner-Bloser's approach is to provide one-on-one mentoring, staff development, ongoing support, and feedback to improve teacher practices. They use six instructional strategies (themes) that begin with teachers supporting students to better understand themselves and end with students better understanding their role in society. The themes are: Tell a Personal Story; Stand in Your Shoes; Role-Play; Personal Freedom Plan; Role-Play Group Conflict; and Present Democracy Plan.

The table below shows the proposed and negotiated average hourly rates for each vendor. The negotiated hourly rates range from $200 (Zaner-Bloser) for social emotional learning workshops to $335 (Think:Kids) for behavior management workshops. Negotiated rates resulted in an average cost savings of approximately 35 percent to the DOE.

| Awarded Vendor | Proposed Average Hourly Rate | Negotiated Average Hourly Rate |
|---|---|---|
| Partners Healthcare System dba Think:Kids | $449 | $335 |
| Zaner-Bloser | $357 | $200 |

Variations in the hourly rates resulted from differing participant capacity, levels of instructors, and number of components or programs offered. Pricing has been determined to be fair and reasonable based on comparison with the hourly rates for similar services provided by vendors contracted under this solicitation.

Zaner-Bloser and Think:Kids are new vendors; thus the estimated annual contract amounts are based on the minimum amount of $30,000 for a requirements contract for Professional Development Services.

Background investigations, including VENDEX, VCIP, System for Award Management (SAM) and the Uniform Commercial Code (UCC) revealed no significant adverse information; the vendors have 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 a 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:** 19

**Description:**

Textbooks and ancillary materials for use in classrooms.

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH CONTINENTAL PRESS, INC. TO PROVIDE TEXTBOOKS AND ANCILLARY MATERIALS

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $2,177,485 / $15,242,397 | Reimbursable, Tax Levy | Seven Years | None | Listing Application | No | Requirements |

| | |
|---|---|
| Vendor Name & Address | Continental Press, Inc.<br>520 East Bainbridge Street<br>Elizabethtown, PA 17022 |

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| James McBride<br>Chief Administrator<br>Technology & Instructional Procurement<br>Division of Contracts and Purchasing | Susan Dick-McKeon<br>Chief Administrator<br>School Based Procurement<br>Division of Contracts and Purchasing | Lisette Cruz<br>Procurement Analyst<br>Instructional Materials Unit |

## PURPOSE

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

## DISCUSSION

Continental Press, Inc. (Continental) is the sole provider of these materials. This vendor provides textbooks and workbooks for grades K-12, including general reference topics that cover mathematics, reading, science, social studies, and early learning.

Because these materials cannot be purchased in the open market, a competitive sealed bid process is impractical. The DOE was able to negotiate variable discount rates of 3-5% off the list price; moreover the proposed contract requires 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.

A comprehensive background check revealed no significant adverse information. Moreover, Continental's performance under a previous contract has been satisfactory. This vendor has therefore been determined to be responsible.

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

**Item:** 20

**Description:**

Textbooks and ancillary materials for use in classrooms.

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH TEACHERS' CURRICULUM INSTITUTE 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 |
|---|---|---|---|---|---|---|
| $188,377 / $1,318,640 | Reimbursable, Tax Levy | Seven Years (5/01/15 - 4/30/22) | None | Listing Application | No | Requirements |

| | |
|---|---|
| Vendor Name & Address | Teachers' Curriculum Institute<br>P.O. Box 1327<br>Rancho Cordova, CA 95741 |

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| James McBride<br>Chief Administrator<br>Technology & Instructional Material Procurement<br>Division of Contracts and Purchasing | Susan Dick-McKeon<br>Chief Administrator<br>School Based Procurement<br>Division of Contracts and Purchasing | Demetrise Daniels-Foster<br>Procurement Analyst |

## PURPOSE

Authorization is requested to contract with Teachers' Curriculum Institute (TCI). TCI provides published and copyrighted textbooks and ancillary materials to public and participating non-public schools.

## DISCUSSION

Teachers' Curriculum Institute is the sole provider of the materials they publish. These materials include texts that help students master key social studies and science concepts and build content literacy skills in all grade levels. In addition, TCI provides online lesson plans, student handouts, assessment tools, and enrichment resources for teachers to use in social studies and science classrooms.

Because these materials cannot be purchased in the open market, a competitive sealed bid process is impractical. The proposed contracts require that the prices that 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 review of VENDEX, VCIP, federal debarment, and the New York State UCC lien search revealed no significant adverse information regarding this vendor. In addition, their performance under previous contracts has been satisfactory; therefore, this vendor has been determined to be responsible.

**Item:** 21

**Description:**

Pearson Education's education software product line.

# REQUEST FOR AUTHORIZATION
# TO PURCHASE PEARSON EDUCATION SOFTWARE

| Annual / Total Estimated Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $1,222,043 / $8,554,301 | Tax Levy / Reimbursable | Seven Years | None | Listing Application | No | Requirements |

| | |
|---|---|
| **Vendor Name & Address** | Pearson Education, Inc.<br>One Lake Street<br>Upper Saddle River, NJ 07458 |

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| James McBride<br>Chief Administrator<br>Central Procurements<br>Division of Contracts and Purchasing | Rachel Feinberg<br>Chief Operating Officer<br>Division of Teaching and Learning | Kay Robbins<br>Procurement Analyst |

## PURPOSE

Authorization is requested to contract with Pearson Education, Inc. for the entire Pearson Education software product line on a requirements basis.

## DISCUSSION

The Pearson Education software product line includes the following items:

- *iLit* is a core intervention program designed to accelerate struggling readers' performance in grades 4-10. Students use this program in place of a grade-level literature or English language arts program.
- *SuccessMaker* differentiates and personalizes K-8 math and reading instruction, focusing on students' individual learning needs.
- *GradPoint* personalizes instruction for each student in grades 6-12 by offering multiple learning paths.

Should Pearson release new products, they will be added to the contract.

Pearson Education is the sole provider of this software, so a Request for Bids was not practical.

Pearson Education is offering the DOE a discount of 10-25 percent off the list price and has guaranteed that no customer will receive better pricing; the prices have therefore been determined to be fair and reasonable.

The estimated contract amount is based on prior usage.

Background checks performed on Pearson Education included a review of VENDEX, VRPA, CTS, New York State Department of Labor, and the Federal Debarment List. The following noteworthy information was found on Pearson in VENDEX:

- The EEOC has conducted 23 investigations of Pearson Education since 2007 and 10 have been dismissed, eight settled without admission of guilt, and five settled with the terms of the settlement deemed confidential.
- Since 2010, Pearson has received four OSHA violations. All matters have been closed and addressed as necessary with the largest penalty being $6,800.
- In December 2011 and February 2012, Pearson Charitable Foundation and Pearson Education received subpoenas from the Charities Bureau of the New York Attorney General's office requesting documents and information related to the foundation and various Pearson businesses. including NCS Pearson. This matter was resolved by an agreement between the Attorney General and Pearson Charitable Foundation on December 12, 2013, in which the Pearson Charitable Foundation agreed to pay $7.7 million, add three independent directors to its board, not feature Pearson products at events funded by the Foundation, and pay $200,000 for the costs of the investigation.

The following noteworthy information was found on Pearson's affiliate NCS Pearson in VENDEX:

- The EEOC has conducted 36 investigations of NCS Pearson since 2007 and, except for nine that remain pending, all have been dismissed without the imposition of any penalties, fines, or damages, and no further action has been taken.
- Several Federal agencies investigated claims that NCS Pearson overcharged the Transportation Security Administration (TSA) for recruitment and hiring services. The matter was settled in 2008 with no finding of wrongdoing when NCS Pearson agreed to pay $5.6 million. In July 2012, the TSA sought an additional $232,328 in 2010 to resolve unallowable cost provisions in the settlement agreement.
- In December 2011 and February 2012, Pearson Charitable Foundation and Pearson Education received subpoenas from the Charities Bureau of the New York Attorney General's office requesting documents and information related to the foundation and various Pearson businesses, including NCS Pearson. This matter was resolved by an agreement between the Attorney General and Pearson Charitable Foundation on December 12, 2013, in which the Pearson Charitable Foundation agreed to pay $7.7 million, add three independent directors to its board, not feature Pearson products at events funded by the Foundation, and pay $200,000 for the costs of the investigation.

~~The DOE has found Pearson's performance to be satisfactory on prior work and, in light of Pearson's~~ efforts to address these issues as they arise, does not believe any of these matters preclude a determination that the vendor is 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

| Funding Sources | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|
| New York State Education Department (NYSED), Tax Levy | Three Years | Options to Extend for Two 1-Year Periods or One 2-Year Period | Negotiated Services (NS) | Yes | Requirement |

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Xanthe Jory<br>Executive Director, Expansion Planning<br>Division of Early Childhood Education | Sophia Pappas<br>Chief Executive Officer<br>Division of Early Childhood Education | Angela Edwards<br>Chief Administrator<br>Central Office Procurement |

## PURPOSE

In May, June, July, August, September, October, November, December of 2014 and January of 2015, 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, technical change lists were presented to the Panel in August, September, October, November, December of 2014, January, February and April of 2015.

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

| OLS# | PEP Date | Vendor Name | *Type of Change* | Original | Revision |
|---|---|---|---|---|---|
| 26076 | JANUARY | Young Men's and Women's Health Association of the Bronx | *Name* | Riverdale YM-YWHA | *Young Men's and Women's Health Association of the Bronx* |
| 25784 | May-August-January | Friends of Crown Heights Educational Center , Inc. | *Name* | Friends of Crown Heights Day Care Center | *Friends of Crown Heights Educational Center , Inc.* |
| 25686 | JULY | Phipps Neighborhoods Inc. | *Name* | Phipps Development Corp. | *Phipps Neighborhoods Inc.* |

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

| Funding Sources | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|
| New York State Education Department (NYSED), Tax Levy | Three Years | Options to Extend for Two 1-Year Periods or One 2-Year Period | Request for Proposal (RFP) | Yes | Requirement |

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Xanthe Jory<br>Executive Director, Expansion Planning<br>Division of Early Childhood Education | Sophia Pappas<br>Chief Executive Officer<br>Division of Early Childhood Education | Angela Edwards<br>Chief Administrator<br>Central Office Procurement |

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| OLS# | PEP Date | Vendor Name | *Type of Change* | Original | Revision |
|---|---|---|---|---|---|
| 26110 | FEBRUARY | A Child's Place Too, Inc. | *Name* | A Child's Place | *A Child's Place Too, Inc.* |