

**MINUTES OF ACTION**

**DRAFT**

**PUBLIC MEETING OF THE PANEL FOR EDUCATIONAL POLICY**

**Taft Educational Campus  
240 East 172 Street  
Bronx, NY 10457  
Wednesday, December 11, 2013**

**ROLL CALL:**

**Present:**

Hon. Fred Baptiste  
Hon. Judy Bergtraum  
Hon. Dmytro Fedkowskyj  
Hon. Tino Hernandez  
Hon. Joseph Lewis, Jr.  
Hon. Jeanette Moy  
Hon. Diane Peruggia  
Hon. Robert Powell  
Hon. Allison Rogovin  
Hon. Patrick Sullivan  
Hon. Milton Williams, Jr.  
Dennis M. Walcott, *Chancellor*

**Absent and Excused:**

Hon. David Brown  
Hon. Ian Shapiro  
Courtenaye Jackson-Chase, *Secretary*

---

**Action was taken as indicated below:**

Panel Chair Tino Hernandez asked Deputy Chancellor Kathleen Grimm to serve as acting Panel Secretary for the evening due to Secretary Courtenaye Jackson-Chase's absence. Acting Panel Secretary Kathleen Grimm called the roll. All present except for Panel Members David Brown and Ian Shapiro. Panel Member Joseph Lewis arrived during the contracts portion of the meeting.

Approval of November 26, 2013 Panel Meeting Minutes of Action—Motion to adopt the minutes of action from the November 26, 2013 Panel meeting was made by Panel Member Allison Rogovin. Panel Member Milton Williams seconded the motion. The November 26, 2013 Minutes of Action were approved 10 - 0.

The minutes are available via link to the [Panel for Educational Policy Website](#).

- I. Approval of Contracts—*Contracts Committee Chair Judy Bergtraum presented the Contracts Committee recommendations to the Panel. The Contracts Committee met on December 9, 2013. The Committee unanimously recommended the approval of items 2 – 6 and 8 - 13.*

*Panel Chair Tino Hernandez requested a motion to take from the table contract item 14 from the November 26 PEP meeting regarding Troxwell Communications and CDW-G to supply audio-visual equipment on an as-needed basis by schools and central offices, to be included on this month's contracts agenda if approved by Panel. Panel Member Judy Bergtraum made the motion; Panel Member Allison Rogovin seconded the motion. The motion passed 8 -1 with one abstention (yay: Baptiste, Bergtraum, Fedkowskyj, Hernandez, Moy, Peruggia, Rogovin, Williams; nay: Powell; abstained: Sullivan).*

*Before motioning to adopt the resolutions, David Ross, Executive Director of the Division of Contracts and Purchasing, read text into the minutes. The text read as follows:*

*To be read into the minutes of the December 11, 2013 Panel for Educational Policy meeting by David Ross, Executive Director, Division of Contracts and Purchasing:*

On August 21, 2013, the Panel approved a professional services contract for the FirstStepNYC (FSNYC) program with SCO Family of Services. While the RA erroneously reported the total program budget as \$2.0 million when it actually was \$3.0 million, the DOE contribution is still \$100k, as indicated in the RA. It should also be noted that the DOE contribution covers two thirds of one individual's salary and indirect costs, not just salaries, as previously indicated.

On November 26th, I recommended that consideration of the Request for Authorization for the Purchase of Audio/Visual Products be tabled due to comments made at the meeting by representatives of B and H Photo and Tequipment. It was so motioned and consideration of these contracts was tabled. DCP received written protests from the same two vendors on November 27th. The protest officer concluded that while there was a minor mistake among the bids listed in the RA, the protests were unfounded and thus the contracts should be awarded as originally submitted.

The chart found on page 3 of the RA – "Aggregate Class B" had an error in the dollar amounts for the total cost for Projection Devices and the annual contract amount for B&H Photo as follows:

- A. The total cost for Projection Devices should state \$4,847,520 instead of \$4,857,520.
- B. The Annual Contract Amount should state \$7,749,596 instead of \$7,759,596.

It should be noted that the \$10,000 difference in these figures do not change the outcome of award to the lowest responsive, responsible bidders.

Lastly, the header for the same chart on page 3 should read "Projection Devices and Installation Cost" instead of "Projection Devices".

At its meeting on October 15, 2013 the Panel approved a contract with BMS Cat, Inc. for the removal, restoration and/or disposal of students and administrative documents that were damaged by Hurricane Sandy. The request for authorization indicated that the work had been completed and that the cost was \$2,058,700. We have discovered that the work has not yet been completed. We do not anticipate any additional costs.

Panel Member Jeanette Moy motioned to adopt the two resolutions. Panel Member Diane Peruggia seconded the motion. There were no speakers signed up for public comment. After the Panel discussion concluded, the Panel voted on the contract items, which were approved as follows:

1. Resolution 1: Items 2-6 were approved unanimously.  
Note that Panel Member Joseph Lewis arrived after the vote for this resolution concluded, but before the second resolution was voted on.

Also, note that the previously tabled item not removed from the table has been added onto the contracts agenda as item 14.

2. Resolution 2: Items 8-14 were approved unanimously.

Contracts and resolutions are available via link to the [Panel for Educational Policy Website](#).

II. 2012-2013 Diversity and Inclusion Annual Report – Panel Chair Tino Hernandez introduced Odelia Levy, Senior Associate Counsel and Associate Director of the Office of Equal Opportunity and Diversity Management, to present the 2012-2013 Diversity and Inclusion Annual Report to the Panel. Following the presentation, as the Panel did not have any comments, the non-voting portion of the meeting concluded.

III. Approval of Proposals for Significant Changes in School Utilization – Panel Member Jeanette Moy motioned to adopt the five resolutions for significant changes in school utilization. Panel Member Judy Bergtraum seconded the motion. After the public comment and panel discussion periods, the chair called for a vote on each resolution which were approved as follows:

1. Resolution Regarding the Proposed Co-location of a New District High School (16K765) with Existing Schools Boys and Girls High School (16K455) and Research and Service High School (16K669) in Building K455 Beginning in 2014-2015 was approved 7-4 (yay: Bergtraum, Hernandez, Lewis, Moy, Peruggia, Rogovin, Williams; nay: Baptiste, Fedkowskyj, Powell, Sullivan)
2. Resolution Regarding the Proposed Re-Siting and Co-location of P.S. 290 A.C.E. Academy for Scholars at the Geraldine Ferraro Campus (24Q290) with P.S. Q277 (75Q277@Q290), a District 75 School, in New Building Q290 Beginning in the 2014-2015 School Year was approved unanimously.
3. Resolution Regarding the Proposed Temporary Re-siting and Co-Location of a Portion of One Grade Level of P.S. 92 Harry T. Stewart Sr. (30Q092) with P.S. 329 East Elmhurst Community School (30Q329) in Building Q329 Beginning in the 2014-2015 School Year was approved unanimously.
4. Resolution Regarding Approval of the Proposed Revision of the Building Utilization Plan for the Co-Location of Uncommon Charter High School 2 with Brooklyn Academy High School (13K553), Bedford Stuyvesant Preparatory High School (13K575), and a District 75 School (75K373@79K575), in School Building K458 was approved 7-2 with two abstentions (yay: Bergtraum, Hernandez, Lewis, Moy, Peruggia, Rogovin, Williams; nay: Baptiste, Sullivan; abstained: Fedkowskyj, Powell).

5. *Resolution Regarding Approval of the Proposed Revision of the Building Utilization Plan for the Co-Location of New Public Elementary Charter School, Success Academy Charter School – New York 5 (84QTBD), with Existing Schools August Martin High School(27Q400) and Voyages Prep – South Queens Transfer High School (27Q261) in Building Q400 Beginning in 2014-2015 was approved unanimously.*

Resolutions are available via link to [Panel for Educational Policy Website](#).

The meeting adjourned at approximately 7:45 p.m.

A recording of the meeting is available [here](#).