Panel for Educational Policy
Contract Agenda
November 8, 2012

Item: 1 **Description:** Support, enhance, and transition the Galaxy financial systems to an internal support model.

Term: 5 years **Options:** 1 year option **Funding:** Capital & Tax Levy

Division: Division of Financial Systems and Business Operations **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Hudson Valley Systems Inc	$4,100,000

Item: 2 **Description:** A two month extension in tax levy fund for Educational Partnership Organizations.

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

Division: Office of Portfolio Development **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Abyssinian Development Corp.	$119,000
Institute for Student Achievement	$14,853
Johns Hopkins University	$199,980
The Center for Educational -- Public Association	$50,000

Item: 3 **Description:** Special education services for pre-school and school age children, and temporary school nurses. (RA #5)

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

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

Vendor Name	Estimated Annual Amount
Sign Language Resources	$80,000

Item: 4 **Description:** Labor, material and equipment necessary to perform plastering and painting work.

Term: 5 years **Options:** 270 days **Funding:** Tax Levy

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

Vendor Name	Estimated Annual Amount
Pro-Metal Construction Inc	$1,245,772

Item: 5 **Description:** Professional development and direct student services in social studies, citizenship/civics and global education. (RA #5)

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

Division: Office of Curriculum & Professional Development **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Herff Jones | Nystrom	$60,000

Item: 6 Withdrawn

Item: 7 **Description:** Published and copyrighted magazine, reference and assessment materials.

Term: 3 years **Options:** None **Funding:** Various

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

Vendor Name	Estimated Annual Amount
Channing Bete	$159,500
New Readers Press	$51,175
New York Times	$27,500
Scholastic Corporation	$304,700

Item: 8 **Description:** Add on item: Expanded Learning Time (ELT) for tutoring services citywide. (RA #4)

Term: 1 year **Options:** None **Funding:** Federal Funds - Title 1

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

Vendor Name	Estimated Annual Amount
Champion Learning Center, LLC	$4,457,142

Item: 1

Description:

Support, enhance, and transition the Galaxy financial systems to an internal support model.

REQUEST FOR AUTHORIZATION TO AMEND CONTRACT FUNDING SOURCE

Estimated High Annual / Total Contract Amount	Funding Source	Contract Term	Options	Option Amount	Procurement Method	Is Contract Retroactive?	Contract Type
Tax Levy $4,100,000 / $16,500,000 Capital $4,500,000	Tax Levy / Capital	Five Years	One Year	$2,100,000	Negotiated Services	No	Full Value
Vendor Name & Address	Hudson Valley Systems, Inc. 12 River View Trail Croton-On-Hudson, NY 10520						
Contract Manager / Lead Contracting Officer				**Division of Contracts & Purchasing Contact**			
William Goldband Division of Financial Systems & Business Operations				James McBride Chief Administrator			

PURPOSE

Authorization is requested to contract with Hudson Valley Systems to maintain and enhance DOE's Galaxy financial system and to perform the work necessary to transition to an internal support model.

DISCUSSION

DOE uses Galaxy to monitor and control the budget allocations for Personal Services (PS) and Other Than Personal Services (OTPS) for the Instructional and Central budget offices. Over the past few years, the Galaxy application and FAMIS system have been modified to keep appropriate checks and balances in place by making sure that approved budget allocations exist in Galaxy before expenses or payments are authorized in FAMIS. In addition, Galaxy is responsible for maintaining DOE's Table of Organization (TO) for all instructional/schools and Central budget offices titles and personnel.

Hudson Valley Systems has provided support and development for Galaxy for more than a decade. Over the term of this contract, FSBO anticipates hiring 12 employees to replace contracted staff now supporting Galaxy while maintaining current levels of service and performance without interrupting the system's essential functions in school operations, agency finances, and human resource management over the next three years.

Hudson Valley will train the new staff to operate and maintain Galaxy. Training will consist of reviewing transition documentation, including application source code, flow charts, application directories, and database schema definitions. In addition, there will be scheduled application code reviews with the new DOE hires and the Hudson Valley personnel. After the transition, Hudson Valley will continue to serve as a "backstop" to DOE personnel, although in a significantly reduced role.

The $4.5 million capital expense is to bring over 50,000 additional staff into the New York City Automated Personnel System (NYCAPS). The additional staff includes DOE hourly employees, per diem employees, school food employees, per session and part time staff. Over 100,000 pedagogical and administrative staff are already on NYCAPS.

The Chancellor's Committee on Contracts (COC) approved contract negotiations with Hudson for this work on 11/05/2012.

Costs are based on an estimated number of hours (per title) needed to complete each task. This estimate was derived by analyzing Hudson's previous DOE contracts for the same or similar services.

Proposed Tasks

Year	Application Development and Strategic Design	Production Support and Maintenance	Transition and Training	NYCAPS Phase 3 Work	Annual Amount
1	$2,100,000	$1,500,000	$500,000	$4,500,000	$8,600,000
2	$2,100,000	$1,000,000	$1,000,000		$4,100,000
3	$2,100,000	$500,000	$1,500,000		$4,100,000
4	$2,100,000	$0	$0		$2,100,000
5	$2,100,000	$0	$0		$2,100,000
6 (optional)	$2,100,000	$0	$0		$2,100,000
TOTAL					**$23,100,000**

All rates remain the same as on the previous contract. One consultant's position has changed from an Entry Level Programmer Analyst A to an Entry Level Programmer Analyst B, therefore the hourly rate changed from $75 to $85.

DCP's review of the City's VENDEX files, its own procurement files, and federal debarment databases found no significant adverse information. In addition, Hudson Valley has performed satisfactorily on previous contracts. The vendor has therefore been determined to be responsible with respect to this contract.

Item: 2

Description:

A two month extension in tax levy fund for Educational Partnership Organizations.

AMENDED REQUEST FOR AUTHORIZATION TO CONTRACT WITH EDUCATIONAL PARTNERSHIP ORGANIZATIONS (RA#3)

Estimated Total Amount	Funding Source	Contract Term	Options	Estimated Option Amount	Procurement Method	Is Contract Retroactive?	Contract Type
$383,833	Tax Levy	9/01/12 - 10/31/12	None	None	Expedited Competitive Solicitation	Yes	Requirements

	Vendor's Name & Address	Estimated Total Amount
1.	**Institute for Student Achievement** One Old Country Road, Suite 250 Carle Place, NY 11415	$14,853
2.	**Abyssinian Development Corporation** 4 West 125th Street, 3rd Floor New York, NY 10027	$119,000
3.	**The Center for Educational – Public Educational Association** 28 West 44th Street, Room 300 New York , NY 10036	$50,000
4.	**Johns Hopkins University** 3400 N. Charles Street Suite 225 – Mergenthaler Hall Baltimore, MD 21218	$199,980

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Rosemary Stuart Executive Director Division of Academics, Performance, and Support (DAPS)	Marc Sternberg Deputy Chancellor Division of Portfolio Planning (DPP)	Andrea Black Director School Based Procurement

PURPOSE

Authorization is requested to amend the funding source included in a previously approved Request for Authorization (RA) for services rendered by Educational Partnership Organizations (EPOs). The Division of Portfolio Planning (DPP) and the Division of Academics, Performance & Support (DAPS) seek approval to utilize tax levy money as the funding source to pay the vendors listed above for their services from September 1, 2012 to October 31, 2012, at which time their contracts will have been terminated.

DISCUSSION

In August 2011, a Request for Authorization was approved by the Panel on Educational Policy for six Educational Partnership Organizations (EPOs). These organizations became fully integrated partners in the management of schools that the New York State Commissioner of Education had designated as persistently lowest-achieving (PLA), pursuant to Education Law §211-e. Funding for this initiative was to come from New York State School Improvement Grants (SIG).

In March 2012, the Panel on Educational Policy (PEP) approved an amended RA for EPO Providers to pay for services via tax levy funding for the first year (September 1, 2011 to August 31, 2012) in the event that the New York State Education Department (NYSED) did not approve SIG funding for the New York City DOE. Funding for future years was contingent on NYSED's approval of SIG funding.

Subsequently, the New York City DOE was not approved for SIG funding and has since terminated these contracts. Of the six EPO providers, two (New Visions for Public Schools and the Board of Control for Southern Regional Education) completed services at the end of the first year on August 31, 2012.

To ensure a smooth transition for the participating schools, however, the remaining four vendors required additional time to conclude their services. Three (The Institute for Student Achievement, The Center for Education Innovation-Public Education Association, and Johns Hopkins University) completed services by September 30, 2012 and one (Abyssinian Development Corporation) completed services by October 31, 2012. It is for the purposes of paying these four vendors for their respective periods of service beyond their contracts' termination that authorization is requested.

Item: 3

Description:

Special education services for pre-school and school age children, and temporary school nurses. (RA #5)

REQUEST FOR AUTHORIZATION TO ENTER INTO an ADDITIONAL AGREEMENT TO PROVIDE RELATED SERVICES FOR SPECIAL NEEDS STUDENTS PLUS GENERAL NURSING SERVICES (RFP R0927) RA #5

Estimated Annual/ Total Contract Amount	Funding Source	Contract Term	Options	Option Amounts	Procurement Method	Is Contract Retroactive?	Contract Type
$80,000 / $240,000	Tax Levy / Reimbursable	Three Years	Two 1-Year Options to Renew	$160,000	Request for Proposals (RFP)	No	Requirements

Vendor Name & Address	See below.

Service Requestor / Contract Manager	Division of Contracts and Purchasing Contact
Michael Van Biema, Executive Director, Related Services Office of Students with Disabilities and English Language Learners	Peter Frey

PURPOSE

Authorization is requested to contract with the vendor named below to provide Related Services to students with special needs. These services are for preschool (ages 3-5) and school-age (ages 5-21) students pursuant to an approved Individualized Education Program (IEP) by the IEP teams of schools, the Committees on Preschool Special Education, or the Committees on Special Education. In addition, nursing services for both special education and general education students are included. This contract will replace contracts that will expire August 31, 2012.

This Request for Authorization (RA) is for a vendor not previously authorized a contract under the RFP receiving both a Primary and a Tertiary award.

This is the fifth RA under this solicitation. The first 4 RA's covered Primary and Tertiary vendors.

DISCUSSION

The DOE is mandated by federal and state law, as well as by judgments in the federal court case of *Jose P. v. Sobol,* to evaluate students and to provide special education related services where indicated, including monolingual or bilingual related services. In cases where the DOE is unable to meet this mandate with in-house staff, contracted service providers are used. This RA seeks approval for said providers.

The Related Services to be provided pursuant to contracts awarded via this RFP are as follows:

- Counseling (English, Spanish, and other languages)
- Education Vision Services (English Spanish, and other languages)
- Health Services by Health Aides (English only)
- Health Services by Nurse for School Program (English only)
- Health Services by Nurse for Transportation (English only)
- Hearing Education Services (English, Spanish, and other languages)

- Occupational Therapy (English only)
- Orientation and Mobility Instruction (English only)
- Physical Therapy (English only)
- Sign Language Interpreting (English only)
- Speech Therapy (English, Spanish, and other languages)

The RFP calls for designation of a "Primary" contracted vendor for each discipline within a school district; in the case of District 75 schools and pre-school services, however, locations are by borough.

The RFP established three vendor tiers:

1. *Primary vendors* have been determined to offer the best value in meeting the anticipated need of a district or borough and will be given the first opportunity to fill each service request at a negotiated price.
2. *Secondary vendors*, defined as those with a primary designation in another district or borough for the same discipline who offered a proposal for the district in question, will be offered the opportunity to fill each request not filled by the Primary vendors within a specified timeframe at a negotiated price, in ascending price order.
3. *Tertiary vendors*, including both a) all other Primary vendors in the discipline without an award in the district or borough and b) all other vendors who applied for Primary or Tertiary designations and were evaluated as "well qualified" but not designated as a Primary vendor, will be offered the opportunity to fill each request not filled by Primary or Secondary vendor. Tertiary vendors will be paid the average of their Primary award(s) for the discipline, where applicable, under "a)" above, or for "b)" at their negotiated price for the district or borough, in ascending price order. The Tertiary vendor with the lowest price that offers to fill the assignment will be given the assignment.

In an effort to increase vendor performance with respect to key operational and instructional objectives, Service Level Agreements (SLAs) are included in the RFP. Contractors designated as Primary or Secondary for a discipline in one or more districts or boroughs may lose such designations if they fail to meet the SLAs. These contracts will also include provisions that facilitate and maximize Medicaid reimbursement.

Option years under these contracts have a price adjustment clause based on a Producer Price Index (PPI). Adjustments will be only for amounts in excess of two percent of the original contract price, so if the PPI shows a three percent change then contract prices will change by one percent. There is a parallel provision under which rates will drop when the PPI falls by more than two percent.

Due to the number of disciplines and large volume of proposals, multiple review committees were established to review each proposal for each discipline and make recommendations for award as Primary or Tertiary vendor. (Awards to Secondary vendors are based on Primary vendor awards negotiated prices.)

The review committees, in accordance with the RFP, ensured that vendors' capacities were not overtaxed by limiting awards to no more than five geographic areas (districts or boroughs) in a discipline per vendor, although this limitation was waived on occasions in cases where a vendor was the only viable proposer in that geographic area.

The evaluation criteria were: Price (45%), Organizational Capacity (30%), and Demonstrated Effectiveness (25%).

Of 108 proposals received covering about 6,000 discipline/districts, six did not meet the minimum qualifications.

The Tertiary vendors named here are recommended based on acceptable program and pricing that was within 1 standard deviation of the average rate of all proposals that received 2 or more recommendations (out of a possible 3) for that discipline in a particular borough. DCP's Cost Price Analysis unit has determined that is a reasonable basis for determining prices to be fair and reasonable.

A background check was performed by reviewing The Mayor's Office of Contract Services' (MOCS) Advice of Caution database, DCP's Vendors' Compliance Investigation and Performance database, and VENDEX were reviewed. No significant adverse information has been revealed.

An analysis performed by the Office of the Auditor General determined that this vendor has sufficient financial capacity to perform the services for which they are contracted.

The Primary and Tertiary awards are listed separately below.

Primary and Tertiary Vendor	Estimated Annual Contract Amt	3-Yr Estimated Contract Amt
Sign Language Resources, Inc. C.	$80,000	$240,000

Details of Unit Prices follow. Unit prices are per ½ hour. Unless awarded as Tertiary in a particular district, Primary vendor by definition, is also Tertiary "a)" vendors citywide for the discipline listed. When providing services as Tertiary by definition, they are paid the average of their Primary awards in the discipline(s). Award details are:

Primary Award

School Type	Discipline	Borough	District	Language	Price/ per 1/2 Hour Except Nursing School Type - per Hour
SchoolAge	Sign Language Interpreter	Staten Island	D75 (Boro-wide)	English	$36.50

Tertiary Award

School Type	Discipline	Language	Borough	District	Price/ per 1/2 Hour Except Nursing School Type - per Hour
PreSchool	Sign Language Interpreter	Bronx	All	English	$36.50
PreSchool	Sign Language Interpreter	Brooklyn	All	English	$36.50
PreSchool	Sign Language Interpreter	Manhattan	All	English	$36.50
PreSchool	Sign Language Interpreter	Queens	All	English	$36.50
PreSchool	Sign Language Interpreter	Staten Island	All	English	$36.50
SchoolAge	Sign Language Interpreter	Bronx	D75 (Boro-wide)	English	$36.50
SchoolAge	Sign Language Interpreter	Brooklyn	D75 (Boro-wide)	English	$36.50
SchoolAge	Sign Language Interpreter	Manhattan	D75 (Boro-wide)	English	$36.50
SchoolAge	Sign Language Interpreter	Queens	D75 (Boro-wide)	English	$36.50

Item: 4

Description:

Labor, material and equipment necessary to perform plastering and painting work.

REQUEST FOR AUTHORIZATION
B1983 - PAINTING AND PLASTERING - PRO METAL CONSTRUCTION

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Estimated Option Amount(s)	Procurement Method	Is Contract Retroactive?	Contract Type
$1,245,772 / $6,228,860	Tax Levy	Five Years	One 270-Day Extension	$934,329	Request for Bids (RFB)	No	Requirement

Vendor Name & Address	Pro Metal Construction Inc. 549 63rd Street Brooklyn, NY 11220

Contract Manager / Lead Contracting Officer	Division of Contracts & Purchasing Contact
Volkert Braren Director, Program Management Division of School Facilities	Shelley Epstein Director

PURPOSE

Authorization is requested to contract with Pro Metal for painting and plastering in schools and administrative buildings. The work includes the labor, materials, and supervision necessary to perform painting and plastering work.

DISCUSSION

A Request for Bids (RFB) was advertised in the City Record and on the DCP web site. The RFB included five aggregate classes as follows: Aggregate Class 1 – Bronx, Aggregate Class 2 – Queens, Aggregate Class 3 – Manhattan, Aggregate Class 4 – North Brooklyn, and Aggregate Class 5 – South Brooklyn and Staten Island. Over 20 bids were received for each aggregate class. This request is for Aggregate Classes 1, 2, 4, and 5. Aggregate Class 3 is included on a separate RA that does not require PEP approval.

Pak Dream, the low bidder for Aggregate Classes 1-4 and the second low bidder for Aggregate Class 5, was determined to be non-responsive for not having the required five years' experience. No protest was received.

Icon Painting, the second low bidder for Aggregate Classes 1-4 and the low bidder for Aggregate Class 5, was also determined to be non-responsive for not demonstrating the required five years' experience. Icon protested, requesting that the DOE waive the five-year experience requirement and rescind the rejection. The protest officer determined that the RFB's five-year experience requirement was reasonable in that it set forth an objective requirement to measure a vendor's experience. Moreover, requiring each bidder to have an operational history equal to the length of the contract was found to serve as a reasonable baseline requirement to assure that the company will continue to be in business for the duration of the contract. The protest officer concluded that Icon's bid was deficient in that it failed to meet the minimum experience requirement and the non-responsive determination was upheld.

East Coast USA Construction, the third low bidder for Aggregate Class 2, was determined to be non-responsive for not demonstrating the requisite five years' experience. No protest was received.

Ecuacolor, the third low bidder for Aggregate Classes 1, 3, and 4 and the fourth low bidder for Aggregate Class 2, was determined to be non-responsible for failure to report a 2010 investigation and existing outstanding tax warrants on their current VENDEX. The New York City Housing Authority also found Ecuacolor non-responsible in July 2010 for reasons also related to failure to disclose information in VENDEX. Ecuacolor protested, claiming the findings were not accurate. The protest officer determined that Ecuacolor failed to disclose the information on VENDEX, thus confirming the DOE's finding, and the non-responsibility determination was upheld.

Pro Metal, the fourth low bidder for Aggregate Class 1, 2, 4, and 5, is recommended for award of these classes. A qualification meeting was held with Pro Metal and it was determined that the firm has the organizational capacity to service these classes.

A review of Pro Metal's financial statements did not reveal any risk associated with doing business with the company. A background check conducted by the Vendor Research and Price Analysis found the following noteworthy information for Pro Metal:

- One of the principal officers of Pro Metal, Elias Meris, was an owner of Meris Construction in 1992. Mr. Meris received leniency regarding federal tax evasion charges in exchange for assisting prosecutors in an investigation into a bid-rigging scheme. Meris Construction subsequently bid on and was awarded contracts worth over $10 million, from which it would otherwise have been disqualified.

- In 1999 an employee of Meris Construction fell to his death at a Manhattan school as the result of an overloaded crane that was improperly anchored to the roof of a building. Because of the incident, Meris was banned by the School Construction Authority.

- In 2001, the School Construction program of New Jersey's Inspector General recommended a number of construction firms, including Meris Construction, be barred from contracting to work with New Jersey public schools.

Meris Construction Corporation stopped doing work after the 1999 crane incident and a major falling-out between partners. Litigation between the owners of Meris (who are siblings) delayed the dissolution of the company, and the Consent to Dissolution of the Corporation did not take place until May 19, 2009. One of these siblings, Elias Meris, is now a Project Manager for Pro Metal.

These findings pertain to Meris Construction and not to Pro Metal Construction, Inc. Elias Meris, the Vice President and minority shareholder in Meris Construction, is currently Project Manager for Pro Metal and not an owner; his wife, Liz Meris, President of Pro Metal, was never directly involved with Meris Construction, which remained inactive from the time of the crane accident cited above until the dissolution of the company in 2009.

Pro Metal has provided a copy of its Safety and Health Manual and copies of OSHA 10 Certificates for their workers. Liz Meris, President of Pro Metal, has stated: "Pro Metal has set forth and follows a strict safety program with zero tolerance to employees and field personnel not complying to safety [regulations]."

For these reasons, Pro Metal has been pre-qualified as a vendor for the School Construction Authority (SCA) since 2006 and has been requalified with the SCA until June 6, 2015. As such, Pro Metal has been determined to be responsible.

Prices on this contract are approximately 30 percent lower than on previous contracts for similar items. Because of the competitive nature of the procurement and the low prices, these prices have been determined to be fair and reasonable

B1983 – REQUIREMENTS CONTRACT FOR PLASTERING AND PAINTING

Aggregate Class 1 – Bronx				
Vendor Name	Annual Contract Value	Total Contract Value / 5 Years	270-Day Extension	With 270-Day Extension
Pak Dream Corp (Rejected)	$111,320			
Icon Contracting of NY (Rejected)	$159,180			
Ecuacolor Painting Corp (Rejected)	$197,449			
Pro Metal Construction	**$266,278**	**$1,331,390**	**$199,709**	**$1,531,099**
East Coast USA Construction	$267,078			
Pro Con Group	$284,499			
Riverdale Painting Corp.	$302,837			
Webnest Construction	$302,979			
Maximus I Contracting	$335,916			
National Insulation & GC	$374,403			
Judi Construction Corp.	$399,276			
Citizen General Contractors	$446,977			
Sam Waterproofing Inc.	$453,393			
APN Construction Corp.	$469,596			
Rashel Construction Corp.	$489,807			
Biltmore General Contractors	$506,511			
Roebell Painting	$508,077			
Linear Environmental Corp.	$572,676			
PPS Construction Inc.	$594,978			
Gem Quality Corp.	$679,711			
Elit Green Builders Corp.	$846,162			
ABC Construction Contracting	$1,685,976			
Castlestone Construction	$5,475,219			

B1983 – REQUIREMENTS CONTRACT FOR PLASTERING AND PAINTING (continued)

Aggregate Class 2 - Queens				
Vendor Name	Annual Contract Value	Total Contract Value / 5 Years	270-Day Extension	With 270-Day Extension
Pak Dream Corp. (Rejected)	$229,837			
Icon Contracting of NY (Rejected)	$264,301			
East Coast USA Construction (Rejected)	$292,415			
Ecuacolor Painting Corp. (Rejected)	$312,384			
Pro Metal Construction	**$421,332**	**$2,106,660**	**$315,999**	**$2,422,659**
Pro Con Group	$469,566			
Riverdale Painting Corp.	$499,728			
Webnest Construction	$517,556			
Maximus I Contracting	$555,060			
Judi Construction Corp.	$577,083			
National Insulation & GC	$619,524			
Sam Waterproofing Inc.	$641,715			
Citizen General Contractors	$730,962			
APN Construction Corp.	$761,045			
Rashel Construction Corp.	$812,265			
Biltmore General Contractors	$839,385			
Roebell Painting	$842,395			
PPS Construction Inc.	$918,030			
Linear Environmental Corp.	$949,620			
Gem Quality Corp.	$1,128,051			
Elit Green Builders Corp.	$1,396,520			
ABC Construction Contracting	$2,805,160			
Castlestone Construction	$9,121,485			

B1983 – REQUIREMENTS CONTRACT FOR PLASTERING AND PAINTING (continued)

Aggregate Class 4 – North Brooklyn				
Vendor Name	Annual Contract Value	Total Contract Value / 5 Years	270-Day Extension	With 270-Day Extension
Pak Dream Corp. (Rejected)	$67,927			
Icon Contracting of NY (Rejected)	$106,120			
Ecuacolor Painting Corp. (Rejected)	$126,001			
Pro Metal Construction	**$177,519**	**$887,595**	**$133,139**	**$1,020,734**
East Coast USA Construction	$186,724			
Pro Con Group	$189,666			
Riverdale Painting Corp.	$201,891			
Webnest Construction	$211,906			
Judi Construction Corp.	$225,213			
National Insulation & GC	$249,602			
Sam Waterproofing Inc.	$258,446			
Citizen General Contractors	$297,985			
APN Construction Corp.	$311,964			
Rashel Construction Corp.	$326,638			
Biltmore General Contractors	$337,674			
Roebell Painting	$338,718			
Linear Environmental Corp.	$381,784			
PPS Construction Inc.	$396,652			
Gem Quality Corp.	$453,116			
Elit Green Builders Corp.	$561,768			
ABC Construction Contracting	$1,123,984			
Castlestone Construction	$3,650,306			

B1983 – REQUIREMENTS CONTRACT FOR PLASTERING AND PAINTING (continued)

Aggregate Class 5 – South Brooklyn/Richmond				
Vendor Name	Annual Contract Value	Total Contract Value/5 Years	270-Day Extension	With 270-Day Extension
Icon Contracting of NY (Rejected)	$238,771			
Pak Dream Corp. (Rejected)	$266,312			
Ecuacolor Painting Corp. (Rejected)	$311,175			
Pro Metal Construction	**$380,643**	**$1,903,215**	**$285,482**	**$2,188,697**
East Coast USA Construction	$390,906			
Pro Con Group	$426,749			
Riverdale Painting Corp.	$454,255			
Judi Construction Corp.	$517,909			
National Insulation & GC	$561,604			
Sam Waterproofing Inc.	$581,189			
Webnest Construction	$617,296			
Citizen General Contractors	$670,466			
Rashel Construction Corp.	$734,936			
Biltmore General Contractors	$759,766			
APN Construction Corp.	$760,007			
Linear Environmental Corp.	$859,014			
Roebell Painting	$903,132			
PPS Construction Inc.	$941,085			
Gem Quality Corp.	$1,019,566			
Elit Green Builders Corp.	$1,266,228			
ABC Construction Contracting	$2,528,964			
Castlestone Construction	$8,213,189			

TOTAL	Annual Contract Value	Total Contract Value/5 Years	270-Day Extension	With 270-Day Extension
Aggregate Classes 1, 2, 4, 5	$1,245,772	$6,228,860	$934,329	$7,163,189

Item: 5

Description:

Professional development and direct student services in social studies, citizenship/civics and global education. (RA #5)

REQUEST FOR AUTHORIZATION (RA #5) FOR SOCIAL STUDIES PROFESSIONAL DEVELOPMENT AND DIRECT STUDENT SERVICES (MTAC R0702)

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 Name and Address	Component
Herff Jones / Nystrom 4719 West 62nd Street Indianapolis, IN 46268	1

Service Requestor/Contract Manager	Division of Contracts and Purchasing Contact
Gregg Betheil Executive Director Office of School Programs & Partnerships Division of Academics, Performance and Support (DAPS)	Xavier Cerda Procurement Analyst

PURPOSE

Authorization is requested on behalf of Division of Academics, Performance and Support (DAPS) to contract with Herff Jones/Nystrom (Herff Jones) for social studies professional development and direct student services. These programs will be provided at the discretion of participating schools.

DISCUSSION

This solicitation, designed to improve social studies instruction in grades K-12, included two components:

1. Professional development designed for teachers, administrators, social studies workers, early childhood coordinators, education assistants, family assistants, teacher leaders, and coaches.

2. Direct student services designed to engage students in and out of the classroom to increase and enrich knowledge content.

Thirteen vendors have been approved in previous requests for authorization pursuant to the same solicitation. Of the six proposals submitted after the most recent RA was approved, five have been evaluated. This RA includes one proposal recommended for award; two additional award recommendations will appear in subsequent RAs. Two resubmissions, along with the one remaining proposal, are currently being evaluated.

The DAPS evaluation committee, whose members included two former teachers with 16 years of combined classroom experience and a high-level program administrator, used the following criteria: program plan (25 points), organizational capacity (25 points), pricing (25 points), and demonstrated effectiveness (25 points). Successful vendors must achieve a minimum score of 80.

Professional development programs will include a pre-planning meeting with site administrators, workshops, and on-site coaching days. Ongoing assessment and planning meetings will be used to revise the professional development program.

Herff Jones offers professional development workshops for teachers of geography in grades 4 and 5. Workshops consist of three separate three-hour sessions, in which instructors take teachers step-by-step through objectives-driven lesson plans that use hands-on materials such as technology websites, student atlases, wall maps, globes, and student manipulatives to introduce skills and provide guided practice in the classroom. Participants ultimately learn how to use these tools for differentiated instruction with individual students, small cooperative groups, and whole classrooms. As part of the workshop sessions, teachers also learn how using these tools reinforces students' language arts skills.

Pricing for Herff Jones was negotiated by the Cost Price Analysis (CPA) unit from $455 per hour to $141 per hour for the nine hours of geography PD workshops. The original hourly rate included materials that are not procured via MTAC. After Herff Jones removed these items, the hourly rate was reduced to reflect the cost of providing only professional development workshops. This rate compares favorably to rates charged by other vendors who were previously awarded contracts for similar services. Based on this comparison, Herff Jones's proposed rates are found to be fair and reasonable.

An estimated annual amount of $60,000 will be allocated for new vendors offering PD services, such as Herff Jones. This base amount was derived from the average expenditures of previously awarded contracts that resulted from this solicitation.

Background checks performed on Herff Jones/Nystrom, including VENDEX, the Uniform Commercial Code, the Federal Tax Lien, and the Federal Excluded Parties List System, uncovered no significant adverse information. The vendor has therefore been determined to be responsible.

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

The Multiple Task Award Contract (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: 6

Description:

Withdrawn

Item: 7

Description:

Published and copyrighted magazine, reference and assessment materials.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH VARIOUS VENDORS FOR MAGAZINE / REFERENCE AND ASSESSMENT MATERIALS

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$542,875 / $1,628,625	Reimbursable, Tax Levy, City Council	Three Years	None	Listing Application	No	Requirements

Vendor Name & Address	See table below.

Contract Manager	Lead Contracting Officer
Jennifer Davilla Director Instructional Materials Unit Division of Contracts and Purchasing	Ray Burke Chief Administrator Innovation and Vendor Resources Division of Contracts and Purchasing

PURPOSE

Authorization is requested to contract with the vendors listed below to provide published and copyrighted magazine/reference and assessment materials to public and participating non-public schools.

DISCUSSION

The vendors listed are the sole providers of the magazine/reference and instructional assessment materials that they publish. Because these materials cannot be purchased in the open market, a competitive sealed bid process is impractical. The proposed contracts require that the prices the DOE pays will be the lowest offered to any client. As such, pricing for these materials is considered fair and reasonable.

A background check conducted on each vendor, including the Uniform Commercial Code, Excluded Parties List, and VENDEX, found no adverse information. Additionally, each vendor has performed satisfactorily under its predecessor contract. All vendors have therefore been determined to be responsible.

The estimated contract amounts are based on expenditures under each vendor's previous contract.

Vendor Name & Address	Description of Services	Estimated Annual / Total Contact Amount
Channing Bete Company One Community Place South Deerfield, MA 01373	Publishes a series of magazines and instructional workbooks for grades PreK-12 on the topics of Bullying, Cyber-bullying, Health, Social Media, and Truancy/Dropout Prevention.	$159,500 / $478,500
New Readers Press 1320 Jamesville Avenue Syracuse, NY 13210	Publishes a series of practice books that include ESL literacy skills test prep, Pre-GED/GED prep, and instructional workbooks in math and science that assist ESL and special needs students, and reluctant/struggling learners and readers. Also provides the *News for You* newspaper for ESL learners to help enhance vocabulary and reading skills.	$51,175 / $153,525

Vendor Name & Address	Description of Services	Estimated Annual / Total Contact Amount
New York Times Company 620 Eight Avenue New York, NY 10013	Publishes the *New York Times* newspaper. Provides subscriptions to the newspaper's print and digital content.	$27,500 / $82,500
Scholastic 557 Broadway New York, NY 10012	Publishes a series of *Scholastic* magazines for classroom use in grades PreK-12. Subject areas include language arts, math, science, and social studies. Each magazine seeks to enhance student learning through the use of topical articles, stories and activities.	$304,700 / $914,100

Item: 8

Description:

Add on item: Expanded Learning Time (ELT) for tutoring services citywide. (RA #4)

REQUEST FOR AUTHORIZATION TO CONTRACT WITH ADDITIONAL VENDOR TO PROVIDE EXPANDED LEARNING TIME (ELT) SERVICES TO STUDENTS (4th RA)

Estimated Annual / Total Contract Amounts	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$4,457,142	Federal Funds – Title I	One Year 9/1/12- 8/31/13	None	Negotiated Services	No	Requirement

Vendor Name And Address	Champion Learning Center, LLC 111 John Street, Suite 910 New York, NY 10038

Contract Manager	Lead Contracting Officer	Division of Contracts and Purchasing Contact
Cheryl Kaplan Administrator Innovation & Vendor Resources Division of Contracts and Purchasing	Ray Burke Chief Administrator Innovation & Vendor Resources Division of Contracts and Purchasing	Susan C. Nastè Administrator Funded & Special Services Procurement Division of Contracts and Purchasing

PURPOSE

Authorization is requested on behalf of the Division of Contracts and Purchasing, (DCP) to contract with the additional vendor listed above to provide Expanded Learning Time (ELT) tutoring services.

DISCUSSION

In June 2012, United States Department of Education granted New York State a waiver from the requirements of the No Child Left Behind law. As a result, the New York State Education Department (NYSED) no longer mandates the DOE to offer Supplemental Educational Services (SES).

In place of SES, the DOE has designed a new program for tutoring services entitled Expanded Learning Time (ELT), through which schools may select vendors to provide tutoring services based on the needs of their students. ELT programs will be funded by Title I and schools will be responsible for selecting service providers by using the Multiple Task Award Contract (MTAC) procurement process and for managing services and payments.

This Request for Authorization is for contracts with a vendor whose SES contract was terminated because SES is no longer a DOE program. This vendor will receive a new contract for one year (2012-13) based on essentially the same programs they provided under the SES contracts.

The listed vendor's hourly rates were determined by reviewing their last approved SES contract budget, making adjustments based on changes associated with the new Expanded Learning Time (ELT) program. For example, the elimination of parental choice should substantially reduce advertising and marketing expenses. DCP's Cost Price Analysis Unit has made calculations based on prior year's programs and a contract will only be awarded where prices have been determined to be fair and reasonable.

The estimate for Champion of $4,457,142 was calculated by averaging the total spend for all vendors who were paid at least $1MM in 2011. This estimate is significantly less than prior years for Champion as it is reasonable to expect that ELT spending will be lower overall because schools may elect to use the associated resources for other services. Payment will be made per hour of service and will no longer be based upon student attendance.

Contract will be awarded via the Multiple Task Award Contract (MTAC) process. During the mini-bid process vendors may not offer prices above the contracted rates; they may, however, offer lower prices.

Background review was conducted on the vendor using VENDEX, DCP's internal records, various criminal data bases, D&B, Lexis, Westlaw, OSHA, Federal Debarment List, Department of Justice, New York State Department of Taxation, UCC, Workers Compensation Debarred List, the New York State Division of Corporations, SEC, and the New York State Charities Bureau.

In 2009 DOE investigated and substantiated that Champion was paying tutors significantly less than estimated in their proposals to DOE for Supplemental Education Services (SES). This resulted in a $5.2 million settlement with the vendor, payable over 3-years. Further, in 2012 the NYC Comptroller's Office reported inaccurate student attendance reports but did not classify it as fraud. Champion repaid the $859,000 to the DOE and agreed to stricter internal controls. Negotiations with the vendor resulted in further controls:

1. Establishment of an independent board that will hire a Chief Financial Officer (CFO) and retain the services of an outside auditor. The CFO and auditors will report directly to the board. Each month, Champion will be required to will provide a school by school breakout of ELT services provided that will include the dates, times, location of services, signed student attendance sheets and certified payroll records.
2. In order for schools to assess whether the vendor's program is cost effective and the school is getting all it pays for, the vendor will submit a report detailing actual costs incurred versus those budgeted to schools using its services.

A Special Committee on Contracts meeting was held on November 5, 2012, at which this award was approved. DCP will conduct a competitive procurement for services to begin in November 2013.