Panel for Educational Policy
Contract Agenda
February 6, 2013

Item: 1 WITHDRAWN

Item: 2 WITHDRAWN

Item: 3 **Description:** Extension of food services distribution contracts.

Term: 120 days **Options:** None **Funding:** Reimbursable

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

Vendor Name	Estimated Annual Amount
Chef's Choice Food Dist.	$3,200,000
Metropolitan Food Services Inc DBA Driscoll Foods	$29,400,000
Teri Nichols Institutional Food Merchants	$17,600,000
The Maramont Corporation	$11,600,000

Item: 4 **Description:** Master's degree and certification services for alternate route teachers.

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

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

Vendor Name	Estimated Annual Amount
St John University	$1,200,000

Item: 5 **Description:** Extension of an identity manager security specialist contract.

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

Division: Div. of Instructional & Information Technology **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
RCG Global Services, Inc.	$346,000

Item: 6 **Description:** Assessment administration and test results reporting technology platform.

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

Division: Division of Academics, Performance and Support **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
NCS Pearson, Inc.	$7,041,382

Item: 7 **Description:** Resources to help design and create web-sites, portals and/or web applications.

Term: 5 years **Options:** 2 year option **Funding:** Various

Division: Div. of Instructional & Information Technology **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Vanguard Direct	$535,350

Item: 8 **Description:** Professional development services in special education and teacher training. (RA #2)

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

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

Vendor Name	Estimated Annual Amount
Birch Family Services	$50,000
MAXIMUS	$50,000

Item: 9 **Description:** Add on item: Supply and install window air conditioners.

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

Division: Office of Purchasing Management **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Klearview Appliance Corp.	$1,720,000

Item: 10 **Description:** Professional development for teachers to increase student's academic achievement.

Term: 1 year **Options:** None **Funding:** NYSED- STATE

Division: Office of Curriculum & Professional Development **Contract Type:** Full Value

Vendor Name	Annual Amount
United Federation of Teachers, Inc. (UFT)	$495,646

Item: 11 **Description:** Add on Item: Fuel oil for heating schools and administrative buildings.

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

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

Vendor Name	Estimated Annual Amount
Castle Oil Corp	$60,000,000

Item: 1

Description:

WITHDRAWN

Item: 2

Description:

WITHDRAWN

Item: 3

Description:

Extension of food services distribution contracts.

REQUEST FOR AUTHORIZATION TO EXTEND CONTRACTS FOR FOOD SERVICES DISTRIBUTION VIA EMERGENCY DECLARATION

Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$61,800,000	Reimbursable	120-Day Extension	None	Emergency	No	Requirements

Vendor Names & Addresses	Chef's Choice Food Distributor Inc. 1051 Utica Ave. Brooklyn, NY 11203
	The Maramont Corporation 5600 First Avenue Brooklyn, NY 11220
	Metropolitan Foods DBA Driscoll Foods 174 Delawanna Ave. Clifton, NJ 07014
	Teri Nichols Institutional Food Merchants LLC 10101-C Avenue D Brooklyn, NY 11236

Contract Manager / Lead Contracting Officer	Division of Contracts and Purchasing Contact
Janice Zapinsky Office of School Support Services (OSSS)	Fior Castellon Procurement Analyst

PURPOSE

Authorization is requested on behalf of the Office of School Food (OSF) to extend the current food services distribution contracts in accordance with the Department's Procurement Policy and Procedures, Section 3-09 – Emergency Purchases. These emergency extensions are requested for 120 days to provide continuity of food distribution services to approximately 1,215 OSF-operated kitchens citywide. These extensions will allow newly contracted food distributors to begin providing services during the summer, when service requirements are on the smallest scale.

DISCUSSION

The Department's School Food Meal Program serves approximately 41.5 million breakfasts, 115.8 million lunches, and 16.9 million snacks and suppers during the regular school year and an additional 7 million meals during the summer. The four contracted food distributors are responsible for the acquisition, warehousing, handling, and distribution of approximately 450 food items for the Department. These vendors are also responsible for the receipt, storage, and distribution of approximately 60,000 cases of donated goods per year from the NYS Office of General Services (OGS) and 2.4 million cases of food items purchased directly from contracted manufacturers.

These contracts were extended in accordance with their terms and conditions for 180 days until February 28, 2013 and the Department released a new bid for food services distribution (RFB B2147) on September 14, 2012. Due to complex qualification and responsibility determination issues, awards

of these contracts have been delayed and it is necessary to extent the existing contracts for an additional 120 days until June 30, 2013. The extension of these contracts will enable the Department to continue receiving food distribution without interruption until the new contracts are in place.

The existing contracts were competitively bid and awarded in August 2004 and May 2006 to the bidders who provided the greatest overall savings to the DOE and were determined to have the financial and operational capacity to service the awarded areas.

Vendor Research and Price Analysis conducted comprehensive background checks on the four food distributors. No significant adverse information was uncovered for Driscoll Foods and Teri Nichols.

Chef's Choice was involved in an investigation in 2001. Frank Russo, Chef's Choice owner at that time, pled guilty to antitrust conspiracy and mail fraud charges in connection with a bid-rigging scheme involving DOE food contracts and contracts with Odyssey House, a substance abuse treatment organization that received funding from New York State. Frank Russo paid $12,327,500 in restitution and was sentenced to 21 months imprisonment and 36 months of supervised release in connection with this case. In order to continue working with the DOE, Frank Russo's son, Pasquale Russo, took over Chef's Choice and cooperated with the Special Commissioner of Investigation for the New York City School District and the DOE to change the way the company did business. These corrective actions, the passing of Frank Russo in 2008, and the company's more recent record of satisfactory performance, lead the DOE to conclude these matters should not preclude a finding that Chef's Choice is a responsible vendor.

Prior to the renewal of this contract in 2009, the DOE learned about an investigation by the Securities Exchange Commission (SEC) and United States Department of Justice involving Maramont's current CFO who, while working as a manager for another company, American Italian Pasta Company (AIPC), pled guilty to conspiring to engage in various fraudulent accounting practices which overstated earnings and concealed AIPC's actual financial condition from stockholders from 2002 to 2004. AIPC paid a $7.5 million penalty and the current CFO of Maramont pled guilty to conspiring to engage in various fraudulent accounting practices that concealed the entity's true financial condition in order to deprive holders of the stock their right to honest services. (The SEC also filed a civil suit against the entity resulting in an approximately $100k penalty). The DOE advised Maramont to self-report this matter in its VENDEX Vendor Questionnaire, which it did. Moreover, the CEO of Maramont has attested that the company was aware of the pending investigation when the CFO was hired in 2005 and has not found any inaccuracies related to the CFO's work at Maramont. Maramont currently has a contract of over $20 million per annum with the City of Philadelphia servicing 250 schools. It also has smaller contracts with Jersey City and the NYC Housing Authority. In light of the size of the company, which generated more than $80 million in revenue in 2012, and Maramont's history of satisfactory performance on contracts with the DOE and the Department of Homeless Services, the DOE does not believe these matters preclude a determination that the vendor is responsible.

OSF has confirmed that all these vendors have been providing satisfactory service; they have therefore been determined to be responsible.

Pricing will remain the same during the extension period and has therefore been determined to be fair and reasonable. Estimated costs are based on past usage.

Vendors – RFB 1C373	Monthly Contract Value	Total Contract Value / 120 Days
Chef's Choice Food Dist	$800,000	$3,200,000
The Maramont Corporation	$2,900,000	$11,600,000
Metropolitan Foods DBA Driscoll Foods	$3,700,000	$14,800,000
Teri Nichols Institutional	$4,400,000	$17,600,000
RFB 1C373 Totals	**$11,800,000**	**$47,200,000**

Vendor – RFB 1C168	Monthly Contract Value	Total Contract Value / 120 Days
Metropolitan Foods DBA Driscoll Foods	$3,650,000	$14,600,000

Grand Totals	**$15,450,000**	**$61,800,000**

Item: 4

Description:

Master's degree and certification services for alternate route teachers.

REQUEST FOR AUTHORIZATION FOR ST. JOHN'S UNIVERSITY TO PROVIDE SERVICES TO ALTERNATE ROUTE TEACHERS

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$6,000,000	Tax Levy	Five Years (6/1/13-5/31/18)	None	Negotiated Service	No	Requirements

Vendor Name & Address	St. John's University 800 Utopia Parkway Newman Hall, Rm. 108 Queens, NY 11439

Service Requestor / Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Shuvi Santo Director, Teacher Recruitment Programs Office of Teacher Recruitment and Quality	Vicki Bernstein Executive Director Office of Teacher Recruitment and Quality	Marissa L. Procope Procurement Analyst

Purpose

Authorization is requested to contract with St. John's University to provide master's degree and certification services for alternate route teachers to staff the City's most challenging public schools.

Discussion

Under its current contract, St. John's University provides alternate route teacher-candidates with the master's degree required to teach in the City's schools in the high-needs areas of Manhattan, Brooklyn, Queens, and the Bronx. The program consists of a master's in Coursework and Field Consultation Services. The DOE subsidizes the program to attract high-quality recent college graduates and new career changers.

Since 2000, the DOE has collaborated with universities to provide, prepare, and certify alternate route candidates to the serve the City's schools. To satisfy New York State regulations, alternate route candidates must obtain Transitional B certificates, which requires candidates to earn a master's degree in Education from an accredited university and complete the related field consultation section built into the program.

Between 500 and 1,500 alternate route teachers are hired annually to properly staff the New York City public schools. Over the last 10 years, more than 600 Fellows have graduated from St. John's in the key shortage areas of elementary education, mathematics, English, and special education. During the 2011-12 school year, the university provided services to over 150 Teaching Fellows and 75 NYC Teaching Residents teaching in the City's hardest-to-staff public schools.

St. John's proposed flat rate of $12,000 per degree, including field consulting services, for a five-year term, translates to $364 per credit for a 33-credit master's degree in English Education and $308 per credit for a 39-credit master's degree in Math Immersion. These rates are significantly less than St. John's current published graduate tuition rates for the 2012-13 academic year (Summer 2012 through Spring 2013), which range from $1,050 (for the School of Education) to $1,125 (for Speech-Language

Pathology Majors). St. John's has charged the DOE the same rate of $12,000 per degree since 2001. For the master's degrees received under this contract, the cost to the DOE ranges from $22,650 to $31,875 *less* than St. John's standard rates. On this basis, St. John's pricing has been determined to be fair and reasonable.

These services were not procured competitively because St. John's unique program is tailored to meet the special needs of teacher-candidates. Courses are offered after teaching hours and specialized courses are offered on Fridays during the residency year to accommodate the teaching schedule. In addition, field consultants are matched with candidates by subject area of expertise. Most important, St. John's is the only vendor that serves New York City's all high need boroughs by offering instruction to teacher candidates in Queens, Manhattan, Brooklyn, and the Bronx.

On December 18, 2012 the Committee on Contracts approved this contract because St. John's is uniquely qualified to provide the required services; and St. John's fills shortages in various subject areas in the high-needs areas of Manhattan, Queens, Brooklyn, and the Bronx.

The Vendor Research and Price Analysis (VRPA) unit conducted a comprehensive background check on St. John's University. No significant adverse findings were identified. The only notation referred to the trial of former Dean Cecilia Chang. VRPA received a performance letter from the Division of Human Resources and Talent attesting to the satisfactory performance of the vendor on prior NYCDOE work Therefore, St. John's has been determined to be responsible with respect to this Negotiated Service.

Item: 5

Description:

Extension of an identity manager security specialist contract.

REQUEST FOR AUTHORIZATION
FOR AN IBM TIVOLI IDENTITY MANAGER SECURITY SPECIALIST

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$100,000	Tax Levy	4 Months	None	Negotiated Services Per Section 3-08 of the DOE Procurement Policy & Procedures	No	Requirements

Vendor Name & Address	RCG Global Services 379 Thornall Street Edison, NJ 08837

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Janine Maisano Division of Instructional and Information Technology	Anthony Baranello Division of Instructional and Information Technology	Zina Kiryakos Director

PURPOSE

Authorization is requested to extend a contract with RCG Global Services for the services of an IBM Tivoli Identity Manager Security Specialist for four months. The contract would otherwise expire on February 28, 2013.

DISCUSSION

This procurement is to complete the development of an Identity Management Platform and then to document and transition from a consultant supported system to internal DOE support. Identity Management deals with controlling access to information systems by automatically creating, managing, and deleting user access to various system resources such as files, servers, and applications, based on job roles or requests. It is one of the most complex areas of IT and, because the technology is so specialized, not many candidates have deep expertise in the field. Moreover, large vendors offer proprietary identity management technology, so available candidates are further segmented by product specialty.

The IBM Tivoli Identity Manager platform was implemented as a part of two major initiatives: 1) SESIS (the Special Education Student Information System), in which the DOE may now assign comprehensive and effective email security access for all school personnel, associating those email accounts with other employee information as required; and 2) the iLearn project, which enables students at selected schools to participate in online coursework.

The current consultant began on the system as a Tivoli Identity Manager Security Specialist Level III for the SESIS project. His services were procured via a New York State Office of General Services (OGS) IT consulting contract. This consultant has been awarded three consecutive contracts through competitive procurements and has proven highly effective, demonstrating the following knowledge, skills, and experience:

- Hands-on project experience designing and implementing custom identity workflows, resource provisioning and role based access controls;
- Hands-on project experience with IBM Tivoli Identity Manager and Tivoli Directory Integrator;
- Strong JavaScript writing and reading skills;
- Working knowledge of Web protocols (Hypertext Transfer Protocol (HTTP) and Extensible Markup Language (XML);
- Working knowledge and experience in JavaScript, Java Coding, SQL, DB2, Web Services, Lightweight Directory Access Protocol (LDAP), XML, Active Directory, TIM, and TDI;
- Basic operating-system administration for Windows server;
- Experience in competing Identity Management products (Oracle, BMC, Sun).

In all 3 competitive instances this consultant scored at between 11 and 35 points higher than the other interviewed candidates. It would be impractical to hire someone else because a new resource would have to decompose the current environment and learn the logical integrations, all for a very brief engagement, since the DOE intends to bring this work inside once the system is in place and documented.

DCP's review of the City's VENDEX files, its own procurement files, and federal debarment databases found no significant adverse information; the vendor has therefore been determined to be responsible.

Rates for work under this contract are comparable to those for similar highly specialized work of this kind. Moreover, while the market rate for work of this kind has increased, the consultant's rate has not changed for this contract. Pricing has therefore been determined to be fair and reasonable.

Item: 6

Description:

Assessment administration and test results reporting technology platform.

REQUEST FOR AUTHORIZATION TO PROVIDE AN ASSESSMENT TECHNOLOGY PLATFORM FOR THE PERIODIC ASSESSMENT PROGRAM - RFP# R0911

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Estimated Annual Options Amount	Procurement Method	Is Contract Retroactive?	Contract Type
Year 1: $7,041,382 Year 2: $6,429,554 Year 3: $6,006,036 Total: $19,476,972	Tax Levy	Three Years	Two 1-Year Options to Extend	$6,006,036	Request for Proposals (RFP)	No	Requirements

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Laura Saegert-Winkel Director, Periodic Assessments Division of Academics, Performance and Support (DAPS)	Anne Ulevitch Chief Operating Officer Division of Academics, Performance and Support (DAPS)	Paul Simms Procurement Analyst Central Office Procurement

Vendor Name & Address	NCS Pearson, Inc. 2510 North Dodge Street Iowa City, IA 52245

PURPOSE

Authorization is requested to contract with NCS Pearson, Inc ("NCSP") to provide a technology platform for assessment administration and test results reporting. The contract will commence on or about May 1, 2013.

DISCUSSION

Since 2007, the periodic assessment (PA) program has provided formative tests in literacy and mathematics for all schools and has reported student achievement levels to teachers, who use them to inform instruction. These tests are administered at least once per year for all students in grades K-12 except for students in grades K-2, who are assessed in literacy only.

Beginning in 2012-13, New York State tests will align to the Common Core Learning Standards (CCLS) and, in 2014-15, New York State will introduce Partnership for Assessment of Readiness for College and Careers (PARCC) assessments, which are administered online. As CCLS is integrated into the curriculum, the DOE will support educators in aligning instruction with CCLS through the existing PA program. Enhancements to this program include availability of standards-aligned assessments and, possibly, additional resources for assessments in science and social studies.

The PA program provides a technology platform to facilitate assessment administration and reporting (i.e., the selection, compilation, and dissemination of test items; test scoring; results reporting, etc.). This platform will also allow teachers to create and save their own custom assessments.

A contract for these services is necessary because the DOE does not have the expertise, personnel, and resources to meet the program's objectives. An RFP was the preferred method of procurement because of the need to qualitatively evaluate the proposing organizations and services offered. The RFP specified two service components: Component 1 covers assessment content and related services.

Component 2 covers the assessment technology platform. Vendor selection under Component 1 has not yet been determined. This RA covers Component 2 only.

The RFP was advertised in the City Record and on the DOE web site. Potential service providers on the DOE bidders list were also notified via e-mail. Four proposals were received; all are listed below.

The evaluation committee included the current Director of the periodic assessment program who has expertise in project management and product management for technology applications, a certified project manager who has expertise in DOE technology systems operation and integration, and a former instructor experienced in service-oriented architecture. The evaluation criteria were program plan (30 percent), organizational capacity (30 percent), price (25 percent), and demonstrated effectiveness (15 percent).

A critical feature of the assessment technology platform is its capability to import and host ("ingest") content from varied and multiple sources. The committee felt that only the proposals from NCSP and CTB/McGraw-Hill (CTB) offered the capability to ingest content at the scale required and both offered more flexibility in terms of DOE content ownership and support for educator-authored content. Accordingly, these proposers were selected for the competitive range and negotiations.

NCSP proposed Schoolnet as its assessment platform. CTB proposed its Acuity, the platform used for DOE's current PA program. Both were given an opportunity to demonstrate their systems and address technical queries aimed at establishing how their capabilities align with the RFP's requirements and the committee concluded that CTB's platform, while familiar to the DOE user community, was not as flexible as NCSP's. The committee also felt that the NCSP platform better positioned the DOE for the future growth and that the Schoolnet platform offered the most robust combination of features and evidence of capacity to handle content ingestion effectively for all required content sources. Other districts' positive reviews of Schoolnet and NCSP's flexible approach to product development and software release cycles also contributed to the committee's decision. Moreover, NCSP's price was significantly lower than CTB's. Thus the committee selected NCSP.

The estimated contract amount was derived by using the new contract's unit prices for technology platform usage and actual usage under the previous contract.

Pricing for each annual extension period will be based on unit prices for year three of the base contract period if the DOE chooses to exercise its option to extend the contract term.

The New York State Education Department (NYSED) selected Pearson/Schoolnet as one of three vendors to provide its data dashboard for the NYSED's Education Data Portal (EDP). The data dashboard is a hosted software application that provides educators, students, and families with data that support instruction and student learning. School districts will select the dashboard that meets their local needs. Since the EDP will include some services that are also provided under the DOE contract, NCSP offered the DOE a unit price reduction to the platform access license fee of $0.77 per student opting to use the EDP. Although no decision has been made on the part of the DOE regarding the use of the EDP, this concession could amount to a potential cost savings for the DOE of up to $543,000 annually or $1.63M over the three-year contract term. While this potential savings was a consideration in the evaluation of proposals, it was secondary to the other factors that informed vendor selection.

Since this was a competitive procurement and NCSP offered the lowest price, the pricing was determined to be fair and reasonable.

A review of the City's VENDEX files, DCP's own procurement files, and public records identified the following noteworthy information regarding NCSP:

- NCSP's VENDEX contained two self-reported cautions. The first involved 81 investigations conducted by the Equal Employment Opportunity Commission between 2001 and 2011; except for four that remain pending, all have been dismissed. In the second, they reported that several federal agencies investigated claims that NCSP overcharged the Transportation Security Administration for recruitment and hiring services. The matter was settled in 2008 when NCSP agreed to pay $5.6 million. In July 2012, TSA sought an additional $232,328 to resolve unallowable cost provisions in the settlement agreement, which NCS Pearson paid, thus closing the matter.

- NCSP's VENDEX also reports that in December 2011 and February 2012, the Charities Bureau of the New York Attorney General's office subpoenaed Pearson Charitable Foundation and Pearson Education, requesting documents and information related to the foundation and various Pearson businesses. NCSP has complied with the subpoenas, but the matter is still pending.

- In March 2012, the U.S. Department of Labor's Office of Federal Contract Compliance Programs announced that NCSP had settled a hiring discrimination lawsuit involving 67 Asian job applicants in 2009. NCSP agreed to pay $100,000 in back wages to the affected job seekers and offer them positions and retroactive seniority when available. The company also agreed to revise its selection policies and procedures regarding equal employment opportunities for future job applicants.

The DOE has determined that, in light of the size of NCS Pearson and its related entities, and that these matters are generally unrelated to the work of this contract, they should not preclude contract award. Furthermore, DAPS has attested that NCS Pearson has performed satisfactorily under its contracts in the past. The vendor has therefore been determined to be responsible.

The following table lists all proposers and their comparative three-year contract amounts:

PROPOSER	INITIAL PRICE	REVISED PRICE*	BAFO PRICE
CTB/McGraw-Hill, LLC	$54,639,058	$36,560,279	$31,212,007
NCS Pearson, Inc	**$39,365,446**	**$31,455,336**	**$19,476,972**
Scantron Corporation	$29,837,191	N/A	N/A
Wireless Generation, Inc	$54,236,805	N/A	N/A

***REVISED PRICE**: Proposers were informed that budget cuts could impede the DOE's ability to operate the program at full scale. Negotiations with vendors continued in the effort to persuade them to offer lower pricing in order to remain competitive. NCSP was the most responsive to this request. The subsequent BAFO request letter provided proposers with guidance on where they should look to significantly reduce their pricing further.

The estimated annual costs for the assessment technology platform are detailed below:

CONTRACT PERIOD	ESTIMATED AMOUNT
YEAR 1	$7,041,382
YEAR 2	$6,429,554
YEAR 3	$6,006,036
ESTIMATED 3-YEAR AMOUNT	**$19,476,972**

Item: 7

Description:

Resources to help design and create web-sites, portals and/or web applications.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH VANGUARD DIRECT FOR CREATIVE WEB DESIGN & SUPPORT SERVICE

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Option Amount	Procurement Method	Is Contract Retroactive?	Contract Type
$535,350 / $2,676,750	Various	Five Years	One 2-Year Option to Renew	TBD	Request for Proposals (RFP)	No	Requirements
Vendor Name & Address		Vanguard Direct 519 8th Avenue, 23rd Floor New York, NY 10018					
Contract Manager / Lead Contracting Officer				**Division of Contracts & Purchasing Contact**			
Eric Jaimes Division of Instructional and Information Technology				James McBride Chief Administrator Central Office Procurement			

PURPOSE

Authorization is requested to contract with Vanguard Direct to provide staffing resources to help design and create Web sites, portals, and/or Web applications and to assist the DOE with the development of style guides and standards across applications and Web sites.

DISCUSSION

The need to establish centralized DOE standards for Web design has grown as schools and the Department increasingly delivers information and services through the Web. Because many Web applications are developed to serve a unique need and/or audience, the applications are built using multiple technologies and may not be compatible with all platforms and browsers. These incompatibility problems are compounded because students and other users access the DOE Web sites from their homes or mobile devices rather than DOE offices and schools.

A contract for Web design services is necessary because DIIT cannot meet the growing demands for personnel with specialized skill sets required to serve DOE clientele on an as-needed basis. Having a vendor to provide these services will enable DIIT to better serve its clients and better manage the DOE Web presence.

The required services include:

- assisting with the development of an overall DOE Web strategy;
- developing testing and optimization services for Web sites by adjustments to title, meta-tags, and HTML keywords, among other strategies;
- creating standards governing the development of various DOE applications; and

- providing a scalable pool of personnel with specialized skills in video shooting, editing, and linking.

To establish a basis for comparing vendor prices, DOE first used the average number of hours required per project by fourteen titles commonly used in Web design, which figures were used to project the number of hours required for each title. Vendors were asked to submit hourly rates for those titles and the rates were summed to obtain the vendor's total price.

A Request for Proposals (RFP 0881) was issued in April 2011 and was advertised in the City Record and on the DOE Web site. These services were procured using an RFP because Web design and social-networking technologies, including both audio and video, vary qualitatively.

Ten proposals were received. Submitting vendors are listed in the table below with their proposed total prices.

The evaluation committee consisted of three members from DIIT's Web Management Services division . The evaluation criteria were price (30 percent), qualifications and expertise (25 percent), program plan (20 percent), organizational capacity (20 percent), and value added (5 percent).

Six vendors provided proposals that indicated an understanding of the DOE requirements and that also demonstrated experience both in Web design and in providing the staffing services requested: AmericanEagle.com, Blenderbox, Comsys/Manpower Inc., MISI Company, Valtech, and Vanguard Direct. These vendors provided proposals that indicated they had the ability to:

- provide the complete range of requested services (e.g., video production);
- create original content (e.g., an anti-bullying video);
- work in a dot-net environment such as DOE;
- maintain a local presence or at least be available locally;
- function as creative shops as well as body shops; and
- operate as a domestically-headquartered business.

The six vendors were invited to make oral presentations, following which the committee found that Vanguard Direct, Blenderbox, and Valtech offered project plans demonstrating that they could best meet the DOE requirements. In particular, only these three vendors provided strong proposals for both components of the RFP (staffing and Web design services) whereas the other firms were stronger in one or the other.

Ultimately, the committee felt that Vanguard demonstrated a more nuanced understanding of the educational market than the other vendors did, including an understanding that there are multiple audiences. Vanguard also has the ability to offer on-site consultants readily if DOE requires staffing resources, and they have provided both design and staffing services to DOE projects and to other City agencies.

While Valtech, offered lower rates, they were able to provide only a single US reference for design work and did not have the depth of staff resources that Vanguard offered. Blenderbox was considered too expensive. Vanguard demonstrated experience in many areas of Web

design and received positive reviews from other people at DOE who had previously worked with them.

Vanguard's proposed rates are within the competitive range of the vendors' proposals received; they have therefore been determined to be fair and reasonable.

The Vendor Research & Price Analysis Unit's background check on Vanguard Direct found no significant adverse information. The vendor has therefore been deemed to be responsible.

VENDOR	PROPOSED PRICING	BAFO PRICING
Vanguard Direct	**$2,859,500**	**$2,676,750**
Blenderbox	$4,670,000	$4,670,000
Valtech	$2,113,000	$2,113,000
American Eagle.com	$4,200,000	
COMSYS / Manpower Inc.	$2,824,000	
MISI Co., Ltd.	$2,187,000	
Bandujo Donker & Brothers, Inc.	$4,650,000	
ComputerDivas / Sub: Posner Advertising	$4,299,000	
RMC Research Corporation	$2,590,000	
iGenii	$1,002,000	

Item: 8

Description:

Professional development services in special education and teacher training. (RA #2)

REQUEST FOR AUTHORIZATION (RA#2) FOR SPECIAL EDUCATION PROFESSIONAL DEVELOPMENT SERVICES (MTAC R0915)

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

Vendor Names & Addresses	See Table B.

Service Requestor / Contract Manager	Division of Contracts and Purchasing Contact
Loren Bohlen Executive Director Division of Students with Disabilities and English Language Learners	Joy Gentolia Director Instructional Service Procurement

PURPOSE

Authorization is requested on behalf of the Division of Students with Disabilities and English Language Learners to contract with the vendors named below to provide special education professional development services. These contracts will be utilized to provide training and support to the school community in establishing strategies directed toward diverse learners in a general education setting.

DISCUSSION

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

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

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

Proposals were distributed to an evaluation committee that included former special education supervisors, assistant principals, a principal, special education school improvement specialists, and operations support from the Division of Students with Disabilities and English Language Learners. 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 the following criteria: program plan (35 points), organizational capacity (20 points), pricing (20 points), and demonstrated effectiveness (25 points). Successful vendors were required to achieve a minimum score of 80 points.

Fifteen proposals have been received in response to this solicitation. Seven vendors were recommended for contract awards under a previous RA and two are recommended in this RA.

A vendor can offer a single workshop for a component or offer an à la carte menu of services covering the 12 components listed above. Within these components, vendors offer PD, coaching, and parent workshops. The negotiated hourly rates for the contracts proposed here range from $298 - $306.

The lower-priced Birch Family Services offering provides on-site or off-site workshops that incorporate small group activities, videos, and hands-on activities with two instructors per group of 15-30 participants. Participants are given turn-key strategies using examples from their current experiences that can be incorporated into their schools. Consultations include working with school staff to assess specific students' behavior, providing feedback, and recommending ways to incorporate data into a behavioral intervention plan.

Maximus offers on-site professional development or blended training for groups of 10-50 participants at $306 per hour. PD services can be customized to incorporate specific policies or challenging barriers identified by schools. Services also include classroom modeling, coaching, and guided staffing and scheduling assistance. Maximus provides simulation games, design lessons, team conferences, case studies, rubrics, and self-assessment activities to engage participants and incorporate strategies into the school improvement plan. Ongoing support will be provided at the school level to teachers, administrators, and curriculum specialists.

TABLE A			
Awarded Vendor		Proposed Average Hourly Rate	Negotiated Average Hourly Rate
1	Birch Family Services	$521	$298
2	Maximus	$407	$306

Hourly rates were found to be comparable to those charged by similar providers under previous contracts and were therefore determined to be fair and reasonable. The estimated annual contract amount for both vendors was based on the estimated minimum amount for new vendors with a special education professional development requirements contract of $50,000.

Background checks, including VENDEX, the Uniform Commercial Code, the Federal Tax Lien, and the Federal Excluded Parties List System, found no significant adverse information. Both 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 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			
	Vendor's Name & Address	Component*	Estimated Annual / Total Amount
1	**Birch Family Services** 104 west 29th Street, 3rd Floor New York, NY 10001	1, 5, 8, 12	$50,000 / $250,000
2	**MAXIMUS** 11419 Sunset Hill Road Reston, VA 20190	1 - 12	$50,000 / $250,000

***Component Services:**

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

Item: 9

Description:

Add on item: Supply and install window air conditioners.

REQUEST FOR AUTHORIZATION
TO PURCHASE AND INSTALL WINDOW AIR CONDITIONERS

Annual / Total Estimated Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$1,720,000 / $8,600,000	Tax Lexy / Reimbursable	Five Years	None	Competitive Sealed Bid	No	Requirements

Vendor Name & Address	Klearview Appliance Corp. 3707 Nostrand Ave. Brooklyn, NY 11235

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Andrea Black Director School Based Procurement Division of Contracts and Purchasing	Ray Burke Chief Administrator Innovation and Vendor Resources Division of Contracts and Purchasing	Nick Labetti Procurement Analyst School Based Procurement

PURPOSE

Authorization is requested to contract with Klearview Appliance Corp. to supply and install window air conditioners. This contract will be utilized on an as-needed basis by all schools and central offices purchasing items on behalf of schools. Funding will come from individual schools and/or office budgets.

DISCUSSION

A Request for Bids (RFB) was released consisting of 10 different size air conditioners and various installation scenarios. Five vendors submitted bids; Klearview Appliance Corp. offered the lowest bid and their bid was determined to be responsive.

The RFB did not identify individual manufacturer lines; instead, bidders were required to bid using models that met specifications determined by the Division of School Facilities (DSF). DSF requires air conditioner units used in schools to be of commercial/industrial grade, and that they comply with National Electrical Code Standards and the Administrative Code of the City of New York. In addition, these units must meet or exceed New York State law for energy efficiency.

Prior to purchase, schools are required to obtain approval from DSF to ensure that installation requirements have been met and that each unit has a dedicated power supply and electric service that will be sufficient to handle the type, size, and voltage of the units being purchased.

At least five manufacturers' products met the specifications listed in the RFB; two (Friedrich and Frigidaire) were represented in the bids.

The following bids were submitted:

Klearview	**$1,720,250**
Brooke's Appliance	$2,058,650
Teltronics Inc.	$2,274,330
EMK Contracting	$2,429,245
Roraima Consulting Inc.	$4,592,425

A comprehensive background check performed by the Vendor Research and Price Analysis Unit, revealed no significant adverse information. Klearview Appliance has a long history of supplying and installing air conditioner units for the DOE and other New York City agencies, with satisfactory performance. Therefore, Klearview has been determined to be a responsible vendor.

Klearview's prices are approximately nine percent higher than pricing under the last awarded contract in 2010. However, labor and installation costs have not changed since that time. The price increases are attributed to the rising cost of raw materials such as copper, zinc, and aluminum. Klearview has provided in writing that they do not offer lower prices to any customer. Klearview's prices have therefore been determined to be fair and reasonable.

Item: 10

Description:

Professional development for teachers to increase student's academic achievement.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH UFT TEACHER CENTER

Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$495,646	NYSED	One Year (7/1/12-6/30/13)	None	Vendor Named in Grant, per Section 1-03 (b) of DOE Procurement Policy & Procedures	Yes	Full Value

Vendor Name & Address	United Federation of Teachers (UFT) Education Foundation, Inc. 52 Broadway, 18th Floor New York, NY 10004

Service Requestor / Contract Ma	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Candice Cutright **Operations Analyst**	**Anne Ulevitch** **Chief Operating Officer** **Division of Academics, Performance**	**Maxine Needle** **Director of Grants**

PURPOSE

Authorization is requested to contract with the UFT Educational Foundation, Inc. to support the UFT Teacher Center's professional development program. The program is designed to increase academic achievement for students by deepening teachers' content knowledge and improving teachers' skills. The Center operates in approximately 150 school-based sites throughout the five boroughs.

DISCUSSION

The UFT Teacher Center's professional development activities for teachers will address the New York State P-12 Common Core Standards, the New York State Learning Standards, and the Chancellor's Instructional Initiatives. Professional development sessions will also focus on integrating technology into curriculum and instruction, and on the needs of new teachers and teachers preparing for certification. Activities include in-classroom support, after-school study groups, and professional development conferences and seminars.

Funds will also be used to provide instructional materials, equipment, and other professional resources that support professional development at the Teacher Center's school-based sites, including a number of low-performing schools. The selection of materials is determined by school-based advisory committees.

Funds are provided through a State Education Department (SED) Grant. The grant award specifically named this vendor for the amount stated above. To have the services provided by another vendor would be contrary to the grant.

This contract is retroactive because the grant funding was not received until December 2012.

The Contract Manager's office has experience with the vendor providing these services in the past and confirms that they have performed satisfactorily. DCP reviewed the vendor's background and found no significant adverse information. The vendor has therefore been determined to be responsible.

Pricing for the contract services was established by the grantor in the grant award.

Item: 11

Description:

Add on Item: Fuel oil for heating schools and administrative buildings.

REQUEST FOR AUTHORIZATION
TO CONTRACT WITH CASTLE OIL CORP. FOR #2-B5, #4-B5, and #6-B5 HEATING OIL

Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$60,000,000 / $90,000,000 Estimated Usage-Variable Price Contract	Tax Levy	10/01/12-9/30/14	None	DCAS Competitive Bid	No	Requirement

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

Contract Manager / Lead Contracting Officer	Division of Contracts & Purchasing Contact
Laura Iannaccone (Acting), Director of Sustainability Division of School Facilities (DSF)	Shelley Epstein Division of Contracts and Purchasing

PURPOSE

Authorization is requested to access the NYC Department of Citywide Administrative Services' (DCAS) heating fuel oil contract for approximately 1,100 DOE buildings that require #2-B5, #4-B5, and #6-B5 heating oil.

DISCUSSION

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

DCAS awarded a new contract to Castle Oil for the period of October 1, 2012 through September 30, 2014. It is not in the best interests of the DOE to solicit bids on these contracts separately as the DOE benefits from lower costs through these aggregate purchases. The estimated annual amount is based on past usage.

DCAS procured this commodity through a competitive solicitation. Five bids were received and award was made to the lowest bidder. A background check found no significant adverse information. DCAS determined that Castle was a responsible bidder.

This is a variable price contract and consists of two parts: a base price and a differential. The base price per gallon will fluctuate weekly based on the barge prices listed in the Platt's Oilgram Price Report for the New York Harbor. The differential (0.0897 for #2-B5, 0.0491 for #4-B5, and 0.0544 for #6-B5 per gallon) remains constant and covers all other costs, including transportation and insurance. Inflation-adjusted prices are higher than under the previous contract by 2.84 percent for #2-B5, 1.61 percent for #4-B5, and 1.86 percent for #6-B5. These prices have been determined to be fair and reasonable based on the competitive nature of this procurement.