Panel for Educational Policy
Contract Agenda
September 14, 2011

Item: 1 **Description:** Heating fuel oil for DOE buildings that require ultra low sulfur #2 diesel fuel oil.

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

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

Vendor Name	Estimated Annual Amount
Castle Oil Corp	$100,000

Item: 2 **Description:** Posting of recruitment advertising in newspapers and on the web.

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

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

Vendor Name	Estimated Annual Amount
Creative Media Agency	$174,322

Item: 3 **Description:** State mandated Universal Prekindergarten Program, which entitles eligible four year olds to receive two and a half hours of instructional UPK services a day.

Term: 3 years **Options:** 2 one year options or 1 two year option **Funding:** NYSED & Tax Levy

Division: Division of Portfolio Planning **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Fantasm Inc. / dba Fantasia Day Care	$131,400

Item: 4 **Description:** Online training programs for substitute teachers and paraprofessionals.

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

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

Vendor Name	Estimated Annual Amount
Solutions in Mind, Inc.	$75,000

Item: 5 **Description:** Representatives in grievance and other administrative processes that are required by various collective bargaining agreements between DOE and various unions.

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

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

Vendor Name	Estimated Annual Amount
Elenore Radzivilover	$36,000
Gary Laveman	$36,000
Gary Wittenberg	$39,000
Marcel Kshensky	$36,000
Michael Mirakian	$36,000
Pedro Crespo	$32,000
Saul Brodsky	$30,000
Stanley Fogel	$50,000
Virginia Caputo	$30,000

Item: 6 **Description:** Test, maintain, repair, modify, make additions to, and install plumbing systems and equipment in schools and administrative buildings.

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

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

Vendor Name	Estimated Annual Amount
J.E.S. Plumbing & Heating Corp	$1,773,275

Item: 7 **Description:** Amendment to replace insurance carrier.

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

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

Vendor Name	Estimated Annual Amount
Willis of New York, Inc.	$35,729,300

Item: 8 Withdrawn

Item: 9 Withdrawn

Item: 10 Withdrawn

Item: 11 **Description:** Published and copyrighted assessment and testing materials.

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

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

Vendor Name	Estimated Annual Amount
Life Space Crisis Intervention Institute (LSCI)	$60,000

Item: 12 **Description:** Instructional textbooks and ancillary materials for use in classrooms.

Term: 7 years **Options:** None **Funding:** Various

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

Vendor Name	Estimated Annual Amount
Townsend Press	$45,000

Item: 1

Description:

Heating fuel oil for DOE buildings that require ultra low sulfur #2 diesel fuel oil.

REQUEST FOR AUTHORIZATION
TO CONTRACT WITH CASTLE OIL CORP. FOR ULTRA LOW SULFUR #2 DIESEL OIL

Annual/Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$100,000 / $500,000 Estimated Usage-Variable Price Contract	Tax Levy	5/29/11-5/31/16	None	DCAS Competitive Bid	No	Requirement

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

Service Requestor/Contract Manager	Division of Contracts & Purchasing Contact
Ozgem Ornektekin, Director of Sustainability Division of School Facilities (DSF)	Shelley Epstein Division of Contracts and Purchasing

STATEMENT OF PURPOSE

Authorization is requested to access the NYC Department of Citywide Administrative Services' (DCAS) heating fuel oil contract for DOE buildings that require Ultra Low Sulfur #2 diesel fuel oil. The estimated annual amount is based on past usage.

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. DCAS had a contract with Sprague Fuel Oil which expired and a new contract was awarded to Castle Oil for the period of May 29, 2011 through May 31, 2016. 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.

DCAS procured this commodity through a competitive solicitation. Five bids were received and award was made to the lowest bidder. A background check was conducted and no adverse information was found. DCAS deemed Castle to be a responsible bidder and we accept and concur with this finding.

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 (0.1633 per gallon) remains constant and covers all other costs including transportation and insurance. Inflation-adjusted prices are 6.68 percent higher than under the previous contract. The competitive nature of this procurement indicates that these prices are fair and reasonable.

Item: 2

Description:

Posting of recruitment advertising in newspapers and on the web.

REQUEST FOR AUTHORIZATION
FOR CREATIVE MEDIA FOR RECRUITMENT ADVERTISING

Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$174,322	Tax Levy	7/1/11 - 6/29/11	None	DCAS Competitive Bid	Yes	Requirement

Service Requestor/Contract Manager	Division of Contracts & Purchasing Contact
John O'Donnell Division of Human Resources	James McBride Division of Contracts & Purchasing

Vendor Name & Address	Creative Media Agency 393 Jericho Turnpike, 3rd Floor Mineola, New York

STATEMENT OF PURPOSE

Authorization is requested to extend the Department of Education's (DOE) use of a New York City Department of Citywide Administrative Services' (DCAS) recruitment advertising contract for DOE recruitment posting needs by one year. The City recently extended this contract to June 29, 2012.

DISCUSSION

The Department uses this DCAS contract to purchase these services so that we can share in the savings achieved by combining the DOE's volume with that of other City agencies. The DOE was named in the bid document as a user of the contract. The estimated amount is based on past usage adjusted for new needs, such as recruitment of parents to complete an online survey about DOE communication methods, increased advertising to recruit Community Education Council candidates and advertising for permanent employees to replace IT consultants. We have used this contract since its inception in 2008. It is not in the best interests of the DOE to solicit this work separately as the DOE benefits from lower costs through these aggregate purchases.

DCAS procured this service through a competitive solicitation. Seven bids were received and award was made to the lowest responsive responsible bidder. Creative Media Agency was the low bidder and a background check conducted by DCAS found them to be responsible. Creative Media Agency has performed satisfactorily for the DOE and as such we find them responsible as well.

This is a variable price contract. The services and rates consist of two discounts off the "open rate". In the publishing world the open rate is similar to a "list price". The two discounts are: 68% for print recruitment advertisement and 25% for internet postings on sites such as Monster.com, Careerbuilder.com, etc. Given the bid results, and a review of open rate discounts published on some websites, both for print and online ads, the pricing is deemed fair and reasonable.

Item: 3

Description:

State mandated Universal Prekindergarten Program, which entitles eligible four year olds to receive two and a half hours of instructional UPK services a day.

REQUEST FOR AUTHORIZATION FOR FANTASM, INC. TO PROVIDE UNIVERSAL PREKINDERGARTEN SERVICES

Estimated Annual/Total Contract Amounts	Funding Source	Contract Term	Options	Estimated Option Amount	Procurement Method	Is Contract Retroactive?	Contract Type
$131,400 / $394,200	New York State Education Department and Tax Levy	Three Years	Two 1-Year Periods or One 2-Year Period	$262,800 (2 year amount)	Request for Proposals (RFP)	No	Requirements
Vendor Name & Address	Fantasm, Inc. / dba Fantasia Day Care 2753 Ocean Avenue Brooklyn, NY 11229 Attn: Galina Bresler						

Service Requestor/Contract Manager	Division of Contracts & Purchasing Contact
Sophia Pappas, Executive Director Office of Early Childhood Education	Maxine Needle, UPK Director Division of Contracts and Purchasing

STATEMENT OF PURPOSE

Authorization is requested to enter into a requirements agreement with the above-named vendor to provide four-year-olds in New York City with high-quality instructional programs two-and-a-half hours daily for 180 days.

DISCUSSION

Fantasm, Inc. is a child care provider who responded to Request for Proposals R0822 for Universal Prekindergarten Program (UPK) services. All vendors who met minimum qualifications, scored at or above the 80 points required by the Office of Early Childhood Education (OECE) in its evaluation process, and presented fair and reasonable prices were recommended for award. In all, 110 vendors were recommended for award and were approved on June 27, 2011 by the Panel for Educational Policy.

Fantasm submitted a proposal to the above referenced RFP and received a score below the cut-off by the evaluation committee so a non-award letter was issued. As permitted under Section 2-06 of the DOE Procurement Policy and Procedures, the vendor filed a protest. In reviewing the protest, the bid materials, and the written evaluations of the committee, the Protest Officer found that the committee did not take into consideration the inclusion of gross motor activity as a scheduled event in Fantasm's UPK program. Assigning this activity an appropriate point value would have increased Fantasm's score to 80 or above. As such, the Protest Officer recommended that the vendor be awarded and the Executive Director of the Division of Contracts and Purchasing adopted this recommendation.

After receiving the decision, OECE negotiated price and recommends award at a cost of $3,650 per seat, an amount in line with other Pre-K programs and thus fair and reasonable. Fantasm had proposed 40 seats but their room was found to be too small to hold that many children, so they will be allocated 36 seats.

DCP reviewed information regarding the vendor's background in the VENDEX system and VCIP and found no significant adverse information. The vendor is therefore found to be responsible.

Item: 4

Description:

Online training programs for substitute teachers and paraprofessionals.

REQUEST FOR AUTHORIZATION TO PROVIDE ONLINE TRAINING PROGRAMS FOR SUBSTITUTE TEACHERS AND PARAPROFESSIONALS

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$75,000/ $375,0000	Revenue	Five Years	None	Request For Proposals (RFP)	No	Requirements

Vendor Name & Address	Solutions In Mind, Inc. 3001 N. Rocky Point Drive East, Suite #200 Tampa, FL. 33607

Service Requestor/Contract Manager	Division of Contracts & Purchasing Contact
Peter Ianniello, Service Requestor Deputy Executive Director, Division Human Resources	Stephen Stamo, Procurement Analyst Division of Contracts & Purchasing

STATEMENT OF PURPOSE

Approval is requested to contract with Solutions In Mind, Inc. (SIM) to provide online training programs for substitute teachers and paraprofessionals. This contract will be active for five years, commencing on or around January 1, 2012.

DISCUSSION

As part of the recruitment screening process, DHR implemented an online training program as a prerequisite for all incoming substitute teachers and paraprofessionals and provides different levels of training, depending on the need. Additionally, DHR uses the online training program as a professional development tool to address poor performance. SIM has been providing this online training program for the past two years and has been effective in improving the performance of substitute teachers and ensuring that the needs of the students are met on a daily basis.

The substitute professional development courses will continue to be administered in an online format, allowing participation from any computer with an internet connection. Courses are interactive and self-paced with a flexibility that allows users to return to the course at a later time to complete the required workload.

The estimated annual amount is based on the projected number of candidates that will be offered the training. Currently, the training is offered to perspective candidates prior to employment, during the annual renewal of service, and when remediation is required. Not all candidates are required to take the training. For example, substitute teachers holding NYS Teacher certification are exempt.

Given the current organizational structure of the DOE and allocated budget, it is not practical to train the large number of substitute teachers who are hired annually in-person. Online training offers a reasonable, inexpensive alternative to traditional training methods. Therefore, these training services are contracted out.

An RFP is the preferred procurement method because vendors are required to have a proven record of success with online training for substitutes, as well as the proper course content.

The solicitation was released to all vendors on the DOE's internal Instructional Technology Professional Development bidders list, advertised in the City record, and posted on the DOE's website. Two proposals were received and a three-member committee was drawn from Division of Human Resources to evaluate the proposals. Each committee member has significant experience as an educator, as well as the management of substitute teacher/ paraprofessional processes, including the discipline process. Two of the members also possess significant knowledge of educational technology. Proposals were scored using the following evaluation criteria: price (35 points), program plan (35 points), qualifications and experience (15 points), and organizational capacity (15 points).

The evaluation committee selected SIM based on their ability to handle a large volume of candidates and implement enhancements that tailor to each individual user, as demonstrated in their proposal and presentation. SIM's system was easier to navigate and provided more overall user friendliness than the competitor's system, thus minimizing potential problems for the end users. Moreover, SIM offered lower pricing than their competitor.

SIM's rates of $8 per person for paraprofessionals and $10 per person for substitute teachers enrolled in the program are unchanged from previous contracts dating back to 2008. Therefore, the evaluation committee did not request BAFO. SIM's rates were significantly lower than the competitor proposer's BAFO rates of $13.95 per person for paraprofessional and $26.95 per person for substitute teachers. On this basis, SIM's prices were determined to be fair and reasonable.

The federal debarment list and Vendor Compliance Investigation Performance (VCIP) reports did not reveal any significant adverse information for SIM. Additionally, SIM has provided satisfactory service to DHR since 2008. A review of SIM's VENDEX will be conducted once it has been entered into the Mayor's Office of Contract Services database. Any significant adverse information will be reported in an amended RA. Based on the above, SIM is deemed responsible.

Item: 5

Description:

Representatives in grievance and other administrative processes that are required by various collective bargaining agreements between DOE and various unions.

REQUEST FOR AUTHORIZATION TO PROVIDE CHANCELLOR'S REPRESENTATIVES AND SUPERINTENDENTS' REPRESENTATIVES

Estimated Annual/Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$345,000 / $1,035,000	Tax Levy	Three Years	None	Request for Proposals (RFP)	No	Requirements

Vendor Name & Address	See list below.

Service Requestor/Contract Manager	Division of Contracts and Purchasing Contact
David Brodsky Office of Labor Relations	Stephen Stamo Division of Contracts and Purchasing

STATEMENT OF PURPOSE

Authorization is requested to contract with the consultants listed below to serve as Chancellor's or Superintendents' representatives in grievance and other administrative processes that are required by various collective bargaining agreements, and by DOE rules and regulations. This authorization will result in multiple requirements contracts. All of the contracts will be active for approximately three years, commencing on or around September 1, 2011 and terminating on or around August 31, 2014, for an estimated annual amount of $345,000. These contracts will replace previous contracts awarded pursuant to a negotiated service.

DISCUSSION

The Office of Labor Relations and Collective Bargaining (OLCRB) implements the grievance and other administrative appeal processes set forth in various collective bargaining agreements and rules and regulations set forth by the DOE. As part of this process, consultants serving as Chancellor's or Superintendents' representatives will be required to review and research issues related to appeals and other cases involving grievances, discuss each appeal with union and administration representatives, draft decisions or stipulations, and enter the required information in the OLCRB database. In addition to the assigned grievance appeals, consultants will fulfill additional responsibilities, which may include responding to inquiries, reading grievance decisions, and advising supervisors and managers about documentation for an employee's file. These services are contracted out because consultants give the DOE the flexibility needed to meet service demands without over committing resources.

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

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

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

The solicitation was released to all vendors on the DOE's internal consulting bidders list, advertised in the City Record and CSA newsletter, and posted on the DOE's website, but we did not receive proposals from candidates other than those who already provide this service to the DOE. This is not completely surprising though, because the number of individuals that possess the required certifications is limited, often consisting of retired school supervisors and superintendents. To garner more applicants, OLCRB will periodically advertise these positions using the NY Times and New York Newsday. As such, we expect additional candidates to submit proposals in the future.

The RFP was divided into two components: (1) Chancellor's representatives, and (2) Superintendents' representatives. Vendors were able to propose for either or both components.

Proposals were evaluated by a three-member committee drawn from the Teacher Performance Unit and the Office of Labor Relations. All members of the committee are familiar with the collectively negotiated grievance procedures and responsibilities of the Chancellor's representatives and Superintendents' representatives. Proposals were scored using the following evaluation criteria for both components: communication/interpersonal skills (50 points) and demonstrated effectiveness (50 points). Interviews with each proposer were also factored into their respective evaluation score. Price was not an evaluation factor because the rates are the same. All proposers were required to submit a writing sample and have one of the required certifications.

All ten individuals who submitted proposals were recommended for award. Six of the individuals were awarded for both components. All were able to articulate experience handling the resolution of complex labor relations disputes involving school teachers and other school district personnel and demonstrated knowledge of the collective bargaining agreements.

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

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

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

VENDOR	COMPONENTS	ESTIMATED ANNUAL AMOUNT
Gary Laveman	1, 2	$36,000
Pedro Crespo	1, 2	$32,000
Marcel Kshensky	1, 2	$36,000
Stanley Fogel	1, 2	$50,000

Virginia Caputo	1, 2	$30,000
Gary Wittenberg	1	$39,000
Michael Mirakian	2	$36,000
Saul Brodsky	2	$30,000
Alan Lichtenstein	1, 2	$20,000
Elenore Radzivilover	2	$36,000

Item: 6

Description:

Test, maintain, repair, modify, make additions to, and install plumbing systems and equipment in schools and administrative buildings.

REQUEST FOR AUTHORIZATION
RFB B1769 - REPAIR OF PLUMBING SYSTEMS

Annual / Total Contract Amount	Funding Source	Contract Term	Options	Estimated Option Amount(s)	Procurement Method	Is Contract Retroactive?	Contract Type
$1,773,275 $8,866,375 Plus Annual CPI Adjustments	Tax Levy	Five Years	One 270-Day Extension	$1,329,956	RFB	No	Requirement

Service Requestor/Contract Manager	Division of Contracts & Purchasing Contact
Volkert Barren, Program Director Division of School Facilities (DSF)	Robin Greene, Procurement Analyst Division of Contracts and Purchasing

Vendor Name & Address	J.E.S. Plumbing & Heating Corp. 355 Butler Street Brooklyn, New York 11217

STATEMENT OF PURPOSE

Authorization is requested to contract with J.E.S. Plumbing & Heating to test, maintain, repair, modify, make additions to, and install plumbing systems and equipment in schools and administrative buildings. The DOE has the option to extend the contract for an additional 270 days at the same prices, plus or minus the annual Consumer Price Index (CPI) adjustments for mark-up.

DISCUSSION

This bid was advertised for seven days in the City Record and on the DCP web site. The RFB covered five aggregate classes, one for each borough (Bronx, Queens, Manhattan, with Brooklyn divided into North Brooklyn for Aggregate Class 4 and South Brooklyn and Staten Island for Aggregate Class 5). Six bids were received for Aggregate Class 1; seven for Aggregate Classes 2, 4 and 5; and five for Aggregate Class 3. This RA is for Aggregate Classes 1, 3, 4 and 5.

Lake Iron Works, the low bidder for Aggregate Classes 1 and 2, was deemed non-responsive for bidding below prevailing wage. Alpha Omega Contracting, the low bidder in Aggregate Classes 4 and 5, was deemed non-responsive because they did not have adequate equipment, facilities, and qualified personnel to ensure prompt and efficient service. Rejection letters were sent to Lake Iron Works and Alpha Omega Contracting and neither vendor appealed its rejection.

Chinatown Plumbing & Heating was the second low bidder on Aggregate Classes 2 and 4. DSF conducted a site visit, held a qualification meeting with Chinatown, and determined that they have the organizational capacity to service one aggregate class. The DOE achieves the best overall savings if Chinatown services Aggregate Class 2; award to Chinatown in Aggregate Class 2 is pending.

J.E.S. Plumbing & Heating is second low bidder in Aggregate Classes 1 and 5, first low bidder in Aggregate Class 3, third low bidder in Aggregate Class 4, and is recommended for award in these classes. DSF conducted a site visit, held a qualification meeting with J.E.S., and determined that they have the organizational capacity to service all four areas aggregate classes; award is therefore recommended to J.E.S. for these classes.

A review of financial statements did not reveal any risk associated with doing business with J.E.S.. The Vendor Research and Price Analysis Unit (VRPA) conducted a background check and found no significant adverse information. The vendor is deemed responsible.

In order to assess pricing, prevailing wage rates including FICA, Unemployment and Disability Insurance, Worker's Compensation and General Liability were compared with prices quoted. J.E.S.'s quote is 4 percent above the hourly prevailing wage rate. Based on the receipt of several competitive bids, all prices are deemed to be fair and reasonable. DSF has verified that J.E.S has the equipment and organizational capacity to meet the requirements of the contract.

The bids are provided on the following tables.

RFB B1769 - REPAIR OF PLUMBING SYSTEMS

AGGREGATE CLASS NO. 1 (Bronx)

VENDOR NAME	ANNUAL CONTRACT VALUE	TOTAL CONTRACT VALUE / 5 YEARS
Lake Iron Works D/B/A Pooran Lakeram		Rejected
J.E.S. Plumbing & Heating Corp.	**$410,035**	**$2,050,175**
Chinatown Plumbing & Heating, Inc.	$410,137	$2,050,685
Par Plumbing	$420,118	$2,100,593
Charles A. Dimino	$495,967	$2,479,837
Richards Plumbing	$513,072	$2,565,362

AGGREGATE CLASS NO. 3 (Manhattan)

VENDOR NAME	ANNUAL CONTRACT VALUE	TOTAL CONTRACT VALUE / 5 YEARS
J.E.S. Plumbing & Heating Corp.	**$573,840**	**$2,869,200**
Par Plumbing	$588,200	$2,941,000
Chinatown Plumbing & Heating, Inc.	$609,200	$3,046,000
Charles A. Dimino	$681,720	$3,408,600
Richards Plumbing	$714,240	$3,571,200

AGGREGATE CLASS NO. 4 (North Brooklyn)

VENDOR NAME	ANNUAL CONTRACT VALUE	TOTAL CONTRACT VALUE / 5 YEARS
Alpha Omega Contracting Corp		Rejected
Chinatown Plumbing & Heating, Inc.	$384,425	$1,922,125
J.E.S. Plumbing & Heating Corp.	**$394,700**	**$1,973,500**
Par Plumbing	$404,287	$2,021,437
Charles A. Dimino	$481,875	$2,409,375
Richards Plumbing	$495,315	$2,476,575
National Grid Energy	$525,275	$2,626,375

RFB B1769 - REPAIR OF PLUMBING SYSTEMS (continued)

AGGREGATE CLASS NO. 5 (South Brooklyn/Staten Island)

VENDOR NAME	ANNUAL CONTRACT VALUE	TOTAL CONTRACT VALUE / 5 YEARS
Alpha Omega Contracting Corp.		Rejected
J.E.S. Plumbing & Heating Corp.	**$394,700**	**$1,973,500**
Par Plumbing	$404,287	$2,021,437
Chinatown Plumbing & Heating, Inc.	$407,300	$2,036,500
Charles A. Dimino	$459,282	$2,296,412
Richards Plumbing	$495,315	$2,476,575
National Grid Energy	$525,275	$2,626,375

Item: 7

Description:

Amendment to replace insurance carrier.

+AMENDED REQUEST FOR AUTHORIZATION FOR WILLIS OF NY, INC. CONTRACT TO REPLACE INSURANCE CARRIER

Vendor Name & Address	Estimated Annual Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive	Contract Type
Willis of New York, Inc. One World Financial Center/200 Liberty Street New York, NY 10285	Insurance Broker Years 1-2: $225,000; Years 3-5: $250,000; Total: $1,200,000	Tax Levy	6/30/11 -6/30/16	Three 1-year renewal options	Request for Proposals (RFP)	No	Requirements
Additional for Insurance Carrier (1 year)	Annual Premium: $729,300 Estimated Payments- Cash Collateral: 30 days after binder: $20,000,000 Oct. 31, 2011: $5,000,000 Jan. 31, 2012: $5,000,000 Apr. 30, 2012: $5,000,000 TOTAL ANNUAL: $35,729,300	XL Specialty Insurance Company Seaview House 70 Seaview Avenue Stamford, CT 06902					
Additional for Third Party Administrator (TPA) (1 year)	$1,214,852	Sedgwick Claims Management Services, Inc. 2 Landmark Square – Suite 211 Stamford, CT 06901					

Service Requestor/Contract Manager	Division of Contracts & Purchasing
Eric Goldstein Chief Executive Officer Office of School Support Services	Sande Pisik Procurement Analyst Division of Contracts & Purchasing

STATEMENT OF PURPOSE

Authorization is requested to amend the above referenced contract with Willis of NY, Inc. which provides insurance brokerage services to the DOE pursuant to this five year contract which began June 30, 2011. This amendment reflects the replacement of the previously approved (June, 2011 Panel) insurance carrier W.R. Berkley Corp. with XL Specialty Insurance Company.

The one year cost of the new insurance carrier is $35,729,300 for FY'12. The cost of Willis' brokerage services and Sedgwick Claims Management Services (TPA) remain the same.

For subsequent years of insurance coverage, Willis will conduct a managed competitive solicitation to select the insurance carrier and TPA. As such, the Willis contract will be amended for approval to reflect the new vendor(s) and costs.

DISCUSSION

A managed competitive solicitation process conducted by Willis resulted in their recommendation and approval by the DOE to use W.R. Berkley as the insurance carrier. This was approved by the Panel on June 27, 2011. Subsequent to binding coverage with Berkley effective June 30, 2011, they exercised their right under New York State Law to cancel coverage. State law provides all new carriers sixty (60) days from the effective date of new policies to cancel coverage for any reason. Upon receipt of Berkley's cancellation notice, the DOE instructed Willis to contact the companies who had participated in the previous solicitation and any other carriers who might reconsider offering a proposal. All original proposers, except XL, reaffirmed their prior offers.

XL, which originally offered the second most competitive proposal, agreed to renegotiate with Willis on several of their original terms and conditions. XL's initial proposal required payment of $36,609,400 upfront at the time of binding. That has since been renegotiated downward for a total of $35,729,300 of which $20,729,300 is due 30 days from the date of coverage being bound and three equal installments of $5,000,000 due 10/31/11, 1/31/12 and 4/30/12. A chart comparing the insurance carrier revised quotes is attached.

Willis recommended and the Office of Pupil Transportation (OPT) agreed to bind coverage with XL, which maintains an AM Best rating of A (Excellent). XL will be issuing the policy under Greenwich Insurance Company which is wholly owned by XL.

The competitive nature of the procurement including multiple responses received indicates that prices for the insurance carrier are fair and reasonable. A background check of XL is in the process of being conducted by DCP's Vendor Research and Price Analysis Unit. Any matters of concern will be brought to the Panel's attention prior to execution of this contract.

Item: 8

Description:

Withdrawn

Item: 9

Description:

Withdrawn

Item: 10

Description:

Withdrawn

Item: 11

Description:

Published and copyrighted assessment and testing materials.

REQUEST FOR AUTHORIZATION TO PROVIDE PUBLISHED AND COPYRIGHTED ASSESSMENT AND TESTING MATERIALS

Estimated Annual/Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$60,000 / $180,000	Reimbursable, Tax Levy, City Council	Three Years	None	Listing Application	No	Requirements

Vendor Name & Address	Life Space Crisis Intervention Institute (LSCI) 226 Landis Road Hagerstown, MD 21740

Service Requestor/Contract Manager:	Division of Contracts and Purchasing Contact
Jennifer Davilla Director, Instructional Materials Unit Division of Contracts and Purchasing	Susan Dick-McKeon Chief Administrator, School Based Procurement Division of Contracts & Purchasing

STATEMENT OF PURPOSE

Authorization is requested to contract with the above-referenced vendor to provide published and copyrighted instructional and testing materials.

DISCUSSION

Life Space Crisis Intervention Institute (LSCI) is the sole publisher of various printed instructional materials that assist special educators, counselors, and others who work with troubled children and youth to enable them to prevent and resolve crises. Because these materials cannot be purchased in the open market, a competitive sealed bid process is impractical.

The vendor has stated in writing that no other institution, agency, school district, municipality or organization will receive better pricing than that being offered to the DOE. As such, pricing for these materials is determined to be fair and reasonable.

The estimated amount is based on prior expenditures under previous contracts.

A background check, including the Uniform Commercial Code, Excluded Parties List, and VENDEX, was conducted on this vendor. No significant adverse information was found. The vendor is therefore deemed responsible.

Item: 12

Description:

Instructional textbooks and ancillary materials for use in classrooms.

REQUEST FOR AUTHORIZATION
TO PROVIDE TEXTBOOKS AND ANCILLARY MATERIALS

Estimated Annual/Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$45,000 / $315,000	Reimbursable, Tax Levy, City Council	Seven Years	None	Listing Application	No	Requirements

Vendor Name & Address	Townsend Press 439 Kelley Drive West Berlin, NJ 08091

Service Requestor/Contract Manager:	Division of Contracts and Purchasing Contact
Jennifer Davilla Director, Instructional Materials Unit Division of Contracts and Purchasing	Susan Dick-McKeon Chief Administrator, School Based Procurement Division of Contracts & Purchasing

STATEMENT OF PURPOSE

Authorization is requested to contract with the above-referenced vendor to provide textbooks and ancillary materials to all public and participating non-public schools.

DISCUSSION

Townsend Press is the exclusive publisher for a series of textbooks that cover subject matter in Reading, Vocabulary and Writing. Their textbooks assist students with learning language and writing skills required for educational achievement and success. Because none of these materials can be purchased in the open market, a competitive sealed bid process is impractical.

The vendor's "Most Favored Customer" contract clause ensures that no other institution, agency, school district, municipality, or organization will receive better pricing than that being offered to the DOE. Prices are thus determined to be fair and reasonable. The contract amount established for the vendor is based on expenditures on their prior contract.

A background check, including the Uniform Commercial Code, Excluded Parties List, and VENDEX, was conducted on this vendor. No significant adverse information was found. The vendor is therefore deemed responsible.