Panel for Educational Policy
Contract Agenda
July 30, 2014

Item: 1 **Description:** Fine art and drafting supplies used by schools and central offices.

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

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

Vendor Name	Estimated Annual Amount
A.I. Friedman, LP	$200,000

Item: 2 **Description:** Contract extension for job order contract consultation and management services.

Term: 1 year **Options:** 1 year option **Funding:** Tax Levy

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

Vendor Name	Estimated Annual Amount
The Gordian Group	$6,500,000

Item: 3 **Description:** Acquisition and distribution of fresh bread and rolls for school cafeterias.

Term: 6 months **Options:** None **Funding:** Tax Levy

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

Vendor Name	Estimated Annual Amount
Grocery Haulers dba Operative Cake Corp.	$3,193,908
Metro Food Distributors, Inc.	$3,340,005
Palagonia Bakery Co, Inc.	$3,117,779

Item: 4 **Description:** UPK services for 2014-2017. High-quality instructional programming as part of the universal prekindergarten (UPK) program. (RA #3)

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

Division: Division of Early Childhood Education **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
A Castle for Classy Kids Learning Center Inc	$181,608
A to Z Day Care Center and Afterschool Program	$180,000
Add on Item - Arista Preparatory Inc	$379,896
Add on Item - Arista Preparatory Inc	$382,127
Add on Item - Books And Rattles	$281,350
Add on Item - Christ the Rock	$434,632
Add on Item - Committee for Early Childhood Development Day Care Center In	$781,200
Add on Item - Divine Wisdom Catholic Academy	$169,880
Add on Item - Imagine Early Learning Centers	$150,000
Add on Item - Imagine Early Learning Centers	$150,000
Add on Item - Imagine Early Learning Centers	$190,000
Add on Item - St. Albans Montessori Day Care Center Inc.	$342,000
Add on Item - St. Dominic's Home	$600,000
Add on Item - Urban Strategies, Inc.	$402,000
Add on Item - Urban Strategies, Inc.	$402,000
Aim High Children's Services	$480,000
Al Madinah School, Inc.	$160,013

Item: 4 **Description:** UPK services for 2014-2017. High-quality instructional programming as part of the universal prekindergarten (UPK) program. (RA #3)

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

Division: Division of Early Childhood Education **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Al Madinah School, Inc.	$347,542
Al Madinah School, Inc.	$177,740
Al-Mamoor School	$177,740
Alonzo A. Daughtry Day Care Center - Withdrawn	TBD
Alpha Academy	$678,160
Alpha Christian Daycare - Withdrawn	$270,468
Alpha Christian Daycare - Withdrawn	TBD
Amazing Child Care Inc.	$196,700
Angel Early Childhood Development Center	$319,744
Arab American Family Support Center - Withdrawn	TBD
B'Above Worldwide Institute	$382,100
B'Above Worldwide Institute	$175,848
B'Above Worldwide Institute	$358,498
Baby Steps Daycare Center	$257,560
Bambi Early Childhood Educational Center	$697,000
Bambi Early Childhood Educational Center	$1,122,000
Battalion Christian Academy	$440,000
Battalion Christian Academy	$359,160
Blue Star Day Care Center	$370,000
Books & Rattles, Inc.	$503,100
Brightside Academy, Inc.	$168,300
Brightside Academy, Inc.	$168,000
Brooklyn Chinees-American Association	$970,290
Brooklyn Covenant Ministries - Withdrawn	TBD
Cambria Academy Gifted Limited	$521,920
Cardinal McCloskey Community Service	$1,080,000
Cardinal McCloskey Community Service - Withdrawn	$1,080,000
Cardinal McCloskey Community Service - Withdrawn	$1,080,000
Catholic School Region of Manhattan	$762,719
Catholic School Region of Manhattan	$969,959
Catholic School Region of Northeast East Bronx	$790,276
Catholic School Region of Northeast East Bronx	$806,263
Catholic School Region of Northeast East Bronx	$213,087
Catholic School Region of Staten Island	$186,620
Catholic School Region of Staten Island	$530,458
Catholic School Region of Staten Island	$371,916
Catholic School Region of the Northwest-South Bronx	$540,000
Central Queens YM & YWHA	$344,800
Church On The Hill Community Nursery School	$175,480
Clarkson Early Childhood Center Inc.	$206,257
Clifford Glover Day Care Center, Inc. @ Concerned Parents of Jamaica ELC	$204,200
Committee for Early Childhood Development Day Care Center Inc.	$896,760

Item: 4 **Description:** UPK services for 2014-2017. High-quality instructional programming as part of the universal prekindergarten (UPK) program. (RA #3)

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

Division: Division of Early Childhood Education **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Congregation B'Nai Israel of Staten Island	$155,447
Congregation Keshet Be'anan, Inc	$195,792
CONSElyea Street Block Association	$180,006
Council of Peoples Organization	$218,985
Denizko Day Care, Inc.	$256,880
Dimitrios and Georgia Kaloidis of Holy Cross Greek Orthodox Church	$512,000
Early childhood Dev Center Keleidoscope	$454,956
Evangelical Lutheran Church of Epiphany	$188,974
Evangelical Lutheran Church of Our Saviour	$188,400
Footsteps Child Care Inc	$182,240
Forest Hills Nursery and Kindergarten	$483,840
Friends of Crown Heights	$360,000
Friends of Crown Heights	$652,000
Ft. George Community Enrichment Center, Inc.	$420,000
Garden School, Inc.	$1,425,440
Get Set Linden Inc. D/B/A Get Set Kindergarten School	$180,000
Get Set Linden Inc. D/B/A Get Set Kindergarten School	$360,000
Get Set Linden Inc. D/B/A Get Set Kindergarten School	$480,000
Good Shepherd School	$336,582
Greater Bright Light Learning Center	$181,491
Gsuc Child Development and Learning Center	$100,000
Hanover Place Child Care Center	$411,286
HoneyPot DayCare Center, Inc.	$262,640
Hylan Day Care Inc.	$288,749
I Love Me Early Childhood Center	$270,959
Imagine Early Learning Center @ Jamaica Kids - Withdrawn	$150,000
Imagine Early Learning Center @ The Louis Green and Evelyn - Withdrawn	$150,000
Imagine Early Learning Center @ Vets Kids - Withdrawn	$150,000
Incarnation School	$460,160
Initial Steps Child Development Center	$199,347
International Nursery School	$339,120
Jewish Child Care Association of NY	$176,400
Kindstart Preschool	$182,699
Lbpc Day Care	$189,943
Little Meadows Early Childhood Center, Inc	$185,600
Little Nest Community Playhouse LLC	$120,007
Lutheran Social Services Of Metropolitan New York	$360,000
Magic Years Daycare Center Corp. (AKA Magic Years Preschool and Nursery)	$340,560
Mary Bobb Learning Academy	$385,368
MDP Family Services, Inc.	$114,600
Mi Nuevo Mondo	$176,040
Michelle Evans-Cornish	$108,800

Item: 4 **Description:** UPK services for 2014-2017. High-quality instructional programming as part of the universal prekindergarten (UPK) program. (RA #3)

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

Division: Division of Early Childhood Education **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Missionary Church of Christ, Inc.	$168,000
Modern Organization & Human Development Center	$1,236,958
Modern Organization & Human Development Center	$1,254,958
Moreau Lmsw Children & Family Services Pc	$190,000
Morning Star Preschool	$346,680
National Association of Family Development Centers a.k.a. Family Head Start	$435,625
National Association of Family Development Centers a.k.a. Family Head Start	$656,729
North Side School	$699,560
NY City Explorers Group/Explorers Academy	$197,730
Open Door Associates, Inc.	$180,000
Our Lady of Mercy Catholic Academy	$665,140
Peoples Day Care and Elementary School	$382,530
Phipps Community Development Corporation	$360,000
Preschool Of America (USA) Inc.	$716,800
Ravens Early Childhood Center, Inc	$509,007
Rising Stars Islamic School	$177,840
Rogers Day Care Inc	$270,000
Salanter Akiba Riverdale Academy	$360,000
Saratoga Day Care	$174,680
Seventh Ave. Centher for Family Services - Withdrawn	TBD
Shirley Chisholm Day Care Inc.	$191,151
Shirley Chisholm Day Care Inc.	$195,600
Smart Start Early Childhood	$150,000
Smiles Group Family Day Care, Nancy A Polanco. - Withdrawn	TBD
St Mark School	$412,042
St. Albans Montessori Day Care Center, Inc	$522,000
St. Camillus R.C. School	$172,274
St. Dominic's Home	$540,000
St. Francis of Assisi School	$660,000
St. Francis Xavier School	$192,090
St. Jemuel Group Family Daycare, Inc.	$170,000
St. Nicholas of Tolentine School	$322,560
Stillwell Ave Inc	$398,160
Sunflower Kidz Daycare LLC.	$294,080
Talmud Torah of Crown Heights Yeshiva	$360,000
The Coconut Grove Childhood Educational Center LLC	$209,855
The Garvey School	$682,400
The Nurturing Center, Inc.	$511,920
The Salvation Army	$350,560
The Salvation Army	$180,280
The Salvation Army	$350,560
Tiny Footsteps Inc.	$327,820

Item: 4 **Description:** UPK services for 2014-2017. High-quality instructional programming as part of the universal prekindergarten (UPK) program. (RA #3)

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

Division: Division of Early Childhood Education **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Triumphant Full Gospel Assembly	$179,999
United Academy - Withdrawn	TBD
United Federation of Black Community Organizations Inc.	$360,000
Unity Neighborhood Center	$795,000
Urban Concepts of NY / Round the Clock Nursery Inc.	$200,000
Wake-Eden Community Baptist Church	$345,600
West Harem Commuity Organization, Inc.	$200,000
Westchester Tremont Day Care Center, Inc.	$180,000
Yeshiva Har Torah	$178,200
Yeshiva Karlin Stolin	$359,353
Yeshiva of Belle Harbor	$175,680
Yeshiva Torah Vodaath	$375,489
York College Child and Family Center	$162,760

Item: 5 **Description:** Computer adaptive student assessments or tests (CAT) and related assessment administration support services for the DOE's Periodic Assessment program.

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

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

Vendor Name	Estimated Annual Amount
Scantron Corporation	$1,055,800

Item: 6 **Description:** Ongoing assistance to principals and assistant principals in the evaluation and discipline process of poorly performing tenured pedagogies and related support for school supervisors.

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

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

Vendor Name	Estimated Annual Amount
Dr. Linda Carol-Palumbo	$78,000
Joseph A. Gogloirmella	$30,000
Joseph Belesi	$40,000
Joseph D. Cantara	$40,000
Mark Bronstein	$30,000
Marlene Gonzalez	$30,000
Saul Brodsky - Withdrawn	$40,000

Item: 7 **Description:** A revenue generating partnership in support of the public schools Athletic League. The estimated amount is revenue.

Term: 5 years **Options:** 1 year **Funding:** None

Division: PSAL **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
2080 Media, Inc. dba PlayOn Sports	$90,000

Item: 8 **Description:** Provision of Universal Pre-Kindergarten services. (RA #4)

Term: 3 years **Options:** 2 years **Funding:** Reimbursable

Division: Division of Early Childhood Education **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Add on Item - Circle, Triangle, Square Daycare Inc.	$68,729
Add on Item - Association to Benefit Children	$70,000
Add on Item - Bais Ruchel D'Satmar	$824,036
Add on Item - Bais Ruchel D'Satmar	$824,036
Add on Item - Cardinal McCloskey Community Services	$63,319
Add on Item - Child Development Center of the Mosholu Montefiore Community	$302,400
Add on Item - Children's Harbor Montessori School	$108,000
Add on Item - Educational Alliance	$491,823
Add on Item - Educational Alliance	$66,000
Add on Item -.Educational Alliance	$66,000
Add on Item - Fantasm, Inc	$147,600
Add on Item - Fort Green Council, Inc.	$78,164
Add on Item - Friends of Crown Heights	$198,000
Add on Item - Grace Daycare Center	$133,200
Add on Item - Happy Dragon of USA	$467,160
Add on Item - Jewish Board of Family and Children's Services	$56,512
Add on Item - M.S. Sunshine Daycare Center	$286,450
Add on Item - Rabbi Jacob Joseph School	$156,000
Add on Item - Tabernacle Church of God	$209,999
Add on Item - United Brethen's Church on Staten Island dba Castleton Hill Mora	$147,565
Add on Item - University Settlement	$74,000
Add on Item - Waykeen Corp.	$279,400
Add on Item - Yeled V' Yalda Early Childhood Center, Inc.	$144,000
Add on Item - Yeshivath Kehilath Yakov, Inc	$140,952
Add on Item - Yeshivath Kehilath Yakov, Inc	$327,617
Ateret Torah Center	$136,000
B' Above Worldwide Institute	$179,600
B'Above Worldwide Institute	$182,070
Baais Yaakov Faigeh Schonberger of Adas Yereim - Withdrawn	$126,108
Beth Jacob Day Care Center	$848,377
Beth Jacob of Boro Park	$846,178
Bethel Emanuel Temple Inc	$351,640
Bethel Emanuel Temple Inc	$170,820
Bethel Emanuel Temple Inc	$351,640
Brightside Academy, Inc.	$168,300
Cardinal McCloskey Family Day Care Center, Inc.	$63,319
Cardinal McCloskey Family Day Care Center, Inc.	$63,319
Cardinal McCloskey Family Day Care Center, Inc.	$63,319
Cathedral Parkway Towers Preschool Inc.	$63,000
Catholic Charities Neighborhood Services, Inc.	$76,000
Catholic Charities Neighborhood Services, Inc.	$304,000
Catholic Charities Neighborhood Services, Inc.	$182,400

Item: 8 **Description:** Provision of Universal Pre-Kindergarten services. (RA #4)

Term: 3 years **Options:** 2 years **Funding:** Reimbursable

Division: Division of Early Childhood Education **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Catholic Charities Neighborhood Services, Inc.	$136,800
Catholic Charities Neighborhood Services, Inc.	$134,640
Child Development Center of the Mosholu Montefiore Community Center	$604,800
Chinese Community Concerns	$126,000
Dominican Sisters Family Health Services, Inc.	$53,400
Harlem Children's Zone, Inc	$400,000
Harlem Children's Zone, Inc.	$400,000
Hostos Community College Children's Center	$126,000
Institute of the Sister's of St. Dorothy - Academy of St. Dorothy	$71,999
Maroos, Inc.	$188,400
Mevakshei Hashem	$505,310
Mi Nuevo Mondo	$201,960
Mi Nuevo Mondo	$359,040
One World Project - Brooklyn	$63,938
Redeemer Lutheran Church and Nursery School	$266,440
Saint Mel School	$135,000
School & Home For Children dba Cardinal Mccloskey	$237,199
Sunshine Daycare Center, Inc.	$53,850
Talented Little Children, TLC Spirit, LLC d/b/a Sharon Webb	$85,680
The Cheder	$400,000
The Child Center of New York - Withdrawn	TBD
Yeled V' Yalda Early Childhood Center, Inc.	$158,400
Yeled V' Yalda Early Childhood Center, Inc.	$162,000
Yeshiva Kehilath Yakov Inc. - Withdrawn	$140,952
Yeshiva Shaare Torah, Inc.	$234,157
YMCA of Greater New York	$531,900
YMCA of Greater New York	$531,900

Item: 9 **Description:** Geographic based general construction services in schools and administrative buildings through job order contracts.

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

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

Vendor Name	Estimated Annual Amount
DIA General Construction Inc	$2,516,224
East Coast USA Construction Inc	$3,134,160
Geomatrix Services, Inc.	$7,917,300
Pro Con Group Inc	$3,975,900
Strong Steel Door Corp. / SSD Construction	$3,153,200
Volmar Construction, Inc.	$7,224,800

Item: 10 **Description:** Labor, material, and supervision necessary for heating, ventilating, and air conditioning (HVAC) projects for schools and DOE 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
Volmar Construction, Inc.	$7,818,125

Item: 11 **Description:** Fresh milk and dairy products for schools.

Term: 5 years **Options:** 3 one year options **Funding:** Tax Levy

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

Vendor Name	Estimated Annual Amount
Bartlett Dairy	$24,710,732

Item: 12 **Description:** Leasing of multifunctional devices.

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

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

Vendor Name	Estimated Annual Amount
TGI Office Automation	$10,000,000

Item: 13 **Description:** Contract change order to allow for the painting of game lines through an asphalt repairing contract.

Term: 1 year **Options:** None **Funding:** Reso A

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

Vendor Name	Estimated Annual Amount
Green Gold Development Corp	$79,567

Item: 14 **Description:** Arts Education Services for students and parents in dance, music, theatre, visual art and the moving image. (RA #12)

Term: 5 years **Options:** none **Funding:** various

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

Vendor Name	Estimated Annual Amount
Society of the Third Street Music School Settlement, Inc.	$145,000

Item: 15 **Description:** Arts Education professional development Planning & Support (RA#4)

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

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

Vendor Name	Estimated Annual Amount
Together in Dance	$30,000

Item: 16 **Description:** Professional development services in the use of instructional technology, multimedia and web-based learning tools in schools. (RA#9)

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

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

Vendor Name	Estimated Annual Amount
Computers For Youth Foundation, Inc.	$120,000
New Century Education Foundation, Inc.	$120,000

Item: 17 Withdrawn

Item: 18 **Description:** Electronic Value Transfer services for American Express branded cards.

Term: 2 years 6 months **Options:** None **Funding:** Reimbursable

Division: Division of Financial Operations **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
American Express Travel Related Services Company, Inc.	$100,000

Item: 19 **Description:** Additional easy-to-use search function to the Insideschools.org website to help eigth grade students develop a list of appropriate high schools to which they can apply.

Term: 1 year **Options:** None **Funding:** City Council

Division: Office of Safety and Youth Development **Contract Type:** Full Value

Vendor Name	Annual Amount
The New School	$90,000

Item: 20 **Description:** Peer mediation and conflict resolution services at Curtis HS and McKee HS in Staten Island.

Term: 1 year **Options:** None **Funding:** City Council

Division: Office of Safety and Youth Development **Contract Type:** Full Value

Vendor Name	Annual Amount
New York Center for Interpersonal Development	$96,400

Item: 21 **Description:** Afterschool services to the students in MS 326 in District 6 in Manhattan.

Term: 1 year **Options:** 2 one year options **Funding:** NYSED

Division: Office of Safety and Youth Development **Contract Type:** Full Value

Vendor Name	Annual Amount
Community Association of Progressive Dominicans, Inc.	$83,058

Item: 22 **Description:** Science and Technology professional development for teachers at the High School for Health Care Sciences in Manhattan.

Term: 1 year **Options:** 2 one year options **Funding:** NYSED

Division: Office of Safety and Youth Development **Contract Type:** Full Value

Vendor Name	Annual Amount
Cornell Cooperative Extension, NY City Prog.	$30,000

Item: 23 **Description:** Amendment to a contract for the provision of published and copyrighted assessment materials.

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

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

Vendor Name	Estimated Annual Amount
The College Board	$1,398,240

Item: 24 **Description:** Houghton Mifflin's educational product line.

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

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

Vendor Name	Estimated Annual Amount
Houghton Mifflin Company	$75,288

Item: 25 **Description:** Individually administered psychological assessments, group-administered educational measurements, and therapy products.

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

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

Vendor Name	Estimated Annual Amount
NCS Pearson	$1,144,123

Item: 1

Description:

Fine art and drafting supplies used by schools and central offices.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH A.I. FRIEDMAN LP FOR THE PURCHASE OF ART AND DRAFTING SUPPLIES

Estimated Annual / Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$200,000 / $800,000	Tax Levy	Five Years	None	NYC Department of Administrative Services Contract (DCAS)	No	Requirements

Vendor's Name & Address	A.I. Friedman, LP 44 W. 18th Street, 4th Floor New York, NY 10011

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Andrea Black Director School Based Procurement Division of Contracts and Purchasing	Susan Dick-McKeon Chief Administrator School Based Procurement Division of Contracts and Purchasing	Beverly Hamilton Procurement Analyst

PURPOSE

Authorization is requested to contract with A.I. Friedman LP (AIF) via a New York City Department of Administrative Services (DCAS) contract for the purchase of fine art and drafting supplies. This contract will be funded and utilized on an as-needed basis by schools and central offices.

DISCUSSION

The Mayor and Chancellor have announced new arts programs for thousands of students in middle and high schools that are underserved. The new programs provide for the hiring of 120 new certified arts teachers and improved arts facilities in schools. Starting this fall, all full-time arts teachers will receive $1,000 via the "Art Teacher's Choice Fund" to purchase materials and supplies. To support this new initiative, the DOE will utilize DCAS's contract with A.I. Friedman for fine art and drafting supplies.

DCAS conducted a competitive bid, requesting that vendors bid a discount off list price or catalog. AIF was the lowest responsive, responsible bidder, offering a 55 percent discount off its own catalog price. AIF may issue a new catalog with revised pricing once a year after the first year of contract. In order to be eligible for price increases, AIF must provide proof from the manufacturer(s) that the proposed prices are the most current and are used industry-wide. AIF's discount rate of 55 percent will remain the same for the life of the contract. A.I. Friedman has confirmed in writing that they do not offer lower prices to other municipal entities of a similar size and scope as the DOE. These prices have therefore been determined to be fair and reasonable.

A.I. Friedman LP has complied with the terms and conditions and provided satisfactory service under past DOE contracts. A.I. Friedman LP has thus been determined to be responsible vendor.

The estimated contract amount is based on expenditures from past usage. This contract is necessary because of the additional arts education mandated by the DOE's Chancellor to New York City schools.

Item: 2

Description:

Contract extension for job order contract consultation and management services.

REQUEST FOR AUTHORIZATION TO EXTEND A CONTRACT WITH THE GORDIAN GROUP FOR JOB ORDER CONTRACT SYSTEM MANAGEMENT

Original Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Estimated Options Amount	Original Procurement Method	Is Contract Retroactive?	Contract Type
$2,875,000/ $14,375,000	Tax Levy	Five Years (12/1/09 – 11/30/14)	1-Year Option to Extend	Year 1: $6,500,000 .	Request for Proposals (RFP)	No	Requirements

Vendor Name & Addresses	The Gordian Group 140 Bridges Road, Suite E Mauldin, SC 29662

Contract Manager / Lead Contracting Officer	Division of Contracts & Purchasing Contact
Volkert Braren Program Director Division of School Facilities	Marissa L. Procope Director

PURPOSE

Authorization is requested for a one-year option to extend a contract with the Gordian Group (Gordian) for Job Order Contract (JOC) consulting and construction management services.

DISCUSSION

JOCs are requirements agreements with predetermined technical specifications and estimated costs outlined in the Construction Task Catalogue (CTC) which are used in conjunction with Requests for Bids (RFB). Gordian also consults on intricate RFBs, Requests for Proposals (RFP) and various other JOC contracts. The Division of School Facilities (DSF) uses these contracts to coordinate complex, multi-trade construction projects through a contractor. Capital improvement projects require the expertise of specialists for the design and management of a system to oversee and monitor high volume projects. Gordian has implemented the current management system to monitor these contracts, ensure compliance and supervise contractor's performance.

Gordian was selected for the aforementioned contract through a competitive RFP process that always called for a five year contract with three one-year options to extend. All proposers reflected options but the original RA mistakenly omitted the optional extension periods. As a remedy, the contract incorporated the extensions, albeit requiring Panel for Educational Policy and Chancellor authorization before they could be exercised. Gordian has performed satisfactory and DSF is confident that they will continue to perform well.

In any event, the DOE will release a RFP for these services because the volume of construction work management is expected to more than double.

The cost of the extension is higher than the spend levels anticipated when the contract was originally awarded because of increases in capital projects from the School Construction Authority, DCAS and the U.S. Department of Energy.

While the base contract used a sliding payment scale that reduces Gordian's commission as volumes increase [see table below]. Actual spending is ahead of the high amount of the scale. Accordingly an additional fee reduction was negotiated and agreed to for expenditures over $35 million. All other the terms, and conditions remain consistent with the original contract. Pricing has therefore been determined to be fair and reasonable with respect each extension.

A background check on Gordian revealed a VENDEX caution concerning a 2013 inquiry by the Office of the Inspector General for the U.S. Postal Service (USPS) regarding the "most favored nation" clause in Gordian's contract with USPS. Gordian provided the requested documents and has not received any further communications in connection with this matter. Lacking any additional information, the DOE does not believe this matter precludes a determination that the vendor is responsible. Gordian has therefore been determined to be responsible.

Component B - Construction Management Fees.

Original Pricing

Construction Cost Range	Fee
$0 - $10,000,000	10.00%
$10,000,001 - $15,000,000	9.75%
$15,000,001 - $20,000,000	9.50%
Over $20,000,000	9.25%

VPR Pricing

Construction Cost Range	Fee
$0 - $10,000,000	10.00%
$10,000,001 - $15,000,000	9.75%
$15,000,001 - $20,000,000	9.50%
$20,000,001 - $35,000,000	9.25%
Over $35,000,000	**9.00%**

Item: 3

Description:

Acquisition and distribution of fresh bread and rolls for school cafeterias.

REQUEST FOR AUTHORIZATION TO EXTEND CONTRACTS FOR BREAD AND ROLLS VIA EMERGENCY DECLARATION

Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$9,651,692	Tax Levy	Six Months	None	Emergency Purchase	No	Requirements

Vendor Names & Addresses	Metro Food Distributors Inc. 179 14-20 149th Avenue Jamaica, NY 11434
	Grocery Haulers Inc. dba Operative Cake Corp. 33-50 12th Street Long Island City, NY 11106
	Palagonia Bakery Co., Inc. 508 Junius Street. Brooklyn, NY 11212

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 fresh bread and rolls distribution contracts in accordance with the DOE's Procurement Policy and Procedures, Section 3-09, Emergency Purchases. These emergency extensions are requested for six months to ensure the School Food Meal Program continues to receive meals served in approximately 1,215 OSF-operated kitchens citywide. This measure is necessary for the preservation of the health and general welfare of the children. Since the original contracts predate the Department's current Procurement Policy and Procedures, an Emergency Purchase is the only procurement method available.

DISCUSSION

The contracts proposed for extension cover the acquisition and distribution of fresh bread and rolls. They were awarded in July 2005 and July 2006 for Staten Island pursuant to Requests for Bids (RFB) as follows: Palagonia Bakery in Manhattan and parts of Brooklyn, Operative Cake in the Bronx and parts of Brooklyn, and Metro Food in Queens and Staten Island.

Those contracts were set to expire on August 31, 2013. However, the delayed release of a new solicitation resulted in two separate contract extensions for a combined term of 13 months. The last extension expires on September 30, 2014.

The delay in releasing the new solicitation is attributed to the complexities in transitioning from a Request for Bids (RFB) to a Request for Proposals (RFP) to procure these commodities. The RFP procurement method will allow the DOE more flexibility in the purchase of different bread items. The new solicitation has been released and the DOE anticipates that the contract award and registration of the contract will be complete by the end of 2014. As such, it is necessary to extend the current

contracts for an additional six months until March 31, 2015. This will enable the DOE to continue receiving bread without interruption until the new contracts are in place.

Comprehensive background checks on the above-mentioned vendors were completed within the past seven months, and all were determined to be responsible. Since these are vendors with existing contracts that have provided satisfactory services in the past, and no new adverse information was discovered in VENDEX, new comprehensive background checks have been determined to be unnecessary.

The original contracts were competitively bid and, as pricing will remain the same during the extension period, it has been determined to be fair and reasonable. Estimated costs are based on past usage.

Vendors – RFB 1C295	**Area**	**Actual Expenditure for Service Period (10/1/2013-3/31/2014)**
Metro Food Distributors Inc.	Queens	$2,901,114
Grocery Haulers Inc. dba Operative Cake Corp	Bronx & Brooklyn 2	$3,193,908
Palagonia Bakery	Manhattan & Brooklyn 1	$3,117,779
	RFB 1C295 Total	**$9,212,801**
Vendor – RFB 1C426	**Area**	**Actual Expenditure for Service Period (10/1/2013-3/31/2014)**
Metro Food Distributors Inc.	Staten Island	$438,891
	Grand Total	**$9,651,692**

Item: 4

Description:

UPK services high-quality instructional programming as part of the universal prekindergarten (UPK) program. (RA #3)

REQUEST FOR AUTHORIZATION TO CONTRACT WITH PROVIDERS OF EARLY CHILDHOOD EDUCATION SERVICES FOR FOUR-YEAR-OLDS IN THE UNIVERSAL PREKINDERGARTEN SERVICES (2014-2017) RA#3

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$51,005,285 / $153,015,856	New York State Education Department (NYSED), Tax Levy	Three Years	None	Contract via Negotiated Service per Section 3-08 (b) of DOE Procurement Policy & Procedures	No	Requirement

Vendor Names & Addresses	See table below.

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Xanthe Jory Executive Director, Expansion Planning Division of Early Childhood Education	Sophia Pappas Executive Director Division of Early Childhood Education	Toby Reyes Director of UPK Procurement

PURPOSE

Authorization is requested on behalf of the Division of Early Childhood Education (DECE) to contract with the 115 vendors listed in the attached table to provide high-quality instructional programming as part of the Universal Prekindergarten (UPK) Program.

DISCUSSION

In 1997, the New York State Education Department (NYSED) established the Universal Prekindergarten program (UPK), which entitles eligible four-year-olds to receive 2 hours and 30 minutes of instructional programming for 180 days at no charge to families. In March 2014, the State legislature approved a $300 million grant to expand full-day pre-kindergarten access in New York City. The legislation allows for high-quality UPK programs to be awarded new full-day UPK seats or to convert existing half-day seats to full-day seats.

The UPK program operates citywide in public and non-public school settings. Achieving universal access to prekindergarten services depends on the partnerships that link community-based organizations with the NYC public school system.

A Request for Proposals – R1015 (RFP) was released in December 2013, seeking to award eligible early childhood providers who are willing to collaborate with the DOE's Division of Early Childhood Education (DECE) to implement the UPK Program in New York City districts with a need for more seats than the DOE is able to offer within public schools. The deadline for proposals was February 18, 2014.

DECE received a record number of proposals from all five boroughs. Over 10,000 full-day seats were awarded by the Panel for Education policy in May, with an additional 3,000 seats scheduled for submission to the June Panel meeting. However, there are remaining needs for full-day seats in neighborhoods throughout the City. To quickly address these needs in time for the start of the 2014-15 school year, a negotiated services procurement was the preferred method to secure these services. Vendors were invited to submit an application to provide prekindergarten services in time to begin services in September, 2014. The application was posted on DECE's webpage and was emailed to all current Department of Health & Mental Hygiene Early Childhood certificate holders.

All providers have been subject to rigorous review and a site visit. The education director at each site was interviewed as part of the site visit.

Written proposals were scored in three areas:

- Program plan (including pedagogy, curriculum, and family engagement)
- Organizational capacity
- Demonstrated effectiveness

Each of these areas was evaluated for a maximum score of 15 points and the site visit was worth 55 out of the total score of 100 points. Vendors were required to score an 80 to pass before proceeding to negotiate the rate per child with their respective DECE field office.

All of the vendors and their principal owners and officers were subject to a comprehensive background check. While the background checks have not been completed for all vendors, no contract shall be submitted to the Comptroller for registration until the background check is complete. Should noteworthy information become known to the DOE after the panel meeting, it will be reported to the Panel.

Vendor Name	Administrative Borough	Site District	Zip	Awarded # of Full-Day Seats	Negotiated Cost per Child for Full-Day Seats	Start-up for furniture and materials	Start-up for facilities/permitting	Annual Amount (Not including Start-Up)
A Castle for Classy Kids Learning Center Inc	K/R	19	11208	18	$ 9,523	$ 10,190		$171,418
A To Z Day Care Center And Afterschool Program	K/R	22	11229	18	$ 9,800	$ 3,600		$176,400
Aim High Childrens Service	K/R	20	11230	48	$ 10,000	$ 24,090	$ 85,625	$480,000
Al Madinah School	K/R	20	11204	15	$ 10,001	$ 10,000		$150,013
Al Madinah School	Q	30	11102	20	$ 8,520	$ 6,000		$170,400
Al Madinah School	K/R	15	11215	45	$ 7,723			$347,542
Al-Mamoor School	Q	25	11366	18	$ 9,430	$ 8,000		$169,740
Alpha Academy	Q	29	11428	72	$ 9,280	$ 10,000		$668,160
Alpha Christian DayCare	K/R	19	11236	26	$ 9,968	$ 11,299		$259,170
Amazing Child Care Inc.	Q	30	11104	20	$ 9,360	$ 9,500		$187,200
Angel Early Childhood Development Center	K/R	20	11219	32	$ 9,397	$ 19,040		$300,704
Arista Prep Inc	K/R	17	11213	36	$ 9,991	$ 16,715	$ 3,500	$359,681
Arista Prep Inc	K/R	17	11213	36	$ 9,991	$ 15,746	$ 6,700	$359,681
B'Above World Institute	K/R	18	11203	38	$ 9,075	$ 21,500	$ 15,750	$344,850
B'Above World Institute	K/R	15	11220	18	$ 9,075	$ 12,498		$163,350
B'Above World Institute	K/R	17	11203	36	$ 9,075	$ 11,298	$ 20,500	$326,700
Baby Steps Daycare Center	Q	28	11375	26	$ 9,560	$ 9,000		$248,560
Battalion Christian Academy	K/R	18	11203	36	$ 10,000	$ 30,000	$ 50,000	$360,000
Battalion Christian Academy	Q	27	11692	36	$ 9,560	$ 10,000	$ 5,000	$344,160
BECEC INC	K/R	20	11209	73	$ 9,000	$ 28,300	$ 11,700	$657,000
BECEC INC	K/R	22	11229	118	$ 9,000	$ 54,500	$ 5,500	$1,062,000
Blue Star Day Care Center	K/R	17	11226	36	$ 10,000	$ 10,000		$360,000
Books And Rattles, Inc.	Q	24	11373	20	$ 9,450			$189,000
Books And Rattles, Inc.	Q	24	11379	15	$ 9,450			$141,750
Brightside Academy	M/X	10	10451	18	$ 9,350			$168,300
Brightside Academy	M/X	8	10459	18	$ 9,350			$168,300
Brooklyn Chinese American Association	K/R	20	11232	102	$ 9,395	$ 12,000		$958,290
Cambria Academy Gifted, Ltd.	Q	29	11411	54	$ 9,480	$ 10,000		$511,920
Cardinal McCloskey Community Services	M/X	12	10460	108	$ 10,000			$1,080,000
Catholic School Region of East-Northeast Bronx	M/X	11	10461	72	$ 10,000	$ 20,000	$ 50,276	$720,000
Catholic School Region of East-Northeast Bronx	M/X	11	10461	72	$ 10,000	$ 60,000	$ 26,263	$720,000
Catholic School Region of East-Northeast Bronx	M/X	11	10466	18	$ 10,000	$ 10,000	$ 23,087	$180,000
Catholic School Region of Manhattan	M/X	2	10019	72	$ 10,000	$ 20,000	$ 22,719	$720,000
Catholic School Region of Manhattan	M/X	6	10033	90	$ 10,000	$ 69,959		$900,000
Catholic School Region of Staten Island	K/R	31	10310	20	$ 9,331			$186,620
Catholic School Region of Staten Island	K/R	31	10310	54	$ 9,331	$ 26,584		$503,874
Catholic School Region of Staten Island	K/R	31	10314	36	$ 9,331	$ 36,000		$335,916
Catholic School Region of the Northwest-South Bronx	M/X	10	10471	54	$ 10,000			$540,000
Central Queens Ym&Ywha	Q	28	11375	36	$ 9,300	$ 10,000		$334,800
Christ the Rock International Inc	K/R	19	11208	40	$ 9,999	$ 14,658	$ 20,000	$399,974
Church On The Hill Community Nursery School	Q	25	11358	18	$ 9,360	$ 7,000		$168,480
Clarkson Early Childhood Center	K/R	18	11236	20	$ 9,783	$ 10,604		$195,653
Clifford Glover Day Care Center, Inc.	Q	28	11435	20	$ 9,760	$ 9,000		$195,200
Committee for Early Childhood Development Day Care Center Inc.	Q	29	11423	94	$ 9,540			$896,760
Committee for Early Childhood Development Day Care Center Inc.	Q	29	11423	80	$ 9,540	$ 10,000	$ 8,000	$763,200
Congregation Keshet Beanan	K/R	22	11229	18	$ 9,989	$ 6,988	$ 9,000	$179,805
Congregation Of B'Nai Israel Of Staten Island	K/R	31	10306	15	$ 10,000	$ 5,447		$150,000
Conselyea Street Block Association	K/R	14	11211	18	$ 10,000			$180,006
Council of Peoples Organization	K/R	22	11230	18	$ 9,971	$ 14,808	$ 24,700	$179,477
Denizko Day Care, Inc.	Q	24	11377	13	$ 8,960			$116,480
Dimitrios And Georgia Kaloidis Parochical School Of Holy Cross Greek Orthodox Churc	K/R	20	11209	54	$ 9,315	$ 9,000		$503,000
Divine Wisdom Catholic Academy	Q	26	11364	18	$ 9,160	$ 5,000		$164,880
Early Childhood Dev Center Kaleidoscope	K/R	22	11218	44	$ 9,756	$ 25,710		$429,246
Evangelical Lutheran Church of Epiphany	K/R	17	11216	15	$ 9,979	$ 24,294	$ 15,000	$149,680
Evangelical Lutheran Church Of Our Saviour	Q	29	11432	20	$ 9,420			$188,400
Footsteps Childcare Inc.	Q	32	11221	18	$ 9,680	$ 8,000		$174,240
Forest Hills Nursery & Kindergarten Dba Rego Park Day School	Q	28	11374	54	$ 8,960			$483,840
Friends of Crown Heights	K/R	18	11203	36	$ 10,000			$360,000
Friends of Crown Heights	K/R	31	10304	54	$ 10,000	$ 54,000	$ 58,000	$540,000
Ft. George Community Enrichment Center, Inc.	M/X	9	10456	40	$ 10,000	$ 20,000		$400,000
Garden School, Inc.	Q	30	11372	144	$ 9,760	$ 10,000	$ 10,000	$1,405,440
Get Set Linden Inc	K/R	22	11238	18	$ 10,000			$180,000
Get Set Linden Inc	K/R	22	11226	36	$ 10,000			$360,000
Get Set Linden Inc	K/R	22	11226	48	$ 10,000			$480,000
Good Shepherd School	K/R	22	11229	36	$ 9,350			$336,582
Greater Bright Light Learning Center	K/R	19	11208	20	$ 9,075			$181,491
GSUC Child Development And Learning Center	M/X	2	10016	10	$ 10,000			$100,000
Hanover Place Child Care Center	K/R	15	11201	40	$ 10,000	$ 11,286		$400,000
Honeypot Daycare Center, Inc.	Q	25	11355	28	$ 9,380			$262,640
Hylan Day Care Inc.	K/R	31	10306	37	$ 6,912	$ 18,990	$ 14,000	$255,759
I LOVE ME EARLY CHILDHOOD CENTER	K/R	19	11208	26	$ 9,995	$ 11,096		$259,863
Imagine Early Learning Centers	M/X	2	10010	15	$ 10,000			$150,000
Imagine Early Learning Centers	K/R	13	11201	15	$ 10,000			$150,000
Imagine Early Learning Centers	K/R	13	11201	19	$ 10,000			$190,000
Incarnation School	Q	29	11427	36	$ 9,080	$ 8,000		$326,880
Initial Steps Child Development Center	K/R	22	11210	20	$ 9,199	$ 10,868	$ 4,500	$183,979
International Nursery School	Q	25	11358	36	$ 9,420			$339,120
Jewish Child Care Association	Q	28	11375	18	$ 9,800			$176,400
Kindstart Preschool	K/R	20	11214	18	$ 9,989	$ 2,890		$179,809
Lefferts Park Baptist Church	K/R	20	11228	19	$ 9,997			$189,943

Vendor Name	Administrative Borough	Site District	Zip	Awarded # of Full-Day Seats	Negotiated Cost per Child for Full-Day Seats	Start-up for furniture and materials	Start-up for facilities/permitting	Annual Amount (Not including Start-Up)
Little Meadows Early Childhood Center Inc.	Q	26	11365	20	$ 9,280			$185,600
Little Nest Community Playhousse Llc	K/R	15	11218	12	$ 10,001			$120,007
Lutheran Social Services of New York	M/X	9	10453	36	$ 10,000			$360,000
Magic Years Daycare Center	Q	24	11373	36	$ 9,460			$340,560
Mary Bobb Learning Academy	K/R	17	11225	36	$ 9,810	$ 32,204		$353,164
MOP Family Services, Inc. dba Little House Day Care	Q	24	11373	12	$ 9,550			$114,600
Mi Nuevo Mundo	Q	24	11368	18	$ 9,780			$176,040
Michelle Evans-Cornish	Q	29	11413	10	$ 9,480	$ 8,000	$ 6,000	$94,800
Missionary Church Of Christ, Inc.	M/X	9	10451	21	$ 8,000			$168,000
MOHOC - Smart Start	K/R	19	11207	108	$ 9,965	$ 108,000	$ 52,750	$1,076,208
MOHOC - Smart Start	K/R	18	11212	108	$ 9,965	$ 108,000	$ 70,750	$1,076,208
Moreau LMSW Children & Family Services Pc	M/X	9	10031	20	$ 9,500			$190,000
Morning Star Preschool	Q	26	11361	36	$ 9,380	$ 9,000		$337,680
NATIONAL ASSOCIATION OF FAMILY DEVELOPMENT CENTERS	K/R	21	11214	36	$ 9,878	$ 30,000	$ 50,000	$355,625
NATIONAL ASSOCIATION OF FAMILY DEVELOPMENT CENTERS	K/R	22	11210	54	$ 9,939	$ 45,000	$ 75,000	$536,729
North Side School	Q	27	11421	72	$ 9,480	$ 8,000	$ 9,000	$682,560
Ny City Explorers Group/Explorers Academy	K/R	15	11201	18	$ 9,985	$ 18,000		$179,730
Open Door Associates, Inc.	M/X	3	10025	18	$ 10,000			$180,000
Our Lady Of Mercy Catholic Academy	Q	28	11375	72	$ 9,120	$ 8,500		$656,640
Peoples Day Care and Elementary School	K/R	23	11207	36	$ 9,549		$ 38,750	$343,780
Phipps Community Development	M/X	9	10457	36	$ 10,000			$360,000
Preschool Of America	Q	28	11374	80	$ 8,960			$716,800
Ravens Early Childhood Center Inc	K/R	18	11236	52	$ 8,996	$ 39,622	$ 1,600	$467,785
Rising Stars Islamic School (ICNA)	Q	28	11432	18	$ 9,380	$ 9,000		$168,840
Rogers Day Care Inc	K/R	17	11226	26	$ 10,000	$ 10,000		$260,000
Salanter Akiba Riverdale Academy	M/X	10	10471	36	$ 10,000			$360,000
Saratoga Day Care	Q	23	11233	18	$ 9,260	$ 8,000		$166,680
Shirley Chisholm Day Care Inc	Q	23	11233	20	$ 9,280	$ 10,000		$185,600
Shirley Chisholm Day Care Inc	K/R	16	11223	20	$ 9,558			$191,151
Smart Start Early Childhood Center Inc	K/R	20	11209	15	$ 10,000			$150,000
St. Albans Montessori Day Care Center, Inc	Q	29	0	54	$ 9,500	$ 9,000		$513,000
St. Albans Montessori Day Care Center, Inc	Q	29	11435	36	$ 9,500			$342,000
St. Camillus R.C. School	Q	27	11694	18	$ 9,043	$ 9,500		$162,774
St. Dominic's Home	M/X	10	10457	54	$ 10,000			$540,000
St. Dominic's Home	M/X	10	10475	60	$ 10,000			$600,000
St. Francis of Assisi School	M/X	11	10466	54	$ 10,000	$ 45,000	$ 75,000	$540,000
St. Francis Xavier Catholic Academy	K/R	15	11215	18	$ 9,988	$ 12,300		$179,790
St. Jemuel Group Family Daycare, Inc.	M/X	10	10468	17	$ 10,000			$170,000
St. Mark School	K/R	22	11225	36	$ 9,953	$ 51,570	$ 2,150	$358,322
St. Nicholas Of Tolentine School	Q	28	11435	36	$ 8,960			$322,560
Stillwell Ave Inc	K/R	20	11204	40	$ 9,954			$398,160
Sunflower Kidz Daycare	Q	30	11369	32	$ 8,940	$ 8,000		$286,080
Talmud Torah Crown Heights Yeshivah	K/R	22	11234	36	$ 10,000			$360,000
The Coconut Grove Childhood Education Center Llc	K/R	18	11236	21	$ 9,993			$209,855
The Garvey School	M/X	11	10475	72	$ 9,200	$ 20,000		$662,400
The Nuturing Center And Academy, Inc.	Q	29	11429	54	$ 9,480			$511,920
The Salvation Army	Q	28	11432	36	$ 9,460	$ 10,000		$340,560
The Salvation Army	Q	23	11212	18	$ 9,460	$ 10,000		$170,280
The Salvation Army	Q	24	11385	36	$ 9,460	$ 10,000		$340,560
Tiny Footsteps, Inc.	Q	25	11366	37	$ 8,860			$327,820
Triumphant Full Gospel Assembly Inc	K/R	18	11203	18	$ 10,000			$179,999
United Federation Of Black Community Organizations	M/X	6	10032	36	$ 10,000			$360,000
Unity Neighborhood Center	M/X	11	10466	72	$ 10,000	$ 40,000	$ 35,000	$720,000
Urban Concepts Of Ny-Round The Clock Nursery, Inc.	M/X	5	10027	20	$ 10,000			$200,000
Urban Strategies, Inc	Q	32	11207	40	$ 9,800	$ 10,000		$392,000
Urban Strategies, Inc	Q	32	11207	40	$ 9,800	$ 10,000		$392,000
Wake-Eden Community Baptist Church	M/X	11	10466	36	$ 9,600			$345,600
West Harlem Community Organization Inc.	M/X	5	10027	20	$ 10,000			$200,000
Westchester Tremont Day Care Center, Inc.	M/X	10	10461	18	$ 10,000			$180,000
Yeshiva Har Torah	Q	26	11426	18	$ 9,400	$ 9,000		$169,200
Yeshiva Karlin Stolin	K/R	21	11204	36	$ 9,982			$359,353
Yeshiva Of Belle Harbor	Q	27	11694	18	$ 9,260	$ 9,000		$166,680
Yeshiva Torah Vodaath	K/R	22	11218	36	$ 9,447	$ 35,392		$340,097
York College Child And Family Center	Q	28	11451	17	$ 9,280	$ 5,000		$157,760

Item: 5

Description:

Computer adaptive student assessments or tests (CAT) and related assessment administration support services for the DOE's Periodic Assessment program.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH SCANTRON CORPORATION TO PROVIDE COMPUTER ADAPTIVE TESTING

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Estimated Option Amount	Procurement Method	Is Contract Retroactive?	Contract Type
Year 1: $813,300 Year 2: $807,300 Year 3: $789,800 Total: $2,410,400	Tax Levy	Three Years (9/1/14 – 8/31/17)	Two 1-Year Options to Extend	$1,579,600	Request for Proposals (RFP)	No	Requirements

Vendor Names and Addresses	Scantron Corporation 1313 Lone Oak Road Eagan, MN 55121

Contract Manager	Lead Contracting Officer	Division of Contracts and Purchasing Contact
Amy Hoffman Implementation Manager Division of Teaching and Learning	Lisa Karlich Director of Periodic Assessment Division of Teaching and Learning	Begum Gonul Procurement Analyst Central Office Procurement

PURPOSE

Authorization is requested to contract with Scantron Corporation (Scantron) to provide computer adaptive student assessments or tests (CAT) and related assessment administration support services for the DOE's Periodic Assessment program.

DISCUSSION

The Periodic Assessment (PA) program provides assessment data that helps classroom educators meet the instructional needs of their students, deliver lessons aligned to the Common Core Learning Standards (CCLS), differentiate instructional supports, plan their curriculum, implement professional development, and monitor student learning and progress over time. All schools began administering PA programs in English Language Arts (ELA) and Mathematics in grades 3-12 in school year 2007-2008. In school year 2012-2013, the PA program added CCLS-aligned PAs. As the CCLS implementation continues, the PA program is expected to expand its services to include a variety of tools to support CCLS implementation.

CATs adjust the difficulty of successive questions in a test according to students' responses to previous questions. The reports generated by these assessments highlight the proficiency of each student irrespective of his or her grade level, thereby enabling teachers to better discern the range of student abilities in their classrooms and identify individualized instructional supports a student might need to improve or accelerate learning.

The selected vendor was required to be capable of providing services in all of the following three components. While the DTL gave greater consideration to vendors who addressed the required services under Component 1, the utilization of services under Component 2 and 3 will be determined by DTL and subject to available budget.

Component 1 - CATs for ELA grades 2-11, Math grades K-8, Algebra 1, Geometry (Required)

Component 2 - CATs for ELA grades PK-1 & 12, Math for PK, Algebra 2, Trigonometry, Science grades PK-12, Social Studies grades PK-12 (Optional)

Component 3 - Artificial Intelligence to score open-ended responses for any or the entire grade levels and subjects above (Optional)

These services are being contracted because the DOE does not have the resources and expertise to meet the program's objectives. A Request for Proposals (RFP) was the preferred method of procurement because of the need to weigh the services offered qualitatively.

The RFP was advertised in the City Record and on the DOE website. Assessment technology service providers on the DOE bidders list were also notified via email.

The evaluation committee included three representatives from the Division of Teaching and Learning (DTL), including a Periodic Assessment program manager who is a former teacher experienced in administering and writing literacy assessments, a psychometrician experienced in research and test development, and an additional Periodic Assessment program manager experienced in the management and development of Math and ELA formative assessments. The committee was supported by the Office of Assessment Design and Evaluation, as well as the Division of Instructional and Information Technology (DIIT), who provided assistance in the evaluation of technical requirements and each vendor's capacity to integrate with DOE systems. Proposals were scored based on the following criteria: organizational capacity (40 points), price (20 points), program plan (10 points), and demonstrated effectiveness (20 points), with the two optional work components worth five points each.

The following table lists the three proposals received.

PROPOSER	INITIAL TOTAL AMOUNT*	BAFO AMOUNT	NEGOTIATED AMOUNT
Curriculum Associates	$3,256,000	N/A	N/A
Northwest Evaluation Association	$5,588,305**	$7,084,856***	N/A
Scantron Corporation	**$4,217,917**	**$3,149,900**	**$2,410,400**

*Includes K-8 Math, 2-11 ELA, HS Geometry, HS Algebra, and Spanish math grades 2-8. Prices include Spanish HS Algebra and Geometry when available.

**Vendor assumed the number of schools was 200, not 400, as required. It was further clarified to the vendor that professional development requirement was extended from one to three years.

***While vendor's proposal included HS Algebra and Geometry in the proposal, pricing was not originally included with the original submission.

While the evaluation committee felt that Curriculum Associates demonstrated strong organizational capacity and a clear program plan, their lack of ability to exclude certain content and customize the available content for DOE needs made their proposal less competitive. In addition, the committee was concerned about the vendor's ability to meet the needs of English Language Learners, as the proposed method for delivery of required Spanish language Math assessments included voice-over translations instead of actual translated content. As a result, Curriculum Associates was eliminated during the evaluation process.

The committee found that, while Northwest Evaluation Association offered a program with strong CCLS-aligned items, NWEA's reporting and proctoring was difficult to understand and not user friendly. In addition, NWEA's reporting and proctoring required professional development sessions, which would be costly to the DOE. Further, the cost of the individual student log-in for each individual subject made NWEA's proposal less competitive.

Scantron was recommended for award based on its lower cost, ease of administration, quality of reporting, and the availability of the optional subjects. The committee noted that, although the instructional resources are not built-in, they can be added at an additional cost. Scantron's pricing was found to be competitive as it offers a one-time yearly student fee for tests in multiple subjects.

Scantron offered tiered log-in pricing of $5.40 per student for English language subjects, $1.80 higher than the per student long-in price of $3.60 under the current contract. Negotiations with Scantron resulted in a flat student log-in fee of $2.95 regardless of the number of participating students, provided Scantron is awarded all components, which was the evaluation committee's intention. The negotiated log-in fee results in savings of $235,000 annually based upon DTL's estimate of 124,000 students annually. Additional savings were negotiated with Scantron for a reduction in the subject fee for Spanish Math in grades 2-8, from $4.00 to $1.50 per student, saving $7,500, and Scantron similarly reduced its price for the third year of the pilot for Spanish Algebra, Geometry and K-1 Math from $4.00 to $1.50 per student, resulting in a savings of $12,000 (the first two years of the pilot for those subjects were offered at no charge.) The price paid to Scantron covers the cost of program management and technical support staff, for which the compensation rates are the same as those paid under the current contract. For the optional service of employing artificial intelligence (AI) for scoring, Scantron originally offered a price of $27.50 per student for up to 5,000 students per subject for two subjects, or a total of 10,000 students. The DOE negotiated a price reduction to $26.68 per student for up to 10,000 students, with Scantron agreeing to allow the DOE to double the number of students to 20,000 for the same price as 10,000, effectively cutting the price in half for this option should the DOE choose to pursue AI scoring for 20,000 students.

Scantron's total three-year pricing is 66 percent less than NWEA's pricing of $7,084,856, as NWEA assigned multiple program managers to the project and offered per subject log-in pricing, which led to a higher cost to the DOE in instances in which students accessed multiple subjects.

As Scantron's prices were, after negotiations, the lowest offered, they have been determined to be fair and reasonable.

A comprehensive background check of the vendor, including VENDEX, did not reveal any significant adverse findings. The program office has attested to Scantron's satisfactory performance of these services under previous contracts. Scantron has therefore been determined to be responsible.

Item: 6

Description:

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

REQUEST FOR AUTHORIZATION TO CONTRACT WITH LABOR SUPPORT UNIT CONSULTANTS AND TEAM LEADER (RA #4)

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$275,000 / $825,000	Tax Levy	Three Years	None	Request for Proposals (RFP)	No	Requirements

Vendor Name & Address	See list below.

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

PURPOSE

Authorization is requested to contract with the vendors listed below to serve in the Labor Support Unit and provide ongoing assistance to principals and assistant principals in the evaluation and discipline process for poorly performing tenured pedagogues. 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, 2014 and terminating on or around August 31, 2017, for an estimated annual amount of $275,000.

DISCUSSION

A Request for Proposals (RFP) was the preferred procurement method because the service requires vendors to have a working knowledge of the discipline process for pedagogues and prior experience with supervising classroom instruction and improving underperforming pedagogues. This RFP is open-ended in that it allows candidates the opportunity to submit proposals upon receiving the required supervisory certification.

The RFP was divided into two components: (1) Labor Support Unit Consultants, and (2) Labor Support Unit (LSU) Team Leader. Consultants are assigned to cases involving teachers and other pedagogues who were rated unsatisfactory and they prepare documentation related to the underperforming personnel. The Team Leader acts as a liaison who offers support among the attorneys, Labor Support Consultants, and school administrators. 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 have experience working with the (LSU) Consultants and have extensive knowledge of the teacher evaluation process delineated in the teachers' collective bargaining agreement, as well as the New York State Education Law Section 3020-a (3020-a) disciplinary process for tenured pedagogues. Proposals were scored using the following evaluation criteria for both LSU Consultant and Team Leader: communication/interpersonal skills (50 points) and demonstrated effectiveness (50 points). Interviews with each proposer were also factored into their respective evaluation score. All proposers were required to have a supervisory certificate and submit a writing sample.

Of the 13 candidates who submitted proposals, nine were interviewed and six are being recommended for award at this time. Any remaining candidates will be presented for approval at a later date, as their current contracts do not expire until January 2015. The vendors recommended for award clearly articulated their current experiences as an LSU Consultant and demonstrated knowledge of the collective bargaining agreement. Each also had extensive experience as a school supervisor. Two vendors were not selected because of their lack of demonstrated effectiveness during the past three years. Evaluators cited incomplete or insufficient documentation, ineffective communication with principals, and failure to accurately assess the merit of a case as some of the reasons for their rejection. No protests were received from these proposers. The evaluation committee is set to interview the remaining two individuals and should they be recommended for award, they will be presented for approval at a later date.

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

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 consultants' hourly rate of $50 to the equivalent titles of full-time DOE Associate Staff and Education Analysts. The hourly rates for those titles range from $48.77 to $63.15 respectively, including fringe benefits. As the consultants' rates are either less than or fall within the salary range of equivalent titles, the rates have been determined to be fair and reasonable. The rate will remain in effect for the entire term of the contract.

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

VENDOR	COMPONENT	ESTIMATED ANNUAL AMOUNT
Dr. Linda Palumbo	2	$85,000
Joseph D. Cantara	1	$45,000
Joseph F. Belesi	1	$45,000
Marlene Gonzalez	1	$30,000
Mark Bronstein	1	$40,000
Joseph A. Gogliormella	1	$30,000

Item: 7

Description:

A revenue generating partnership in support of the public schools Athletic League. The estimated amount is revenue.

REQUEST FOR AUTHORIZATION TO PROVIDE REVENUE FROM WEBCAST SERVICES TO THE PUBLIC SCHOOLS ATHLETIC LEAGUE

Guaranteed Annual / Total Revenue	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
Years 1-3: $80,000 / Year Years 4-5: $90,000 / Year **Total: $420,000**	None	9/1/14 - 8/30/19 (Five Years)	One 1-Year Option to Extend	Request for Proposals (RFP)	No	Requirements

Vendor Name & Address	2080 Media Inc. dba PlayOn! Sports 2835 Brandywine Road, Suite 102 Atlanta, GA 30341

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Janice Zapinsky, Manager Contracts Management Unit Office of School Support Services	Lisa D'Amato, Director Contracts Management Unit Office of School Support Services	Sande Pisik Procurement Analyst Transportation, School Food, PSAL

PURPOSE

Authorization is requested to contract with 2080 Media dba PlayOn Sports to webcast New York City public school sports events via subscription, with the revenue produced benefiting the Public Schools Athletic League (PSAL). This will be a revenue-generating agreement. There will be no cost to the DOE.

DISCUSSION

The mission of the PSAL is to provide students with opportunities to further enhance their academic experience through athletic activities. PSAL programs improve students' capacity for learning through better physical health and enhance students' character development, leadership, and socialization skills. To promote the PSAL's athletic programs and activities, the DOE will contract for the broadcast, on a subscription basis, of public school sports events. The revenues generated from this program will help fund new and existing athletic and athletic-related programs.

In 2011, MSG Varsity became the first Official Sports Network partner of the PSAL, which resulted in positive feedback from PSAL staff, school administrators, coaches, and student athletes and their families. MSG Varsity, citing business reasons, opted not to extend their contract after two years. Therefore, in September 2013 the DOE issued a Request for Proposals (RFP), offering potential respondents the opportunity to have the exclusive option (the Right of First Refusal) to record (audio/visual) and distribute PSAL competitions and other PSAL sports/athletic program concepts for commercial purposes and become the Official Sports Network and partner of the PSAL. Respondents could propose on the following four options covering all post-season and championship events citywide:

Option 1:

- Exclusive rights to all PSAL post-season and championship events
- Exclusive right of first refusal for all regular season events
- Exclusive category marketing rights

Option 2:

- Exclusive right to all PSAL post-season and Championship events
- Exclusive category marketing rights at those events

Options 3a-d:

- Exclusive right of first refusal to regular season events located in an individual borough
- Exclusive category marketing rights for events located in an individual borough

Option 4:

- Alternate proposal for filming and marketing rights

Depth and breadth of coverage across multiple girls and boys sports in all boroughs was strongly encouraged in the RFP and respondents were encouraged to form partnerships to expand coverage if necessary.

The RFP was advertised in the City Record and on the DOE website and a pre-proposal meeting was attended by five vendors. Additionally, the DOE and Octagon, its sports marketing consultant, reached out to a targeted list that included 17 national, regional, and local companies that were known to distribute broadcast/filmed content in New York City via cable, Internet, or mobile telecommunications. PlayOn Sports was the only vendor to submit a proposal and they proposed for Option 1.

A three-member committee, consisting of representatives from PSAL and the Office of School Support Services (OSSS) found PlayOn's film and webcast of the PSAL Girls and Boys AA Basketball Championship at Barclays Center in March to be of very high quality and determined that it was in the DOE's best interests to award.

PlayOn Sports created the NFHS Network in collaboration with the National Federation of State High School Associations (NFHS) and participating NFHS-member states. The all-digital network is devoted to coverage of high school sports, performing arts, and other activities. The NFHS Network currently features game content from 34 states; PlayOn is actively seeking to form partnerships with other states. The subscription-based digital service is available for viewing on a variety of web-enabled devices at nfhsnetwork.com.

PlayOn will have the exclusive right to webcast/stream all PSAL post-season games, first right of refusal to webcast/stream all regular season games, and first right of refusal to televise live all PSAL regular and post-season games. They intend to produce and stream only on digital platforms and their focus will be on post-season events. This arrangement allows for the possibility of another media outlet to televise games live. In the event another company wants to televise a game live, the DOE will notify PlayOn, and PlayOn will be required to respond to the DOE in a timely manner with their intent to televise the game live or waive their rights.

PlayOn estimates filming a minimum of 100 games per school year with 100 percent coverage of all PSAL championships. Live content would be made available to all Internet users via subscription and will be stored on PlayOn's website. After 72 hours, that content is available for viewing free of charge. The contract will provide that the proposed contractor may display only age-appropriate and content-appropriate advertisements on its website and in the context of streamed PSAL events. Accordingly, the contract will require that the advertisements must be in compliance with current DOE rules and

policies and shall be subject to advance approval by the current NYCDOE oversight mechanism, i.e., the Chancellor's Committee for the Approval of School Advertisements ("CASA").

Additionally, PlayOn intends to implement their School Broadcast Program (SBP), which allows individual schools to participate and self-produce event content to be viewed on nfhsnetwork.com. Nearly 700 schools from across the country currently participate in the SBP.

PlayOn originally proposed to provide $135,000 in revenue over five years plus a 40 percent share of net marketing sales revenues, including agency fees. Subsequently, the DOE and Octagon negotiated the terms of final award, which are $420,000 over five years plus a 40 percent share of net marketing sales revenues for PSAL after PlayOn has reached a minimum level of $350,000 in annual sales. The annual revenue totals guaranteed to the DOE are as follows:

Contract Year	Content Production & Distribution	Marketing Rights	Total Annual DOE Revenue
Year 1 (2014-15)	$35,000	$45,000	$80,000
Year 2 (2015-16)	$35,000	$45,000	$80,000
Year 3 (2016-17)	$35,000	$45,000	$80,000
Year 4 (2017-18)	$45,000	$45,000	$90,000
Year 5 (2018-19)	$45,000	$45,000	$90,000
		TOTAL	**$420,000**

Market research and interviews with other NFHS Network participants conducted to ensure that PSAL was receiving a market-value offer determined that PSAL is receiving compensation in line with what PlayOn has offered the largest state associations, such as Florida, despite the fact that student participation in the PSAL is much less than the large states. On this basis, and because this was a competitive procurement with no other proposers, PlayOn's revenue package has been determined to be fair and reasonable.

These technical services are being contracted out because the DOE does not have the resources to perform them.

The dollar amount of this contract does not meet the threshold to require a background check. However, a review using the Better Business Bureau, Occupational Safety and Health Administration, and other public databases found no significant adverse information.

Item: 8

Description:

Provision of Universal Pre-Kindergarten services. (RA #4)

REQUEST FOR AUTHORIZATION TO CONTRACT WITH PROVIDERS OF EARLY CHILDHOOD EDUCATION SERVICES FOR FOUR-YEAR-OLDS IN THE UNIVERSAL PREKINDERGARTEN (UPK) PROGRAM (RFP R1015) (RA #4)

Estimated Annual / Total Contract Amounts	Funding Source	Contract Term	Options	Estimated Option Amount	Procurement Method	Is Contract Retroactive?	Contract Type
$13,293,518 /$39,880,554	New York State Education Department (NYSED), Tax Levy	Three Years	Options to Extend for Two 1-Year Periods or One 2-Year Period	$26,587,036	Request for Proposals (RFP)	No	Requirement

Vendor Name & Address	See attached table.

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Xanthe Jory Executive Director, Expansion Planning Division of Early Childhood Education	Sophia Pappas Executive Director Division of Early Childhood Education	Toby Reyes Director of UPK Procurement

PURPOSE

Authorization is requested to contract with the 46 vendors listed in the attached table to provide high-quality instructional programming as part of the Universal Prekindergarten (UPK) program.

DISCUSSION

In 1997, the New York State Education Department (NYSED) established the Universal Prekindergarten program (UPK), which entitles eligible four-year-olds to receive 2 hours and 30 minutes of instructional programming for 180 days at no charge to families. In March 2014, the State legislature approved a $300 million grant to expand full-day pre-kindergarten access in New York City. The legislation allows for high-quality UPK programs to be awarded new full-day UPK seats or to convert existing half-day seats to full-day seats.

The UPK program operates citywide in public and non-public school settings. Achieving universal access to prekindergarten services depends on the partnerships that link community-based organizations with the NYC public school system.

A Request for Proposals (RFP) was released in December 2013, seeking to award eligible early childhood providers who are willing to collaborate with the DOE's Division of Early Childhood Education (DECE) to implement the UPK Program in New York City districts with a need for more seats than the DOE is able to offer within public schools. The RFP contained two components, each to be evaluated and awarded separately:

- Component A – Full-Day
- Component B – Half-Day

In support of Mayor de Blasio's plan to expand full-day UPK, the NYCDOE encouraged any provider interested in offering full-day UPK to apply to the RFP.

The vendors were expected to propose a consistent weekly schedule for full-day programs (6 hours and 20 minutes) between 8:00 am and 4:30 pm and/or half-day programs (2 hours and 30 minutes per day), 5 days per week for 180 days of the school year.

The Division of Early Childhood Education (DECE) performed a needs analysis to determine areas to target for full-day seats and a separate analysis to determine high-needs half-day areas; however, the RFP made clear that, should additional funding become available, contract awards would be made citywide, prioritizing areas with the largest gaps in full-day UPK options. DECE measures this seat gap by evaluating the difference between kindergarten students enrolled in public District and Charter schools and the full-day UPK options available to families in the same area.

Keeping in line with the Mayor's vision, and in light of receiving additional funding made available through State legislation passed in March, the DOE prioritized proposals for full-day pre-k or full-day and half-day pre-k. This request is for contracts offering only full-day seats or a combination of full-day and half-day seats.

The New York State Education Department (NYSED) provides funding up to $224,000,000 for half-day UPK seats and up to $300,000,000 for full-day expansion.

Of 707 sites proposed, 482 were for full-day, 97 for half-day, and 128 for both full-day and half-day programs. Three proposals were submitted past the deadline. These vendors were notified that their proposals were found to be non-responsive and none protested. 199 vendors were recommended for award and approved in the May 2014 Panel for Education Policy contract meeting. 62 vendors were recommended for award and approved in the June and July 16, 2014 Panel for Education Policy contract meetings. There are 46 vendors recommended for award of full-day and half-day programs on this Request for Authorization.

The UPK full-day expansion allows for limited start-up funds for programs expanding from half-day to full-day programs or beginning new full-day programs. Vendors requiring start-up funds were offered additional resources outside of their negotiated per child rate for the first year of their contract. These funds will support facilities improvements necessary for their required Department of Mental Health and Hygiene permit or for furniture and other materials for their new classrooms. The average award for start-up funds is $20,440, or $536 per child for those sites.

To evaluate proposals, each Early Childhood Field Office convened a three-member evaluation committee that included two instructional professionals and one operations professional. Proposals were scored using the following evaluation criteria:

Response Category	Maximum Points
Program Plan	15
Organizational Capacity	15
Demonstrated Effectiveness	15
Site Visit	55
Total	**100**

All vendors in areas where additional seats are needed who met the minimum qualifications, scored at or above the 80 points, and presented fair and reasonable prices are recommended for award. In areas where the capacity of vendors exceded the estimated demand for services, awards were made based on vendor scores.

The RFP selection process was used because the qualitative evaluation of program, staff, and site environment are the most important criteria for award.

All of the vendors and their principal owners and officers were subject to a comprehensive background check. While the background checks have not been completed for all vendors, no contract shall be submitted to the Comptroller for registration until the background check is complete. Should noteworthy information become known to the DOE after the Panel meeting, it will be reported to the Panel.

Vendor Name	Administrative Borough	Site District	Zip	Awarded # of Full-Day Seats	Negotiated Cost per Child for Full-Day Seats	Awarded # of Half-Day Seats	Negotiated Cost per Child for Half-Day Seats	Start-up for furniture and materials	Start-up for facilities/permitting	Annual Amount (Not including Start-Up)
Association to Benefit Children	M	5	10035			20	$3,500			$70,000
Ateret Torah Center	K/R	21	11223			40	$3,400			$136,000
Baais Yaakov Falgeh Schonberger Of Adas Yereim	K/R	15	11219			36	$3,503			$126,108
B'Above Worldwide	Q	24	11368			51	$3,570			$182,070
B'Above Worldwide	Q	29	11412	20	$8,980.00					$119,733
Bais Ruchel O'Satmar	K/R	14	11205			210	$3,924			$824,036
Bais Ruchel O'Satmar	K	14	11205			210	$3,924			$824,036
Beth Jacob Day Care Center, Inc.	K/R	20	11219	80	$10,000.00			$48,377		$549,459
Beth Jacob Of Borough Park	K/R	20	11219	80	$9,999.98			$46,180		$548,726
Bethel Mission Station Church	Q	27	11692	36	$9,490.00			$10,000		$231,093
Bethel Mission Station Church	Q	27	11691	18	$9,490.00					$113,880
Bethel Mission Station Church	Q	27	11692	36	$9,490.00			$10,000		$231,093
Brightside Academy	M/X	11	10467	18	$9,350.00					$112,200
Cardinal Mccloskey Community Services	X	12	10460			18	$3,518			$63,319
Cardinal Mccloskey Community Services	M/X	10	10468			18	$3,518			$63,319
Cardinal Mccloskey Community Services	M/X	9	10452			18	$3,518			$63,319
Cardinal Mccloskey Community Services	M/X	7	10455			18	$3,518			$63,319
Cathedral Parkway Towers Preschool	M/X	3	10025			18	$3,500			$63,000
Catholic Charities Neighborhood Services, Inc.	K/R	18	11236			20	$3,800			$76,000
Catholic Charities Neighborhood Services, Inc.	K/R	17	11226			80	$3,800			$304,000
Catholic Charities Neighborhood Services, Inc.	K/R	20	11220			48	$3,800			$182,400
Catholic Charities Neighborhood Services, Inc.	K/R	16	11206			36	$3,800			$136,800
Catholic Charities Neighborhood Services, Inc.	Q	30	11102			36	$3,740			$134,640
Children's Harbor Montessori School	K/R	31	10301			27	$4,000			$108,000
Chinese Community Concerns Corp.	M/X	1	10012			36	$3,500			$126,000
Circle, Triangle, Square Daycare, Inc.	K/R	21	11223			18	$3,818			$68,729
Dominican Sisters Family Health Services, Inc.	M/X	7	10455			15	$3,560			$53,400
Educational Alliance	M/X	1	10002	18	$8,990.14	100	$3,300			$437,882
Educational Alliance	M/X	1	10009			20	$3,300			$66,000
Educational Alliance	M	2	10009			20	$3,300			$66,000
Eugenio Maria De Hostos Community College Childrens Center	M/X	7	10451			36	$3,500			$126,000
Fantasm, Inc.	K	22	11229			36	$4,100			$147,600
Fort Greene Council, Inc.	K	13	11238			20	$3,908			$78,164
FRIENDS OF CROWN HEIGHTS	K/R	19	11207	18	$10,000.00			$18,192		$126,064
Grace Daycare Center Inc.	Q	30	11369			36	$3,700			$133,200
Happy Dragon of USA	Q	25	11355	51	$9,160.00					$311,440
Harlem Children's Zone	M/X	3	10026	40	$10,000.00					$266,667
Harlem Children's Zone	M/X	5	10027	40	$10,000.00					$266,667
Institute Of The Sisters Of Saint Dorothy - Academy Of Saint Dorothy	K/R	31	10305			18	$4,000			$71,999
Jewish Board of Family and Children's Services	M	5	10037			16	$3,532			$56,512
M.S. SUNSHINE DAY CARE CENTER	K/R	21	11235	33	$8,488.00			$6,346		$188,851
Maroos Inc.	Q	24	11373	20	$9,120.00			$6,000		$123,600
MEVAKSHEI HASHEM	K/R	20	11219	48	$9,500.00			$32,310	$ 17,000	$320,437
Mi Nuevo Mundo Corp.	Q	24	11368			54	$3,740			$201,960
Mi Nuevo Mundo Corp.	Q	24	11368			96	$3,740			$359,040
Mosholu Montefiore Community Center	M/X	10	10467			144	$4,200			$604,800
Mosholu Montefiore Community Center	M/X	10	10463			72	$4,200			$302,400
One World Project - Brooklyn	K/R	15	11215			16	$3,996			$63,938
Rabbi Jacob Joseph School	R	31	10314			40	$3,900			$156,000
Redeemer Lutheran School	Q	24	11385	18	$9,140.00	28	$3,640			$211,600
Saint Mel School	Q	25	11354			36	$3,750			$135,000
Sunshine Daycare Center, Inc.	Q	25	11358			15	$3,590			$53,850
Tabernacle Church of God , Inc	K	16	11205			60	$3,500			$209,999
Talented Little Children Iii	Q	28	11419			24	$3,570			$85,680
The Cheder	K/R	21	11230	40	$10,000.00					$266,667
United Brethen's Church on Staten Island dba Castleton Hill Moravian Pre School	R	31	10314			36	$4,099			$147,565
University Settlement	M/X	1	10002			20	$3,700			$74,000
Waykeen Corp.	Q	25	11355	30	$8,980.00			$10,000		$182,933
Yeled V' Yalda Early Childhood Center, Inc.	K	21	11223			40	$3,600			$144,000
Yeled V' Yalda Early Childhood Center, Inc.	K/R	20	11219			44	$3,600			$158,400
Yeled V' Yalda Early Childhood Center, Inc.	K/R	21	11218			45	$3,600			$162,000
Yeshiva Shaare Torah, Inc.	K/R	15	11218			60	$3,903			$234,157
Yeshivath Kehilath Yakov, Inc.	K/R	14	11218			37	$3,810			$140,952
Yeshivath Kehilath Yakov, Inc.	K	14	11211			86	$3,810			$327,617
YMCA of Greater NY	Q	26	11426	54	$9,850.00					$354,600
YMCA of Greater NY	Q	25	11354	54	$9,850.00					$354,600

Item: 9

Description:

Geographic based general construction services in schools and administrative buildings through job order contracts.

REQUEST FOR AUTHORIZATION
FOR JOB ORDER CONTRACT (JOC) GENERAL CONSTRUCTION - B2389

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Estimated Option Amount(s)	Procurement Method	Is Contract Retroactive?	Contract Type
$23,754,584/ $118,772,920	Tax Levy & Reimbursable Funding	Five Years	270-Day Extension	$17,815,938	Request for Bids (RFB)	No	Requirements

Vendor Names & Addresses	See Table B below.

Contract Manager / Lead Contracting Officer	Division of Contracts & Purchasing Contact
Volkert Braren Program Director Division of School Facilities (DSF)	Marissa Procope Director

PURPOSE

Authorization is requested to contract with Volmar Construction Inc., East Cost USA Construction, Pro Con Group, Dia General Construction, Strong Steel Door, and Geomatrix for labor, material, and supervision necessary for general construction work in schools and administrative buildings.

DISCUSSION

These contracts will replace an expired contract as well as contracts awarded pursuant to a previous Request for Bids (RFB) where spending exceeded the estimated contract amount after the first two years of the of the four-year term. The funding for these contracts is a combination of tax levy and capital work for low-level capital projects assigned to DSF by the New York City School Construction Authority. The bid included eight aggregate classes, each for a geographical region of the City.

Through this job order contract, each task has a set standard unit price listed in a construction task catalog. Technical specifications are included for all tasks. Bidders were required to submit two multipliers (adjustment factors), which are used to calculate prices for work done during normal hours and for work done after hours. The bidders were provided with estimates for the percentage of work that is to be done during each of the two periods. Estimates are based on prior usage.

The RFB was advertised for seven days in the City Record and on the DCP web site. Sixteen bids were received for Aggregate Classes 1 and 2, 17 bids were received for Aggregate Classes 3 and 4, and 18 bids received for Aggregate Classes 5-8. AC 8 will be awarded via subsequent RA.

As part of the qualifications, bidders were required to have completed at least the estimated annual value of work in each of the last three years (per aggregate class) and were required to have two dedicated project managers for each awarded contract. See Table A below for contract amount and aggregate class capacities for each vendor. Based on the requirement for annual work done in each of the last three years, vendors met this requirement as follows:

TABLE A – Vendor Capacity		
Vendor	**No. of Aggregate Classes**	**Maximum Amount**
Strong Steel Door	one	$4M
Dia General Construction	one	$3.6M
Pro Con Group	one	$5M
East Coast USA Construction	one	$4M
Volmar Construction	multiple	$54M
Geomatrix Services	multiple	$14 M

As a result, each low bidder is recommended for at least one aggregate class based on their low bid, capacity requirements and in a manner that affords the best cost savings to the DOE. (See the bid tabulations below.)

Volmar, Strong Steel Door, Pro Con, East Coast, and Geomatrix have had previous contracts with DSF and have provided satisfactory service. DSF is confident they will continue to perform well. Qualifications meetings with each vendor determined that each has the organizational capacity to service their respective aggregate class(es). A reference check performed on Dia revealed that they have provided satisfactory service in this area. No protests were received.

A cursory review of vendor's financial statements did not reveal any risk associated with doing business with these vendors. A background check found no significant adverse information for Pro Con or Dia Construction. Therefore, both vendors have been determined to be responsible.

Noteworthy information was identified for Strong Steel Door Corp. VENDEX indicates the vendor is engaged in a bankruptcy proceeding. The DOE has received a copy of the order confirming its reorganization under the bankruptcy plan and Strong Steel Door's emerging from bankruptcy. Accordingly, the DOE does not believe this precludes a determination that the vendor is responsible.

Noteworthy information was also identified for East Coast USA Construction and Volmar Construction. East Coast's background check revealed a caution in VENDEX indicating that in 2012 the DOE had found the vendor non-responsible stemming from a number of reporting failures, including failure to report and promptly address the matter of $120,000 owed to the Workers' Compensation Board (WCB). The DOE reversed this decision upon receiving a copy of a letter from WCB indicating that the amount was reduced to $10,000, and that the Board is accepting $5,250 in full satisfaction of that judgment. The DOE has also received a copy of the check for $5,250 sent to WCB in satisfaction of the matter.

Another caution involved the failure to report the sharing of space with an entity disqualified by the School Construction Authority. Lexis was reporting an older address for East Coast, which was relocated after a name change made by its current owner (the son of the former owner). As a result, there was no need to disclose this information in VENDEX. Accordingly, the DOE does not believe these matters preclude a determination that the vendor is responsible.

For Volmar, VENDEX reports 12 cautions, which have been addressed as follows:

- $31,850 in ECB violations, for which the DOE received details showing that they have been paid or dismissed.
- NYS and US Departments of Labor (DOL) violations each relating to classification of employees. The former was resolved with a payment of $5,557; the other will be scheduled for a hearing.

- $14,400 in OSHA violations, for which the DOE has received documents evidencing all these matters have been addressed.
- A racial discrimination complaint that has been discontinued.
- A labor law complaint alleging that a subcontractor failed to pay prevailing wages. The DOE received a copy of the stipulation and final release, which included payment of $10,000.
- A NYC Comptroller investigation into violations of prevailing and supplemental wages that resulted in a non-willful violation determination against Volmar. Volmar executed a stipulation of settlement closing, which included payment of approximately $15,000.
- The Special Commissioner of Investigation for the New York City School District requested information from Volmar regarding work performed by one of its subcontractors. Volmar was not the subject of the investigation and no wrongdoing was reported regarding Volmar.
- The US DOL conducted an audit on a GSA project. Volmar has informed the DOE that the matter is currently pending the scheduling of a hearing date.
- The New York State DOL issued a "Notice of Labor Law Inspection Findings," in which it claimed that Volmar's subcontractor had failed to pay the proper wages. The DOE has received a copy of the stipulation of settlement in this matter showing that while other named parties were found to have submitted false documents, Volmar did not and only was liable for monetary damages of approximately $180,000.
- The NYC Comptroller's Office notified Volmar of an investigation regarding whether Volmar's subcontractor underpaid wages and benefits to its employees. The DOE has received a copy of the stipulation of settlement showing that while the other named parties were found to have submitted false documents, Volmar did not and only was liable for payment of approximately $120,000 as the prime contractor.
- The NYC Comptroller's Office has notified Volmar that it is withholding monies because a subcontractor's workers were misclassified. Volmar entered into a stipulation of settlement in which all monies due were to be paid by the subcontractor.
- The NYC Comptroller's Office advised Volmar that it is investigating its subcontractor for the underpayment of prevailing wages. Volmar has been providing documents to the Comptroller's office and the matter remains pending.

In light of the size of Volmar, which to date, has generated more than $79 million in revenue in from 28 contracts with the New York State Office of General Service, the New York City Department of Environmental Protection, and others, the DOE does not believe these matters preclude a determination that the vendor is responsible.

The Construction Task Catalogue (CTC) is DSF's pricing catalogue based on the industry standard. It predetermines technical specifications and estimated costs for work. Bidders were asked to bid an adjustment factor to those costs. Factors submitted at a multiplier less than 1 reflects discounts to the DOE. All awards have factors below 1. Based on the CTC estimates, discounts offered, and the competitive nature of the procurement (at least 16 bids per class), all prices have been determined to be fair and reasonable.

BID TABULATIONS

AGGREGATE CLASS 1 – SOUTH BROOKLYN / STATEN ISLAND				
Contractor Name	**Award Criteria Figure/Adjustment Factors**	**Annual Contract Value**	**Other Aggregate Classes Awarded**	**Total Contract Value / 5 Years**
East Coast USA Construction*	0.7780	$3,112,000	AC 3	
Strong Steel Door Corp. *	0.7883	$3,153,200	AC 6	
Pro Con Group Inc. *	0.7952	$3,180,720	AC 4	
Volmar Construction Inc.	**0.8072**	**$3,228,800**		**$16,144,000**
Dia General Construction	0.8139	$3,255,600		
Geomatrix Services Inc.	0.8334	$3,333,600		
Biltmore General Contractors	0.8420	$3,368,000		
Innovative Construction	0.8697	$3,478,800		
Ansu Construction Inc.	0.8770	$3,508,000		
D & K Construction Co.	0.8900	$3,560,000		
A.J.S. Project Management	0.9040	$3,616,000		
Sheela Inc.	0.9200	$3,680,000		
Laser Electrical Contracting	1.1440	$4,576,000		
Santino Construction Corp.	1.3400	$5,360,000		
Rockmore Contracting	1.3559	$5,423,600		
Five Star Contracting	1.3760	$5,504,000		

AGGREGATE CLASS 2 – SOUTH BROOKLYN				
Contractor Name	**Award Criteria Figure/Adjustment Factors**	**Annual Contract Value**	**Other Aggregate Classes Awarded**	**Total Contract Value / 5 Years**
Strong Steel Door Corp. *	0.7883	$3,941,500	AC 6	
Pro Con Group Inc. *	0.7952	$3,975,900	AC 4	
Volmar Construction Inc.	**0.7992**	**$3,996,000**		**$19,980,000**
Dia General Construction	0.8059	$4,029,500		
Geomatrix Services Inc.	0.8334	$4,167,000		
Biltmore General Contractors	0.8420	$4,210,000		
Innovative Construction	0.8593	$4,296,300		
D & K Construction Co.	0.8680	$4,340,000		
Ansu Construction Inc.	0.8770	$4,385,000		
East Coast USA Construction	0.8980	$4,490,000		
A.J.S. Project Management	0.9040	$4,520,000		
Sheela Inc.	0.9200	$4,600,000		
Laser Electrical Contracting	1.1440	$5,720,000		
Santino Construction Corp.	1.3400	$6,700,000		
Rockmore Contracting	1.3559	$6,779,500		
Five Star Contracting	1.3760	$6,880,000		

*Already recommended for award of another aggregate class.

AGGREGATE CLASS 3 – QUEENS WEST				
Contractor Name	Award Criteria Figure/Adjustment Factors	Annual Contract Value	Other Aggregate Classes Awarded	Total Contract Value / 5 Years
Strong Steel Door Corp.*	0.7667	$3,066,800	AC 6	
East Coast USA Construction	**0.7835**	**$3,134,160**		**$15,670,800**
Dia General Construction	0.7943	$3,177,280		
Pro Con Group Inc.	0.7952	$3,180,720		
Innovative Construction	0.8300	$3,320,000		
Geomatrix Services Inc.	0.8334	$3,333,600		
Biltmore General Contractors	0.8500	$3,400,000		
Ansu Construction Inc.	0.8522	$3,408,800		
Volmar Construction Inc.	0.8800	$3,520,000		
A.J.S. Project Management	0.9040	$3,616,000		
Corbex Inc.	0.9077	$3,630,800		
D & K Construction Co.	0.9094	$3,637,440		
Sheela Inc.	0.9360	$3,744,000		
Laser Electrical Contracting	1.0880	$4,352,000		
Santino Construction Corp.	1.3400	$5,360,000		
Rockmore Contracting	1.3559	$5,423,600		
Five Star Contracting	1.3760	$5,504,000		

AGGREGATE CLASS 4 – QUEENS EAST				
Contractor Name	Award Criteria Figure/Adjustment Factors	Annual Contract Value	Other Aggregate Classes Awarded	Total Contract Value / 5 Years
Strong Steel Door Corp. *	0.7883	$3,941,500	AC 6	
Dia General Construction*	0.7943	$3,971,600	AC 5	
Pro Con Group Inc.	**0.7952**	**$3,975,900**		**$19,879,500**
Geomatrix Services Inc.	0.8334	$4,167,000		
Innovative Construction	0.8344	$4,171,900		
Biltmore Gen'l Contractors	0.8500	$4,250,000		
Ansu Construction Inc.	0.8522	$4,261,000		
Volmar Construction Inc.	0.8800	$4,400,000		
D & K Construction Co.	0.8980	$4,490,000		
A.J.S. Project Management	0.9040	$4,520,000		
Corbex Inc.	0.9077	$4,538,500		
East Coast USA Construction	0.9080	$4,540,000		
Sheela Inc.	0.9360	$4,680,000		
Laser Electrical Contracting	1.0648	$5,324,000		
Santino Construction Corp.	1.3400	$6,700,000		
Rockmore Contracting	1.3559	$6,779,500		
Five Star Contracting	1.3760	$6,880,000		

*Already recommended for award of another aggregate class.

AGGREGATE CLASS 5 – MANHATTAN SOUTH			
Contractor Name	Award Criteria Figure/Adjustment Factors	Annual Contract Value	Total Contract Value / 5 Years
Dia General Construction	**0.7863**	**$2,516,224**	**$12,581,120**
Strong Steel Door Corp.	0.7883	$2,522,560	
Pro Con Group Inc.	0.7952	$2,544,576	
East Coast USA Construction	0.8060	$2,579,200	
D & K Construction Co.	0.8438	$2,700,032	
Geomatrix Services Inc.	0.8811	$2,819,520	
Biltmore General Contractors	0.8900	$2,848,000	
Ansu Construction Inc.	0.8916	$2,853,184	
A.J.S. Project Management	0.8960	$2,867,200	
Sheela Inc.	0.9200	$2,944,000	
Corbex Inc.	0.9271	$2,966,592	
Innovative Construction	0.9291	$2,973,120	
Volmar Construction Inc.	0.9440	$3,020,800	
Laser Electrical Contracting	1.0340	$3,308,800	
Santino Construction Corp.	1.3400	$4,288,000	
Rockmore Contracting	1.3559	$4,338,880	
Five Star Contracting	1.3760	$4,403,200	
Liburd Home Improvement	8.8000	$28,160,000	

AGGREGATE CLASS 6 – MANHATTAN NORTH				
Contractor Name	Award Criteria Figure/Adjustment Factors	Annual Contract Value	Other Aggregate Classes Awarded	Total Contract Value / 5 Years
Dia General Construction*	0.7860	$3,144,000	AC 5	
Strong Steel Door Corp.	**0.7883**	**$3,153,200**		**$15,766,000**
Pro Con Group Inc.	0.7952	$3,180,720		
D & K Construction Co.	0.8300	$3,320,000		
East Coast USA Construction	0.8371	$3,348,400		
Geomatrix Services Inc.	0.8811	$3,524,400		
Biltmore General Contractors	0.8900	$3,560,000		
Ansu Construction Inc.	0.8916	$3,566,480		
Innovative Construction	0.8919	$3,567,600		
A.J.S. Project Management	0.8960	$3,584,000		
Sheela Inc.	0.9200	$3,680,000		
Corbex Inc.	0.9271	$3,708,240		
Volmar Construction Inc.	0.9440	$3,776,000		
Laser Electrical Contracting	1.1040	$4,416,000		
Santino Construction Corp.	1.3400	$5,360,000		
Rockmore Contracting	1.3559	$5,423,600		
Five Star Contracting	1.3760	$5,504,000		
Liburd Home Improvement	9.6000	$38,400,000		

*Already recommended for award of another aggregate class.

AGGREGATE CLASS 7 – THE BRONX WEST				
Contractor Name	**Award Criteria Figure/Adjustment Factors**	**Annual Contract Value**	**Other Aggregate Classes Awarded**	**Total Contract Value / 5 Years**
Dia General Construction*	0.7860	$3,537,000	AC 5	
Strong Steel Door Corp. *	0.7883	$3,547,350	AC 6	
Pro Con Group Inc. *	0.7952	$3,578,310	AC 4	
Volmar Construction Inc.*	0.8312	$3,740,400	AC 1 & 2	
Geomatrix Services Inc.	**0.8334**	**$3,750,300**		**$18,751,500**
D & K Construction Co.	0.8340	$3,753,000		
Biltmore General Contractors	0.8500	$3,825,000		
Innovative Construction	0.8730	$3,928,590		
Ansu Construction Inc.	0.8782	$3,951,900		
Sheela Inc.	0.9200	$4,140,000		
Corbex Inc.	0.9295	$4,182,750		
Laser Electrical Contracting	1.0640	$4,788,000		
East Coast USA Construction	1.0800	$4,860,000		
A.J.S. Project Management	1.0800	$4,860,000		
Santino Construction Corp.	1.3400	$6,030,000		
Rockmore Contracting	1.3559	$6,101,550		
Five Star Contracting	1.3760	$6,192,000		
Liburd Home Improvement	9.6000	$43,200,000		

*Already recommended for award of another aggregate class.

TABLE B – Vendor Names, Addresses, and Contract Amounts					
Vendor Name & Address	**Aggregate Class**	**Annual Amount**	**5-Year Total Amount**	**270-Day Extension**	**With 270-Day Extension**
Volmar Construction Inc. 4400 Second Ave. Brooklyn, NY 11232-4213	1	$3,228,800	$16,144,000	$2,421,600	$18,565,600
	2	$3,996,000	$19,980,000	$2,997,000	$22,977,000
	Subtotal	$7,224,800	$36,124,000	$5,418,600	$41,542,600
East Coast USA Construction 110-101 Ave. South Richmond Hill, NY 11419	3	$3,134,160	$15,670,800	$2,350,620	$18,021,420
Pro Con Group 2351 Hylan Blvd., Suite 2A Staten Island, NY 10306	4	$3,975,900	$19,879,500	$2,981,925	$22,861,425
Dia General Construction Inc. 1360 Clifton Ave. PMB Suite 218 Clifton, NJ 07012	5	$2,516,224	$12,581,120	$1,887,168	$14,468,288
Strong Steel Door Corp. 429 Sutter Avenue Brooklyn, NY 11212	6	$3,153,200	$15,766,000	$2,364,900	$18,130,900
Geomatrix Services Inc. 210 East High Street Bound Brook, NJ 08805	7	$3,750,300	$18,751,500	$2,812,725	$21,564,225
GRAND TOTAL		**$23,754,584**	**$118,772,920**	**$17,815,938**	**$136,588,858**

Item: 10

Description:

Labor, material, and supervision necessary for heating, ventilating, and air conditioning (HVAC) projects for schools and DOE administrative buildings.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH VOLMAR CONSTRUCTION INC. FOR JOB ORDER CONTRACT (JOC) FOR HEATING, VENTILATING, AND AIR CONDITIONING (HVAC)

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Estimated Option Amount	Procurement Method	Is Contract Retroactive?	Contract Type
$7,818,125 / $39,090,625 Plus EPA Adjustments	Tax Levy	Five Years	270-Day Extension	$5,863,593	Request for Bids (RFB)	No	Requirements

Vendor Name & Address	Volmar Construction Inc. 4400 Second Avenue Brooklyn, NY 11232

Contract Manager / Lead Contracting Officer	Division of Contracts & Purchasing Contact
Volkert Barren Program Director Division of School Facilities	Marissa Procope Director

PURPOSE

Authorization is requested to contract with Volmar Construction Inc. (Volmar) for labor, material, and supervision necessary for heating, ventilating, and air conditioning (HVAC) projects for schools and DOE administrative buildings. The resultant contracts will replace contracts awarded pursuant to a prior solicitation for which expenditures exceeded the contract value because of increased and unanticipated HVAC energy-efficiency work and capital projects.

DISCUSSION

Through this Job Order Contract (JOC), each task has a pre-set unit price listed in a construction task catalog. Technical specifications are included for all tasks. Bidders were required to submit two multipliers (adjustment factors), used to calculate prices for services performed during working normal hours and other than normal working hours. The bidders were provided with estimates for the percentage of work to be done during the two periods.

A Request for Bids (RFB) was advertised for in the City Record and on the DCP web site. The RFB consisted of three aggregate classes: Aggregate Class 1 - Manhattan and Bronx, Aggregate Class 2 - North Brooklyn and Queens, and Aggregate Class 3 - South Brooklyn and Staten Island. Eight bids were received for each aggregate class. Award was made to the lowest responsible, responsive bidder with the financial and operational capacity to provide the services.

Volmar bid the lowest on all three aggregate classes, satisfied all the bid requirements, and is recommended for award. The Division of School Facilities (DSF) has current contracts with Volmar and has confirmed that they have provided satisfactory service. DSF is confident they will continue to do so.

On average, Volmar's pricing is approximately 10 percent lower than the current competitively awarded contracts. Volmar also offered an additional one percent discount on Aggregate Class 3. On the basis of the competitive nature of this procurement, pricing has been determined to be fair and reasonable.

Volmar has had prior contracts with DSF and performed satisfactory. DSF is confident they will continue to perform well. Vendor Research and Price Analysis performed a background check that identified noteworthy for Volmar Construction. VENDEX reports 12 cautions, which have been addressed as follows:

- $31,850 in ECB violations, for which the DOE received details showing that have been paid or dismissed.
- NYS and US Departments of Labor (DOL) violations each relating to classification of employees. The former one was resolved with a payment of $5,557 while the other will be scheduled for a hearing.
- $14,400 in OSHA violations, for which the DOE has received documents evidencing all these matters have been addressed.
- A racial discrimination complaint that has been discontinued.
- A labor law complaint alleging that a subcontractor failed to pay prevailing wages. The DOE received a copy of the stipulation and final release which included payment of $10,000.
- A NYC Comptroller investigation into violation of prevailing and supplemental wages that resulted in a non-willful violation determination against Volmar. Volmar executed of a stipulation of settlement closing which included payment of approximately $15,000.
- The Special Commissioner of Investigation for the New York City School District requested information from Volmar regarding work performed by one of its subcontractors. Volmar was not the subject of the investigation and no wrongdoing was reported regarding Volmar.
- The US DOL conducted an audit on a GSA project. Volmar informs us that the matter is currently pending the scheduling of a hearing date.
- The New York State DOL issued a "Notice of Labor Law Inspection Findings" in which it claimed that Volmar's subcontractor had failed to pay the proper wages. The DOE has received a copy of the stipulation of settlement in this matter showing that while other named parties were found to have submitted false documents, Volmar did not and only was liable for monetary damages of approximately $180,000.
- The NYC Comptroller's Office notified Volmar of an investigation regarding whether Volmar's subcontractor underpaid wages and benefits to its employees. The DOE has received a copy of the stipulation of settlement showing that while the other named parties were found to have submitted false documents, Volmar did not and only was liable for payment of approximately $120,000 as the prime contractor.
- The NYC Comptroller's Office has notified Volmar that it is withholding monies because a subcontractor's workers were misclassified. Volmar entered into a stipulation of settlement in which all monies due were to be paid by the subcontractor.
- The NYC Comptroller's Office advised Volmar that it is investigating its subcontractor for the underpayment of prevailing wages. Volmar has been providing documents to the Comptroller's office and the matter remains pending.

In light of the size of Volmar, which generated more than $79 million in revenue in 2013, from 28 contracts, the DOE does not believe these matters preclude a determination that the vendor is responsible.

JOB ORDER CONTRACT FOR HVAC WORK - B2401

AGGREGATE CLASS 1 – MANHATTAN / BRONX

Contractor Name	Award Criteria Figure	Annual Contract Value	Total Contract Value / 5 Years
Volmar Construction Inc.	**0.8619**	**$2,585,625**	**$12,928,125**
Geomatrix Services Inc.	0.9648	$2,894,475	
Occidental Construction	0.9950	$2,985,000	
AWL Industries Inc.	1.1905	$3,571,500	
S & W Wilson Ent.	1.4375	$4,312,500	
Richards Plumbing & Heating	1.5059	$4,517,625	
USC Environmental Inc.	2.7500	$8,250,000	
Libud Home Improvement	9.5000	$28,500,000	

AGGREGATE CLASS 2 – NORTH BROOKLYN / QUEENS

Contractor Name	Award Criteria Figure	Annual Contract Value	Total Contract Value / 5 Years
Volmar Construction Inc.	**0.8694**	**$3,477,500**	**$17,387,500**
Geomatrix Services Inc.	0.9144	$3,657,400	
Occidental Construction	0.9950	$3,980,000	
AWL Industries Inc.	1.1337	$4,534,800	
S & W Wilson Ent.	1.3500	$5,400,000	
Richards Plumbing & Heating	1.5059	$6,023,500	
USC Environmental Inc.	2.9250	$11,700,000	
Libud Home Improvement	9.5000	$38,000,000	

AGGREGATE CLASS 3 – SOUTH BROOKLYN / STATEN ISLAND

Contractor Name	Award Criteria Figure	Annual Contract Value	Total Contract Value / 5 Years
Volmar Construction Inc.	**0.8775**	**$1,755,000**	**$8,775,000**
Geomatrix Services Inc.	0.9648	$1,929,650	
Occidental Construction	0.9950	$1,990,000	
AWL Industries Inc.	1.1780	$2,356,050	
S & W Wilson Ent.	1.4613	$2,922,500	
Richards Plumbing & Heating	1.5059	$3,011,750	
USC Environmental Inc.	2.7500	$5,500,000	
Libud Home Improvement	9.5000	$19,000,000	

Item: 11

Description:

Fresh milk and dairy products for schools.

REQUEST FOR AUTHORIZATION FOR FRESH MILK AND DAIRY PRODUCTS DISTRIBUTION

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$24,622,544 / $123,112,721	Tax Levy	Five Years	Three 1-Year Renewals	Request for Bids (RFB)	No	Requirements

Vendor Name & Address	Bartlett Dairy Inc. 105-03 150th St. Jamaica, NY11435

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Janice Zapinsky, Manager Contracts Management Unit Office of School Support Services	Lisa D'Amato, Director Contracts Management Unit Office of School Support Services	Fior Castellon Procurement Analyst

PURPOSE

Authorization is requested to contract with Bartlett Dairy (Bartlett) to distribute fresh milk and dairy products to various schools throughout New York City. This will be a five-year agreement with three one-year renewal options with an annual amount of $24,710,732.

DISCUSSION

The DOE's School Food Meal Program is the largest in the country. During the regular school year approximately 41.5 million breakfasts, 115.8 million lunches, and 16.9 million snacks and suppers are served. During the summer, an additional seven million breakfasts and lunches are served to approximately 1,000 sites. The majority of the meals include fresh milk and other dairy products.

The DOE released an RFB to replace the current contracts set to expire September 30, 2014. This RFB reduced the number of aggregate classes from the current eight to four in order to obtain better pricing by consolidating volume. The RFB included the following aggregate classes:

- Aggregate Class 1 - The Bronx and Upper Manhattan (321 schools);
- Aggregate Class 2 - Midtown/Lower Manhattan and West Brooklyn (304 schools);
- Aggregate Class 3 - North/South Brooklyn and Staten Island (321 schools); and
- Aggregate Class 4 - Queens and East Brooklyn (365 schools).

The RFB was advertised in the City Record and on the DOE website, and 7 firms attended a pre-proposal meeting. The bids were as shown in the following table:

Aggregate Class / Vendor	Total Annual Amount	Bartlett Total Annual Amount (6-19-14)	Bartlett Total Annual with 3% Discount off Delivery Mark-Up	Bartlett 5-Years Total
AC 1 - Bronx & Upper Manhattan - 321 Schools				
Elmhurst Dairy	$6,161,780			
Bartlett Dairy	**$6,325,274**	**$6,295,998**	**$6,252,546**	**$31,262,732**
Derle Farms	$6,469,840			
AC 2 - Mid, Low Manhattan & West Bklyn - 304 Schools				
Elmhurst Dairy	$4,727,750			
Bartlett Dairy	**$4,884,773**	**$4,854,920**	**$4,821,155**	**$24,105,773**
AC 3 - North/South Bklyn & Staten Island - 321 Schools				
Elmhurst Dairy	$6,579,168			
Derle Farms	$6,970,973			
Bartlett Dairy	**$6,991,952**	**$6,922,014**	**$6,870,231**	**$34,351,153**
Cream -O- Land	$7,182,054			
AC 4 - East Bklyn & Queens - 365 Schools				
Elmhurst Dairy	$6,515,182			
Bartlett Dairy	**$6,773,356**	**$6,725,988**	**$6,678,613**	**$33,393,063**
Derle Farms	$6,894,385			
Grand Total - 1,311 Schools		**$24,798,920**	**$24,622,544**	**$123,112,721**

Vendors bid in two parts:

- First is the price of the product. Product costs are adjusted based on changes in cost established by the U.S. Department of Agriculture Federal Milk Marketing Order. Bidders were to submit the net price offered from the manufacturers at the time of bid. Price adjustments on the product cost will be allowed on a monthly basis during the contract period.
- Second is a delivery mark-up to include profits and operating costs associated with the handling, managing, storage, and delivery of milk and dairy products to schools. Delivery mark-up is based on Producer Price Indexes generated by the US Department of Labor, Bureau of Labor Statistics for specialized freight and warehousing and storage and will be adjusted annually.

Elmhurst was the apparent low bidder for all four classes; however, after reviewing Elmhurst's financial statements, outside auditor Ernst & Young advised that Elmhurst did not have working capital to support the first 60 days of the contract without revenue from DOE. Elmhurst's bid was therefore found to be non-responsive. A letter to that effect was sent to Elmhurst on June 16, 2014. Elmhurst responded with a protest on July 25, 2014. Section 2-06(b) of the Procurement Policy and Procedures requires protests to "be filed within 10 business days from the date protestor knew or should have known the facts forming the basis of such protest..." Since Elmhurst did not submit the protest within the time limitations expressed in Section 2-06(b), the protest was determined to be untimely.

Derle Farms was next low bidder in Aggregate Class 3, but they failed to provide documentation sufficient to establish their ability to provide the goods and services including, but not limited to, financial statements for CPA audit or review, and were therefore found non-responsive. Derle did not submit a protest. Bartlett, the third low bidder in Aggregate Class 3, is therefore recommended for award of all classes.

These prices are subject to adjustment during the life of the contract.

Bartlett submitted a bid blank for the four aggregate classes which totaled $24,975,355, plus a 1.5% discount on delivery if it received an award of multiple classes. The vendor made a mistake in the delivery price for quart size products (milk, whole QT; heavy cream; half and half) by indicating the final product delivery price in the delivery only cell, which resulted in an error in extending unit prices. As the mistake was evident on its face, in accordance with the DOE's Procurement Policy and Procurement Rules, Bartlett corrected the error in a new bid blank submitted on June 17 which resulted in a $21,459 reduction in delivery price bringing the revised bid total to $24,953,896. Further, Bartlett offered a voluntary price reduction in delivery pricing on the one-half pint products (whole, low fat, skim and fat free HFCS chocolate milk) resulting in a savings of $154,976 and a final bid of $24,798,920, plus the 1.5% delivery discount for an award of multiple classes. However, the vendor offered to double the delivery discount to 3% thereby increasing it from $88,188 to $176,376. As Bartlett will be receiving multiple classes, this leads to a final contract price of $24,622,544, after voluntary price reductions totaling $243,164. As such, prices are determined to be fair and reasonable.

School Food has determined that Bartlett has sufficient operational capacity to provide the services required under this contract based on the following factors:

- Bartlett has successfully serviced more than 800 sites over the last 10 years;
- the company owns a fleet of 110 trucks;
- Bartlett has 380 employees, including a customer service staff of seven;
- all of the company's licenses are valid; and
- a recent site visit confirms that Bartlett's facility and operation are acceptable.

An audit released by the NYC Comptroller's Office in February 2014 of the award of milk distribution contracts to several vendors, including Bartlett, reported that the DOE did not adequately review the financial capacity of the vendors awarded nor did it possess adequate procedures for detecting the warning signs of possible collusion. Notably, the audit concluded that the DOE's controls over awarding the contracts were adequate in regards to many aspects of the award process and the DOE disputed most of the Comptroller's findings regarding the review of vendor financial capacity and possible collusion.

The Comptroller also noted "connections" among bidders such as the vendors having offices in the same area in Queens, of which the DOE was aware at the time of award, but a review of the bid prices did not lead the DOE to a conclusion that any improprieties existed.

The Comptroller also noted that Bartlett had not only been awarded a contract by the DOE but had been selected as a subcontractor by one of the other vendors. This subcontract was reviewed by the DOE, as required by the contract, and the DOE determined it was not cause for concern.

In light of the fact that Bartlett was not the focus of the audit and that the audit did not identify any improprieties by Bartlett, the DOE does not believe that this matter precludes a determination that the vendor is responsible.

Item: 12

Description:

Leasing of multifunctional devices.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH TGI OFFICE AUTOMATION FOR THE LEASING OF MULTIFUNCTIONAL DEVICES

Estimated High Annual / Total Contract Amount	Funding Source	Contract Term	Options	Option Amount	Procurement Method	Is Contract Retroactive?	Contract Type
$10,000,000 / $49,511,000	Tax Levy	Five Years	One 270-Day Extension	$7,500,000	Request for Bids (RFB)	No	Requirements

Vendor's Name & Address	TGI Office Automation 120 3rd Street Brooklyn, NY 11231

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Andrea Black Director, School Based Procurement Division of Contracts and Purchasing	Susan Dick-McKeon Chief Administrator Division of Contracts and Purchasing	Nick Labetti Procurement Analyst Division of Contracts and Purchasing

PURPOSE

Authorization is requested to contract with TGI Office Automation for the leasing of multifunctional devices. These contracts will be funded and utilized on an as-needed basis by schools and central offices.

DISCUSSION

Multifunctional devices are copiers with fax, scan, and print capabilities.

A request for bids (RFB) was divided into two aggregate classes, each containing the same 17 items. Aggregate Class 1 included all items in the bid. Aggregate Class 2 also included all items in the bid, but it was broken down into three subclasses, allowing bidders to offer pricing on each subclass. Subclass A contained seven monochrome equipment items, subclass B contained four production equipment items, and subclass C contained six color equipment items. The DOE had the option of awarding one or more systemwide requirements agreements for either Aggregate Class 1 or subclasses A, B, and C of Aggregate Class 2, whichever was determined to represent the best value to the DOE. Six bids were received in response to the solicitation: four for Aggregate Class 1, six for Aggregate Class 2A, four for 2B, and five for 2C.

Canon was the lowest bidder in Aggregate Class 2 for subclasses B and C, and the second lowest bidder for Aggregate Class 1 and subclass 2 A of Aggregate Class 2. Canon was found to be non-responsive, was notified of this finding and protested. Resolution of the protest is pending but, based on the bids received, TGI would receive an award regardless of the outcome of the protest. If Canon's protest is successful, the DOE will offer a second RA to add Canon as an awarded vendor for aggregate class 2, providing that Canon is deemed a responsible vendor based on background review and cost price analysis.

Without Canon's bid, TGI Office Automation was the lowest responsive, responsible bidder and met all bid specifications, terms, and conditions for both aggregate classes. The tabulation of bids for both aggregate classes appears below. Since TGI was the lowest bidder and offered identical prices for both Aggregate Classes 1 and 2, the DOE has decided to award Aggregate Class 2. Additionally, TGI's past performance on prior contracts and demonstrated capacity has led to the decision to award only one vendor.

A best value RFB was used to procure these services because factors other than price were considered in the determination of award. Examples of relevant features of vendor offerings include exceptional product capabilities, new technologies, and demonstrated product reliability beyond the minimum qualifications outlined in the RFB. TGI's value-added package includes ten machines offered free of charge whose new technology removes old toner from printed pages, allowing the paper to be re-used for printing, thus saving the DOE new paper and recycling costs and supporting New York City's green initiatives.

Under this contract, the DOE will have the right to enter into 36- or 60-month leases during the contract period of five years, plus a 270-day extension and any another extension periods as prescribed in the DOE's Procurement Policy and Procedures. Beyond these contract periods, the DOE will extend the contract period for five additional years from the final expiration for the purposes of payments only. This extension of time is required as the DOE is only allowed to make lease payments on a fiscal year basis. Thus, payments for said lease may extend beyond the contract term for entering into new lease agreements.

DCP's cost/price analysis found that TGI had the lowest total bid of the various vendors who submitted bids. Given the competitive nature of this bidding process, and that TGI's pricing is 37.39% less than the current contract with TGI, prices are determined to be fair and reasonable.

A comprehensive review of TGI's background revealed no significant adverse information. TGI has held previous contracts with the DOE under which they provided satisfactory service; thus, they have been determined to be a responsible vendor.

AGGREGATE CLASS 1

Bidder	Annual Contract Amount
TGI	**$42,946,656**
Konica	$57,912,395
XEROX	$71,461,167
Canon	$49,228,245*

AGGREGATE CLASS 2

Contractor's Name	Annual Contract Amount Subclass A	Annual Contract Amount Subclass B	Annual Contract Amount Subclass C
Atlantic	$33,020,207	No Bid	No-Bid
Canon	$28,005,053*	$14,462,993*	$6,760,199*
Konica	$30,274,238	$17,222,107	$10,415,988
LDI	$48,319,470	No Bid	$9,704,217
TGI	$19,648,476	$14,724,000	$8,574,180
XEROX	$37,458,224	$24,008,648	$9,994,295

* Bid determined to be non-responsive.

Item: 13

Description:

Contract change order to allow for the painting of game lines through an asphalt repairing contract.

REQUEST FOR AUTHORIZATION TO EXECUTE A CONTRACT CHANGE ORDER FOR GREEN GOLD DEVELOPMENT INC. TO PERFORM WORK FOR THE DIVISION OF SCHOOL FACILITIES BEYOND THE ORIGINAL SCOPE OF CONTRACT

Original & Amended Annual / Total Contract Amounts	Funding Source	Contract Term	Procurement Method	Is Contract Retroactive?	Contract Type
Original Annual / Total Amounts: $312,667 / $1,538,000 One-Time Total Increase: $1,196,000 This Change Order: $79,576 New Annual / Total Amount: $2,813,576	RESO A	Five Years	Contract Change Order	No	Requirement

Vendor Name & Address	Green Gold Development Inc. 18-56 42nd Street Astoria, NY 11105

Contract Manager / Lead Contracting Officer	Division of Contracts and Purchasing Contact
Volkert Braren Program Director Division of School Facilities	Marissa L. Procope Director

PURPOSE

Authorization is requested to execute a contract change order of $79,576 to enable work by Green Gold Development Inc. (Green Gold) that is related to but beyond the scope of the current contract for asphalt paving repairs. The change order provides for the contractor to paint game lines that were covered by the repaving of the schoolyard.

DISCUSSION

PS 6 in Staten Island is undergoing a major repaving project, funded by the local City Councilperson. The school has requested a colored seal coat and lines for various games. However, the original bid document does not address the restoration or replacement or addition of game lines to areas paved or repaired.

The Division of School Facilities (DSF) solicited proposals from Pro Metal, the Job Order Contract (JOC) holder for the geographic region, and from the paving contractor. While some of the items were included in the JOC contract, most of what is required was not. Pro Metal's prices were 16 percent higher than Green Gold's pricing. A price comparison chart appears below.

ITEM	UNIT	QUANTITY	GREEN GOLD TOTAL	PRO METAL TOTAL
Furnish and Apply Color Seal Coat as per drawings	Per SY	3,855	$50,866	$55,000
Basketball Keyholes	Each	4	$2,090	$3,600
Hopscotch	Each	3	$8,580	$9,900
Soccer Field	Each	1	$825	$1,500
Baseball Field	Each	1	$825	$1,500
Triangles Box	Each	1	$1,980	$2,400
Tic Tac Toe	Each	1	$1,540	$1,800
Track Field	Each	1	$3,190	$4,100
Throw Zone	Each	1	$3,080	$4,205
Colored Circle	Each	1	$1,980	$2,500
Squares Circle	Each	1	$1,980	$2,500
Skelly	Each	1	$2,640	$3,206
		GRAND TOTAL	**$79,576**	**$92,211**

As such, the prices from Green Gold have been determined to be fair and reasonable for the amount of work and the trade titles required for the performance of the work.

It is therefore in the best interest of the DOE to have these operations performed through a contract change order with Green Gold, as the work is clearly related to the underlying asphalt repair contract currently in place. No other additional costs are expected under this contract.

A previous background check of Green Gold Development Inc. revealed no significant adverse information. VENDEX lists no cautions or liens and they are not listed in VCIP. The vendor has therefore been determined to be responsible.

Item: 14

Description:

Arts Education Services for students and parents in dance, music, theatre, visual art and the moving image. (RA #12)

REQUEST FOR AUTHORIZATION (RA #12) FOR ARTS EDUCATION SERVICES (MTAC R0891)

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$145,000 / $725,000	Various	Five Years	None	Multiple Task Award Contract (MTAC)	No	Requirements

Vendor Name & Address	Component(s)
Society of the 3rd Street Music School Settlement 235 East 11th Street New York, NY 10003	1-Dance 2-Music

Service Requestor / Contract Manager	Division of Contracts & Purchasing Contact
Paul King, Executive Director Office of Arts & Special Projects	Aldrina Hazell, Procurement Analyst Instructional Service Procurement

PURPOSE

Authorization is requested on behalf of the Office of Arts and Special Projects (OASP) to contract with Society of the 3rd Street Music School Settlement to provide Arts Education Services. The awarded vendor will offer direct services to students with optional related professional development and parent engagement services in dance and music. Services will be provided at the discretion of each participating school or central office operating on behalf of a school or consortium of schools.

DISCUSSION

Society of the 3rd Street will deliver arts education to support and advance teaching and learning by building on the *Blueprint for the Arts* and the New York State Learning Standards (NYSLS) for the Arts. The *Blueprint* forms the basis for instructional programs in dance, music, theater, visual arts, and the moving image and is built upon five strands of Arts Learning: Arts Making; Literacy in the Arts; Making Connections; Community and Cultural Resources; and Careers and Life-long Learning. Exemplary services will incorporate the guidelines established in the *Blueprint* while enhancing studies in other areas.

To date, 123 proposals have been received, 97 have been approved for contract award, and one is recommended in this RA.

Proposals were distributed to an evaluation committee that includes Arts Coordinators and Directors from OASP, all of whom are knowledgeable about the *Blueprint* and the NYSLS for the Arts. They have participated in developing the *Blueprint*, are currently implementing arts programming, and possess years of experience within the New York City public schools or DOE central offices. To ensure scoring consistency, a training session was conducted for all committee members, in which they received an overview of the process and a scoring rubric. Proposals were evaluated using the following criteria: program plan (25 points), organizational capacity (25 points), demonstrated

effectiveness (25 points), and price (25 points). Successful vendors were required to achieve a minimum score of 80 points.

Society of the Third Street Music School Settlement provides dance and music residencies, workshops, and other activities. The negotiated hourly rate of $122 is for lessons in ballet, hip-hop, tap, chorus, drumming, keyboard, guitar, cello, wind and brass instruments, and percussion instruments of Africa. As they learn chorus or play their instruments, students will understand the fundamentals of rhythm, time signatures, call and response, and be given an opportunity to perform for their peers.

Pricing for this vendor has been determined to be fair and reasonable based on comparisons with hourly rates for like services by vendors recommended for award under this solicitation.

The estimated annual contract amount is based on expenditures under a previous contract for similar services.

A background check that included VENDEX, VCIP, System for Award Management, and the Uniform Commercial Code found no liens, warrants, or other tax matters. Society of the 3rd Street Music School Settlement has been determined to be responsible.

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

The MTAC process is the preferred procurement method as this process allows the DOE to award contracts for similar services to multiple vendors in order to meet demand for such services and to offer a choice among vendors.

As a part of the MTAC process, all service requests over $25,000 must go through a competitive process for procurement of services. Users will be required to create a scope of services and conduct a mini-solicitation process among the awarded vendors in their component areas. Vendors will be required to provide a statement of work and pricing based on their contracted services, which will be evaluated and scored by the user. Upon completion of this mini-solicitation process, schools will be able to secure services via a purchase order. This process is to ensure competition among the large number of vendors, who have been awarded contracts as a result of this procurement. Future RAs for these services will be submitted in batches as new providers are presented for award of contracts.

Item: 15

Description:

Arts Education professional development Planning & Support (RA#4)

REQUEST FOR AUTHORIZATION FOR PROFESSIONAL DEVELOPMENT SERVICES IN ARTS EDUCATION – MTAC R0962 (RA #4)

Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$30,000 / $150,000	Various	Five Years	None	Multiple Task Award Contract (MTAC)	No	Requirements

Vendor's Name & Address	Together in Dance 34 Windsor Place Brooklyn, NY 11215	Component(s)
		2-Standards-Based PD Workshops

Contract Manager / Lead Contracting Officer	Division of Contracts & Purchasing Contact
Paul King Executive Director, Office of Arts & Special Projects	Aldrina Hazell Procurement Analyst, Instructional Service Procurement

PURPOSE

Authorization is requested on behalf of the Office of Arts and Special Projects (OASP) to contract with Together in Dance to provide professional development services in arts education. Together in Dance will offer workshops, seminars, and/or other activities for Component 2 - Standards Based Professional Development Workshops in the area of dance. Services will be provided at the discretion of each participating school or central office operating on behalf of a school or consortium of schools.

DISCUSSION

The goal of this initiative is to enter into contracts with organizations that can deliver high quality arts professional development and consultancy services to support and advance teaching and learning. Providers will collaborate with schools in utilizing the *Blueprint for Teaching and Learning in the Arts* to assist schools in providing content-rich learning as required by the New York State Learning Standards (NYSLS) for Arts Education. The *Blueprint* provides a standards-based approach to curriculum design in five disciplines (dance, music, theater, visual arts, and the moving image) that is subject-based (what students will learn) and outcome-based (what students will achieve). Providers of Instructional planning and support services will consult with school leaders to address barriers to arts education such as budgeting, planning, scheduling, assessment, and evaluation.

Twenty-three proposals have been received to date. Fourteen were approved for contract award and one is included in this RA.

Proposals were evaluated by a committee that consisted of arts coordinators and directors from OASP, all of whom are knowledgeable about the *Blueprint* and the NYSLS for the Arts. These committee members participated in developing the *Blueprint*, are currently implementing quality arts programming, and possess years of experience within the DOE. Proposals were evaluated using the following criteria: program plan (25 points), organizational capacity (25 points), demonstrated effectiveness (25 points) and price (25 points). Successful vendors were required to achieve a minimum score of 80 points. Together in Dance was recommended for contract award by the applicable committee.

Together in Dance proposed an hourly rate of $290 but agreed to a negotiated rate of $234 per hour. Offerings include custom designed dance workshops, musical theatre, mentoring, teach the teacher, and facilitation of final culminating performances. Pricing has been determined to be fair and reasonable based on a comparison with hourly rates for like services from vendors contracted under similar solicitations.

The estimated annual contract amount for Together in Dance is derived from spending under a previous contract.

A background check, including a search of VENDEX, the System for Award Management, and the Uniform Commercial Code, found no liens, warrants, or other tax matters. No significant adverse information was uncovered; 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 MTAC process is the preferred procurement method as this process allows the DOE to award contracts for similar services to multiple vendors in order to meet demand for such services and to offer a choice among vendors.

As a part of the MTAC process, all service requests over $25,000 must go through a competitive process for procurement of services. Users will be required to create a scope of services and conduct a mini-solicitation process among the awarded vendors in their component areas. Vendors will be required to provide a statement of work and pricing based on their contracted services, which will be evaluated and scored by the user. Upon completion of this mini-solicitation process, schools will be able to secure services via a purchase order. This process is to ensure competition among the large number of vendors, who have been awarded contracts as a result of this procurement. Future RAs for these services will be submitted in batches as new providers are presented for award of contracts.

Item: 16

Description:

Professional development services in the use of instructional technology, multimedia and web-based learning tools in schools. (RA#9)

REQUEST FOR AUTHORIZATION (RA #9) FOR PROFESSIONAL DEVELOPMENT FOR INSTRUCTIONAL TECHNOLOGY SERVICES (MTAC #R0812)

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$240,000 / $1,200,000	Various including Tax Levy & Reimbursable Funds	Five Years	None	Multiple Task Award Contract (MTAC)	No	Requirements

Vendor Names and Addresses		Component	Estimated Annual / Total Amount
1	Computers for Youth Foundation, Inc. 520 Eighth Avenue, 10th Floor New York, NY 10018	1 & 3	$120,000 / $600,000
2	New Century Education Foundation, Inc. 530 Grove Street Upper Montclair, NJ 07043	1, 2, & 3	$120,000 / $600,000

Service Requestor / Contract Manager	Division of Contracts and Purchasing Contact
Celine Azoulay-Lewin Executive Director iLeamNYC	Lenon Ruiz Procurement Analyst Instructional Service Procurement

PURPOSE

Authorization is requested to contract with the vendors listed above to provide instructional technology professional development services. These programs will be provided at the discretion of each participating school.

DISCUSSION

The Office of Educational Technology (OET) seeks to equip educators and students with appropriate leading-edge technology and the support needed to use that technology in standards-based learning. To that end, OET has sought to offer a menu of instructional technology professional development services, including in-person and on-line courses that can be tailored to the needs of each school community. In this solicitation, vendors were invited to submit proposals for one or more of the following three components:

(1) Professional development opportunities that will increase teachers' and administrators' ability to make effective and appropriate use of computer, telecommunications, Internet, and related technologies.

(2) Professional development through curriculum enrichment services, through which proposers will develop model lessons and co-teaching archetypes in collaboration with school-based staff and which take place in the classroom.

(3) Professional development through mentoring, in which organizations will provide one-on-one partnerships with classroom teachers. This can include a combination of services from Components 1 and 2, and one-on-one services such as observations and studies for teaching improvement. These sessions will be provided throughout the school year.

Proposals were reviewed by an evaluation committee consisting of representatives from the Division of Accountability and Achievement Resources, the Office of Product Development, the Office of Talent & New Initiatives, the Office of Instructional Technology, the Department of eLearning, and the Division of Academics, Performance and Support. The members on the evaluation committee have experience as teachers, professional instructors, and mentors. The evaluation criteria are: program plan (25 points), organizational capacity (25 points), demonstrated effectiveness (25 points), and pricing (25 points). Vendors needed to achieve 80 points to qualify for contract award.

Thirty-seven vendors were recommended for award under previous RAs and two are recommended here.

Computers for Youth Foundation, Inc. (CFY) professional development workshops and mentoring services are designed to provide teachers with the knowledge and resources to integrate technology into their classrooms. CFY will provide blended learning methods, including establishing rules and norms for technology use, layout for station rotations, and how to best group students. School leaders will meet with CFY to convey their needs, including level of instruction, subject areas, and targeted audience. Services offered will incorporate both teachers and classroom sessions. Group or individual sessions are available throughout the school day. Following sessions, teachers will be able to create customized digital activities through CFY's free web platform.

The New Century Education, Inc. (NCE) provides a blended educational model using learner-centric strategies with computers, the Internet, and new technologies as learning tools. NCE will introduce comprehensive project- and inquiry-based learning. Services are aligned to the Common Core Standards and will aid teachers in using their own style of teaching with technology. In-class sessions allow teachers to learn the skills they need in real-time and in the context of their daily lessons.

Negotiations resulted in an average cost savings to the DOE of approximately 22 percent in total program hourly rates. DCP determined the vendors' pricing to be fair and reasonable based on a comparison with hourly rates for like services by vendors contracted under similar solicitations.

Awarded Vendor		Proposed Average Hourly Rate	Negotiated Average Hourly Rate
1	Computers for Youth Foundation, Inc.	$208	$193
2	New Century Education Foundation, Inc.	$185	$119

Computers for Youth Foundation, Inc. and New Century Education Foundation, Inc. are new vendors with an estimated annual amount based on average contract expenditures for these services and OET's projected demand in services.

Background checks, including the Vendor CIP Report, the Uniform Commercial Code, the Federal Tax Lien, and the Federal Excluded Parties List System, found no significant adverse information. Therefore, both vendors have been determined to be responsible.

Contracts for these services are necessary because the DOE does not possess the personnel to provide these services.

The MTAC process is the preferred procurement method as this process allows the DOE to award contracts for similar services to multiple vendors in order to meet demand for such services and to offer a choice among vendors.

As a part of the MTAC process, all service requests over $25,000 must go through a competitive process for procurement of services. Users will be required to create a scope of services and conduct a mini-solicitation process among the awarded vendors in their component areas. Vendors will be required to provide a statement of work and pricing based on their contracted services, which will be evaluated and scored by the user. Upon completion of this mini-solicitation process, schools will be able to secure services via 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: 17

Description:

Withdrawn

Item: 18

Description:

Electronic Value Transfer services for American Express branded cards.

REQUEST FOR AUTHORIZATION TO USE A NEW YORK STATE OFFICE OF GENERAL SERVICES (OGS) CONTRACT WITH AMERICAN EXPRESS FOR ELECTRONIC VALUE TRANSFER SERVICES

Estimated Contract Amount	Funding Source	Contract Term	Procurement Method	Is Contract Retroactive?	Contract Type
$100,000	Reimbursable	6/01/14 - 11/30/16	Purchase through Governmental Contract (Section 3-11 of DOE Procurement Policy and Procedures)	No	Requirements

Vendor Name & Address	American Express Travel Related Services Company, Inc. World Financial Center 200 Vesey Street New York, NY 10285

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Scott Matluck Administrator Division of Financial Operations	Angel Lopez Chief Administrator Division of Financial Operations	Begum Gonul Procurement Analyst

PURPOSE

Authorization is requested to contract with American Express Travel Related Services Company, Inc. for Electronic Value Transfer services for American Express branded cards. The contract will be executed under the authority of New York City Department of Finance (NYCDOF).

DISCUSSION

This contract provides for the processing of payments to DOE offices using American Express branded credit and debit cards. A contract for the processing of payments to DOE offices using VISA, MasterCard, and Discover branded credit and debit cards is covered in a separate Request for Authorization. Beginning in 2008, the DOE utilized a New York State Office of General Services (OGS) contract for these services. Prior to the DOE's utilization of that contract, credit and debit card processing services were not available as payments to the DOE were made by check or purchase order. Usage has increased over the past few years with additional offices receiving payments using credit and debit cards, such as the Division of School Facilities for Extended Use Permit Application fees, and the Division of Human Resources for fingerprinting processing fees. This contract will also allow Tweed Café and other similar operations to receive credit and debit card payments.

The underlying OGS contract allows for the transaction fee to be applied to the transaction amount or to be included in the transaction amount. The DFO will continue to manage and administer the payment processing program.

Based on prior-year transaction volume, the DOE's Division of Financial Operations (DFO) estimates that approximately 2,400 transactions, amounting to $4,500,000 and $100,000 in transaction fees.

The transaction fee has been discounted to 2.05% per transaction. As the State's OGS conducted a competitive process to identify the vendor that could provide these services at the best value, the pricing has been determined to be fair and reasonable.

A comprehensive background check is not required because the OGS, in performing the original procurement, determined the vendor to be responsible. In addition, a background check conducted by NYCDOF also revealed no significant adverse information. American Express has therefore been determined to be a responsible vendor for the purposes of this award.

Item: 19

Description:

Additional easy-to-use search function to the Insideschools.org website to help eigth grade students develop a list of appropriate high schools to which they can apply.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH THE NEW SCHOOL TO ADD FEATURES TO THE INSIDESCHOOLS.ORG WEBSITE

Estimated Annual / Total Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$90,000	City Council	One Year (7/1/13 - 6/30/14)	None	City Council Allocation Per Section 1-03 (c) of DOE Procurement Policy & Procedures	Yes	Full Value

Vendor Name & Address	The New School 72 Fifth Avenue, 6th Floor New York, NY 10011

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Eduardo Contreras Chief Operating Officer Office of Student Enrollment	Robert Sanft Chief Executive Officer Office of Student Enrollment	Denesia Stroom-Blair Procurement Analyst Central Office Procurement

PURPOSE

Authorization is requested to contract with the New School to create a web- and mobile-based high school search tool to be used by Insideschools.org. This tool will help New York City eighth grade students develop a list of appropriate high schools to which they can apply.

DISCUSSION

Deciding which target high schools to list on an application is a difficult task for eighth graders and their parents. Each school has different admissions criteria and students may apply to up to 12 programs. In addition, students may take the exam for the City's specialized schools and audition for LaGuardia High School of Music and Art and Performing Arts. With more than 400 high schools and 719 separate programs within those schools, narrowing the list to a manageable number is a daunting task.

Funding is being requested for both stages of this two-stage project. For the first stage, which began in the fall of 2013, the New School developed a mobile site for smart phones that included 719 programs from the high school directory. Students may type in areas of academic interest and/or their borough, nearest subway line and their seventh grade GPA to determine which schools they might like and for which they might be eligible. The search results show them basic information such as the school's neighborhood, graduation and college enrollment rates, and safety ratings.

The second stage of this project, will be the development of a desktop search tool which will cover the 719 programs, as well as the 55 transfer schools and 32 charters. This phase will also provide photo slideshows of the schools, statistics on each school, special education information, and Google Translate software for multiple languages.

This contract is retroactive because the program office for the services to be provided was not easily identified. Once identified as the program office, the Office of Student Enrollment worked with the vendor to finalize the work plan and budget.

DCP reviewed information regarding the vendor's background in the VCIP and VENDEX systems and found no adverse information. The New School has therefore been determined to be responsible.

A competitive sealed bid was not done for this procurement and a contract for these services is necessary because the City Council discretionary allocation specifically named this vendor for the amount stated above. To have the services provided by another party would be contrary to the City Council award process. Pricing for the contract services was established to match the City Council allocation.

Item: 20

Description:

Peer mediation and conflict resolution services at Curtis HS and McKee HS in Staten Island.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH THE NEW YORK CENTER FOR INTERPERSONAL DEVELOPMENT TO PROVIDE CONFLICT RESOLUTION AND PEER MEDIATION TRAINING

Estimated Annual / Total Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$96,400	City Council	One Year (7/1/13 – 6/30/14)	None	City Council Allocation, Per Section 1-03(c) of DOE Procurement Policy & Procedures	Yes	Full Value

Vendor Name & Address	The New York Center for Interpersonal Development (NYCID) 130 Stuyvesant Place, 5th Floor Staten Island, NY 10301

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Angie Guo Senior Operations Manager Office of Safety & Youth Development	Robert Weiner Chief Operating Officer Office of Safety and Youth Development	Denesia Stroom-Blair Procurement Analyst Central Office Procurement

PURPOSE

Authorization is requested to contract with the New York Center for Interpersonal Development (NYCID) to provide conflict resolution and peer mediation training at Curtis High School and McKee High School in District 31 in Staten Island.

DISCUSSION

NYCID is working with 60 teachers and staff members and 50 students at Curtis High School, and with 20 teachers and up to 500 tenth and eleventh grade students at McKee High School to evaluate the current mediation training program with the objective of modernizing and improving it. NYCID will also provide peer mediator and conflict resolution training for 30 Curtis students and 20 McKee students during and after school. The ultimate goal of this initiative is to reduce conflict in the schools and to create a positive environment for academic progress.

The contract is retroactive because the vendor was late in submitting requested work plans and budget documents and the documents required multiple rounds of revisions.

A DCP review of the vendor's background in VCIP and VENDEX found that NYCID performed unsatisfactorily/poor on four contracts with the Department of Youth and Community Development (DYCD). Said contracts were not renewed. Subsequently, NYCID submitted Corrective Action Plans which were deemed acceptable by DYCD. NYCID has provided young adult internships, pre-GED literacy, and youth employment services for the DOE's Office of Post-Secondary Readiness and the Office of Safety and Youth Development, and has received satisfactory and good performance ratings. The vendor has therefore been determined to be responsible with respect to this contract.

A competitive sealed bid was not done for this procurement and a contract for these services is necessary because the City Council discretionary allocation specifically names this vendor for the amount stated above. To have these services provided by another party would be contrary to the City Council award policy. Pricing for the contract services was established to match the City Council allocation.

Item: 21

Description:

Afterschool services to the students in MS 326 in District 6 in Manhattan.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH COMMUNITY ASSOCIATION OF PROGRESSIVE DOMINICANS (ACDP) TO PROVIDE AFTER-SCHOOL SERVICES IN DISTRICT 6

Estimated Annual / Total Amount	Funding Source	Contract Term	Options	Option Amount	Procurement Method	Is Contract Retroactive?	Contract Type
$83,058 / $249,174	New York State Education Department (NYSED)	One Year (7/1/13 - 6/30/14)	Two 1-Year Options to Renew	$166,116	Vendor named in Grant, per Section 1-03(b) of DOE Procurement Policy & Procedures	Yes	Full Value

Vendor Name & Address	Community Association of Progressive Dominicans d/b/a Asociacion Comunal de Dominicanos Progresistas (ACDP) 3940 Broadway, 2nd Floor New York, NY 10032

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Angie Guo Senior Operations Manager Office of Safety and Youth Development	Robert Weiner Chief Operating Officer Office of Safety and Youth Development	Denesia Stroom-Blair Procurement Analyst Central Office Procurement

PURPOSE

Authorization is requested to contract with Community Association of Progressive Dominicans (ACDP) to provide after-school services to students at Middle School 326 in District 6 (Manhattan).

DISCUSSION

ACDP will provide educational and recreational programs to 100 students in grades 6-8 to promote participation in physical and visual arts activities. The after-school program is delivered two days a week for one hour and fifteen minutes each day, and includes art activities, yoga, tai chi, and sports. The students will also attend a financial awareness course to prepare them for budgeting their finances.

This contract is retroactive because personnel changes in the program office delayed implementation of the work plan and budget, which required multiple revisions.

DCP reviewed ACDP's background information in its files and VENDEX systems and learned that VENDEX reports three cautions:

- The first relates to the termination of a contract by the New York State Department of Health (DOH) stemming from ACDP's delay in the submission of the independent audit for 2007-2008. The audit was subsequently submitted to DOH in 2009, however, DOH has not awarded any contract to ACDP since that time. The DOE has since contracted with the vendor which has been named in grants awarded by the New York State Department of Education.
- The second caution relates to the criminal activities of two former employees, including the executive director, who was convicted of fraud. The vendor has submitted documentation to the Mayor's Office of Contract Services (MOCS) that confirms that the issues have been resolved

and the vendor has confirmed to DCP that the two former employees have not been employed with ACDP since 2006, prior to the start of the grant and contract.

- The third caution relates to an investigation by the Department of Investigation (DOI) into an allegation of fiscal impropriety, including and not limited to questionable debit card expenses, the high cost and improper procurement of one of the organization's contracts, and the hiring of a personal driver for the Executive Director without the Board of Directors' approval. An investigation by the Division of Youth and Community Development, based on the DOI report, found that no City funds were used for any of the questionable costs and that the Executive Director was empowered by the Board to hire and terminate employees in the normal course of business. On May 28, 2013, DOI and ACDP entered into a corrective action plan to address the findings.

DCP also found that since the last contract executed with ACDP, the vendor has performed poorly on two contracts with the Department of Health and Mental Hygiene (DOHMH). However, the services provided by ACDP are not the same services provided to the DOE and that DOHMH found ACDP's corrective action plan to be acceptable. The vendor has therefore been determined to be responsible with respect to this contract.

A competitive sealed bid was not conducted for this procurement and a contract for these services is necessary because the 21st Century Community Learning Centers Grant specifically named this vendor for the amount stated above. To have the services provided by another party would be contrary to the grant. Pricing for the contracted services was established as part of the grant submission and award.

Item: 22

Description:

Science and Technology professional development for teachers at the High School for Health Care Sciences in Manhattan.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH CORNELL UNIVERSITY COOPERATIVE EXTENSION – NEW YORK CITY

Estimated Annual / Total Amount	Funding Source	Contract Term	Options	Option Amount	Procurement Method	Is Contract Retroactive?	Contract Type
$30,000	New York State Education Department (NYSED)	One Year (7/1/13 - 6/30/14)	Two 1-Year Options to Renew	$60,000	Vendor named in Grant, per Section 1-03(b) of DOE Procurement Policy & Procedures	Yes	Full Value

Vendor Name & Address	Cornell University Cooperative Extension – New York City 40 East 34th Street, Suite 606 New York, NY 10016

Contract Manager	Lead Contracting Officer	Division of Contracts & Purchasing Contact
Angie Guo Senior Operations Manager Office of Safety and Youth Development	Robert Weiner Chief Operating Officer Office of Safety and Youth Development	Denesia Stroom-Blair Procurement Analyst Central Office Procurement

PURPOSE

Authorization is requested to contract with Cornell University Cooperative Extension – New York City to provide services under a 21st Century Community Learning Center grant for approximately 45 teachers at the High School for Health Care Sciences (HSHCS) located in District 6, in Manhattan.

DISCUSSION

Cornell University Cooperative Extension – New York City (Cornell) will provide Science and Technology professional development for teacher at HSHCS in hydroponics systems through the Hydroponics Learning Model and the Grow with the Flow project, which were developed as vehicles to introduce students to high-tech agriculture and related disciplines via a hands-on applied science learning environment.

The contract is retroactive because personnel changes in the program office delayed implementation of the work plan and budget, which required multiple revisions.

A review of information regarding the vendor's background in the VCIP and VENDEX systems found no significant adverse information. The vendor has therefore been determined to be responsible.

A competitive sealed bid was not conducted for this procurement and a contract for these services is necessary because the 21st Century Community Learning Centers Grant specifically named this vendor for the amount stated above. To have the services provided by another party would be contrary to the grant. Pricing for the contracted services was established as part of the grant submission and award.

Item: 23

Description:

Amendment to a contract for the provision of published and copyrighted assessment materials.

REQUEST FOR AUTHORIZATION TO AMEND A CONTRACT WITH THE COLLEGE BOARD FOR ASSESSMENT MATERIALS

Estimated Annual / Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
Original Contract: $318,000 / $954,000 Newly Amended Contract: $1,398,240 / $2,796,480	Tax Levy	Original Contract: Three Years (5/1/13 – 4/30/16) This Amendment: Two Years (5/1/14 – 4/30/16)	None	Listing Application Amendment per Section 4-08(e) of DOE Procurement Policy & Procedures	No	Requirements

Vendor Name & Address	The College Board 45 Columbus Avenue New York, NY 10023

Contract Manager / Lead Contracting Officer	Division of Contracts & Purchasing Contact
Niket Mull Executive Director, Office of Assessment Division of Teaching and Learning (DTL)	Begum Gonul Procurement Analyst Central Office Procurement

PURPOSE

Authorization is requested to amend a contract with the College Board for the provision of published and copyrighted assessment materials. The DOE will continue to pay the College Board a subsidy for each DOE student taking one or more College Board Advanced Placement (AP) exams when the student is eligible for such a subsidy by virtue of his/her low-income status.

DISCUSSION

New York City public school students can earn college credit for passing AP exams. However, these exams carry fees that may prohibit low-income students from taking them and thus limit the opportunities for these students to achieve academic success in college. The subsidization of AP exam fees for eligible students thus supports the DOE's effort to ensure that all students have equal access to a wide range of college and career opportunities.

The DOE estimates that 57,142 AP exams will be taken by students in the 2013-2014 school year. Based on their eligibility, some students taking AP exams are able to qualify for financial relief through a College Board AP fee reduction, the Measures of Student Learning (MoSL) funding, or AP Expansion (APEX) funding as described below.

- The DOE estimates that there will approximately be 39,000 College Board reduced fee AP exams taken by eligible students in the 2013-2014 school year. For students eligible for a fee reduction, the College Board will make a $26 contribution towards the exams, while the NYSED Federal AP Test Fee Program will pay $37 through grants and the Division of Teaching and Learning (DTL) will pay the remaining $18.

The primary criterion for College Board AP Fee reduction eligibility is being either enrolled or eligible to participate in the Federal Free or Reduced Lunch Program. The alternative criteria for subsidy eligibility include the following:

- The student's family's income is at or below the Census Bureau's "poverty threshold" for 2010.
- The student's family receives assistance under Part A of Title IV of the Social Security Act.
- The student is eligible to receive medical assistance under the Medicaid program under Title XIX of the Social Security Act.

- An additional 16,236 exams will be taken by students participating in the MoSL program. For the estimated 10,711 MoSL participants that qualify for the College Board AP fee reduction, the DOE will pay $18 per, while the remaining $63 will be paid by the MoSL program. The DOE will pay $81 per exam for the estimated 5,525 exams taken by MoSL program participants who do not qualify for any fee reduction.

- The remaining 1,906 exams will be taken by students participating in the APEX program. For the estimated 1,563 APEX participants that qualify for the College Board AP fee reduction, the DOE will pay $18 per exam, while the remaining $63 will be paid by the APEX program. The DOE will pay $81 per exam for the estimated 343 exams taken by APEX program participants who do not qualify for any fee reduction.

Projected costs to DOE are as follows:

Advanced Placement Exam Fee Structure	Number of Exams	Unit Price	Annual Cost
DTL Funded Reduced Fee	39,000	$18	$702,000
MoSL Funded Reduced Fee	10,711	$18	$192,798
MoSL Funded Non-Reduced Fee	5,525	$81	$447,525
APEX Funded Reduced Fee	1,563	$18	$28,134
APEX Funded Non-Reduced Fee	343	$81	$27,783
		Total Annual Cost to DOE	**$1,398,240**

A competitive sealed bid process was impractical, as the College Board is the sole provider of the Advanced Placement assessment materials, which cannot be purchased in the open market. The $18 subsidy amount is not set by the College Board but instead represents the reduction in the funding from the federal program. As such, pricing for these materials has been determined to be fair and reasonable.

The Division of Contracts and Purchasing's background check of the vendor found that the College Board was investigated in 2007 by the New York and Connecticut Attorneys General for inappropriately giving discounts to colleges that promoted its lending services by listing it as a "preferred lender." The College Board settled the matter in 2008 and paid $675,000 to help students find low-cost loan options. This matter, however, does not rise to a significantly adverse level that would preclude contracting with this vendor. Therefore, the College Board has been determined to be a responsible vendor.

Item: 24

Description:

Houghton Mifflin's educational product line.

REQUEST FOR AUTHORIZATION
TO PURCHASE HOUGHTON MIFFLIN HARCOURT SOFTWARE

Annual / Total Estimated Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$75,288 / $527,016	Tax Levy / Reimbursable	Seven Years	None	Listing Application	No	Requirements

Vendor Name & Address	Houghton Mifflin Harcourt 222 Berkeley Street Boston, MA 02116

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

PURPOSE

Authorization is requested to contract with Houghton Mifflin Harcourt (HMH) for the entire Houghton Mifflin Harcourt educational software product line on a requirements basis.

DISCUSSION

Houghton Mifflin Harcourt provides online curricula for classroom, extended use at home, and adult education. Their offerings include:

- Destination Math, a K-12 individualized instructional program in math with progress monitoring and lesson assignments based on skills deficiencies;
- Skills Tutor, an online individualized instructional program in math, reading, writing, language and science, that promotes academic skills proficiency and workforce readiness; and
- Go Math, an interactive web-based math program.

HMH is the sole provider of its own software, so a Request for Bids (RFB) was not practical.

HMH is offering the DOE a discount of 10 to 20 percent off the software list price and has guaranteed that no customer will receive better pricing than the DOE; the prices have therefore been determined to be fair and reasonable.

The estimated contract amount is based on prior usage.

Background checks performed on Houghton Mifflin Harcourt included a review of VENDEX, CTS, New York State Department of Labor, and the Federal Debarment List. No significant adverse information was identified. Accordingly, the vendor has been determined to be responsible.

Item: 25

Description:

Individually administered psychological assessments, group-administered educational measurements, and therapy products.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH NCS PEARSON, INC. TO PROVIDE ASSESSMENT MATERIALS

Estimated Annual / Total Contact Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$1,144,123 / $3,432,370	Reimbursable, Tax Levy, City Council	Three Years	None	Listing Application	No	Requirements

Vendor Name & Address	NCS Pearson, Inc. 5601 Green Valley Drive Bloomington, MN 55437

Contract Manager	Lead Contracting Officer
Jennifer Davilla Director Instructional Materials Unit Division of Contracts and Purchasing	Susan Dick - McKeon Chief Administrator School Based Procurement Division of Contracts and Purchasing

PURPOSE

Authorization is requested to contract with NCS Pearson, Inc. to provide published and copyrighted assessment materials to public and participating non-public schools.

DISCUSSION

NCS Pearson provides individually administered psychological assessments, group-administered educational measurements, and therapy products for speech-language pathologists, occupational therapists, and physical therapists. These materials can only be purchased from NCS Pearson and are not available through other channels of distribution.

Because these materials cannot be purchased in the open marketplace, a competitive sealed bid process is impractical. The proposed contract requires that the prices the DOE pays will be the lowest offered to any customer. Accordingly, prices are considered to be fair and reasonable.

A background check identified noteworthy information for NCS Pearson. There are four cautions in VENDEX:

- The first caution reports that on April 19, 2013, the DOE released findings that Pearson had discovered errors in the scoring of the most recent Gifted and Talented exam. The errors affected 4,735 students, 2,698 of which were told they did not qualify for the Gifted and Talented program when, in fact, they did. In addition, 2,037 of the students who previously qualified for district programs were subsequently found to be qualified for citywide programs. Pearson submitted a corrective action plan that includes process improvement, the expansion of the administrative advisory committee, and a change in subcontractors, which the DOE believes adequately addresses the issues. Pearson has also offered to not charge the DOE for the first year of services provided under the contract.
- The second caution reports that the U.S. Equal Employment Opportunity Commission (EEOC) conducted 36 investigations of NCS Pearson since 2007 and, except for nine that remain pending,

all have been dismissed without the imposition of any penalties, fines, or damages, and no further action was taken.

- The third caution reports that several federal agencies investigated claims that NCS Pearson overcharged the Transportation Security Administration (TSA) for recruitment and hiring services. The matter was settled in 2008 with no finding of wrongdoing when NCS Pearson agreed to pay $5.6 million. In July 2012, the TSA sought an additional $232,328 in 2010 to resolve unallowable cost provisions in the settlement agreement.
- The fourth caution reports that in December 2011 and February 2012, Pearson Charitable Foundation and Pearson Education received subpoenas from the Charities Bureau of the New York Attorney General's office requesting documents and information related to the foundation and various Pearson businesses, including NCS Pearson. This matter was resolved by an agreement between the Attorney General and Pearson Charitable Foundation on December 12, 2013, in which the Pearson Charitable Foundation agreed to pay $7.7 million, add three independent directors to its board, not feature Pearson products at events funded by the Foundation, and pay $200,000 for the costs of the investigation.
- News reports indicate that on March 15, 2012, the U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) announced that Pearson had settled a hiring discrimination lawsuit. During a scheduled compliance review, OFCCP determined that, in 2009, NCS Pearson violated an Executive Order that prohibits federal contractors from practicing job discrimination on the basis of race, color, religion, sex, or national origin, and provides for affirmative action to ensure equal employment opportunity. NCS Pearson entered a conciliation agreement with OFCCP to pay $100,000 in back wages and interest to the 67 affected job seekers and offer associate software developer positions and retroactive seniority to at least four class members as positions became available. Additionally, the company will revise its selection policies and procedures to ensure equal employment opportunities for future applicants.

Particularly since this is primarily a commodity procurement, we do not believe any of these matters precludes a determination that NCS Pearson is responsible.

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