# Panel for Educational Policy
# Contract Agenda
# January 20, 2016

**Item:** 1 **Description:** Conduct the Student Perception Survey to solicit feedback from public school students about their teachers.

**Term:** Three Years **Options:** Two 1-Yr **Funding:** Tax Levy

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| Panorama Education, Inc. | $1,480,695 |

**Item:** 2 **Description:** Updating of data networks at schools and central offices based on DOE networking standards.

**Term:** 5 Years **Options:** 2, two-year options **Funding:** Capital, E-rate, Tax Levy

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| Dell Marketing | $37,367,497 |

**Item:** 3 **Description:** Voice and data services to schools.

**Term:** 10 Years **Options:** 2, two-year options **Funding:** Tax Levy, E-rate

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| Granite Telecommunications | $477,418 |
| Level 3 Communications | $1,814,848 |
| Lightower Fiber Networks | $17,632,950 |
| Manhattan Telecommunications Corp. (MetTel) | $4,369,109 |
| Verizon Business Network Services, Inc. obo MCI Communication Services Inc. and Veri | $15,049,341 |

**Item:** 4 **Description:** Math professional development services for teachers, leaders, coaches, administrators and support staff.

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

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| IAT Interactive, LLC/DBA It's about Time | $30,000 |
| National Training Network, Inc. | $30,000 |

**Item:** 5 **Description:** Professional development for instructional technology services to assist with integrating computer technology into the instructional program (RA#2).

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

**Division:** Division of Talent, Labor & Innovation **Contract Type:** Requirements

| Vendor Name | Estimated Annual Amount |
|---|---|
| Brienza's Academic Advantage | $30,000 |
| Fuel Education LLC | $30,000 |
| Tech4Learning, Inc. | $118,000 |
| The Ghetto Film School, Inc. | $30,000 |

**Item:** 6 **Description:** Social Studies professional development and direct student services. (RA #3)

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

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| Museum of the City of New York | $60,000 |

**Item:** 7 **Description:** Student Support Services RA#17

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

**Division:** Office of Safety and Youth Development **Contract Type:** Requirements

| Vendor Name | Estimated Annual Amount |
|---|---|
| Educational Alliance | $73,000 |

**Item:** 8 **Description:** Recording, reporting, transcription and related services for hearings held by the Impartial Hearing Office.

**Term:** 5 years **Options:** 2, 1-Year Extensions **Funding:** Tax Levy

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| eScribers, LLC | $996,276 |

**Item:** 9 **Description:** Technical assistance and support for Measures of Student Learning evaluation system and distribution of the Annual Professional Performance Reviews to teachers, as approved by the State under Education Law §3012-c.

**Term:** Two Year **Options:** None **Funding:** Tax Levy

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| EDUCATION ANALYTICS INC. | $600,000 |

**Item:** 10 **Description:** Amendment to a contract for evaluation services for after school and youth development programs funded by the 21st Century Community Learning Centers Grant.

**Term:** 1 Year **Options:** None **Funding:** NYSED

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

| Vendor Name | Annual Amount |
|---|---|
| L&G Research and Evaluation Consulting, Inc. | $395,088 |

**Item:** 11 **Description:** Conversion of half day to full day UPK services.

**Term:** 1 year **Options:** None **Funding:** NYSED GRANT

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| Catholic School Region of Manhattan | $216,000 |
| Catholic School Region of Northwest - South Bronx | $216,000 |

**Item:** 12 **Description:** Comprehensive background checks of Universal Pre-Kindergarten and other prospective contractors.

**Term:** 2/1/2016 - 1/31/2015 **Options:** None **Funding:** NYSED and/or Tax Levy

**Division:** Division of Contracts and Purchasing **Contract Type:** Full Value

| Vendor Name | Annual Amount |
|---|---|
| Lemire LLC | $444,000 |

**Item:** 13 **Description:** Extension of contracts providing system wide program evaluation services.

**Term:** 6 months **Options:** None **Funding:** Various

**Division:** Cntr for Recruitment & Prof Development **Contract Type:** Requirements

| Vendor Name | Estimated Annual Amount |
|---|---|
| American Education Solutions, Inc. | $235,000 |
| Hezel Associates | $50,000 |
| John Schoener and Associates, Inc. | $45,000 |
| Metis Associates, Inc | $485,000 |

**Item:** 14 **Description:** Provide textbook, lab-kits, and ancillary materials for participating public and non-public school

**Term:** seven years **Options:** none **Funding:** Reimbursable/ Tax Levy

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| Kendall Hunt Publishing Company | $273,000 |

**Item:** 15 **Description:** Provide textbooks, lapbooks, and book collections for participating public and non-public schools

**Term:** seven years **Options:** none **Funding:** Reimbursable/ Tax Levy

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| Lee & Low Books Inc. | $205,400 |

**Item:** 16 **Description:** Textbooks and ancillary materials

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

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| Focus in Education | $146,000 |

**Item:** 17 **Description:** Textbooks and ancillary materials

**Term:** 7 years **Options:** none **Funding:** Reimbursable

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| Pacific Leaming | $237,000 |

**Item:** 18 **Description:** Amendment to a demonstration project studying high-dosage tutoring as an innovative approach to academic intervention services to expand services to a greater number of students.

**Term:** 2 years **Options:** **Funding:** Tax Levy

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

| Vendor Name | Annual Amount |
|---|---|
| SAGA Innovations, Inc. | $1,150,000 |

**Item:** 19 **Description:** City Council allocation for anti-gun violence prevention initiative.

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

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

| Vendor Name | Annual Amount |
|---|---|
| Police Atheletic League, Inc. | $40,000 |

**Item:** 20 **Description:** City Council allocation for conflict resolution, violence prevention and youth development.

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

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

| Vendor Name | Annual Amount |
|---|---|
| Jacob A. Riis Neighborhood Settlement House, Inc. | $80,000 |

**Item:** 21 **Description:** City Council allocation for violence prevention, conflict resolution and youth development.

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

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

| Vendor Name | Annual Amount |
|---|---|
| SCAN-New York Volunteer Parent-Aides Association, Inc. | $80,000 |

**Item:** 22 **Description:** City Council Anti-Gun Violence initiative

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

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

| Vendor Name | Annual Amount |
|---|---|
| YPIS of Staten Island, Inc. dba New York Center for Interpersonal Development | $80,000 |

**Item:** 23 **Description:** City Council funded Anti-Gun violence initiative

**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 Peace Institute, Inc. | $80,000 |

**Item:** 24 **Description:** City Council funded dropout prevention and intervention services in NYC High Schools

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

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

| Vendor Name | Annual Amount |
|---|---|
| Educational Testing Services | $167,000 |

**Item:** 25 **Description:** Conflict resolution and peer mediation training

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

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

| Vendor Name | Annual Amount |
|---|---|
| Man Up! Inc., | $160,000 |

**Item:** 26 **Description:** Software for the schools

**Term:** 7 years **Options:** None **Funding:** tax levy reimbursable

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| Triumph Learning | $560,000 |

**Item:** 27 **Description:** Professional development to K095 & K228 in District 21as part of the 21st Century grant.

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

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

| Vendor Name | Annual Amount |
|---|---|
| Global Language Project, Inc. | $32,750 |

**Item:** 28 **Description:** Sports-based youth development programs in three schools under the 21st CCLC grant

**Term:** 1 Year **Options:** None **Funding:** NYSED Grant

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

| Vendor Name | Annual Amount |
|---|---|
| Play Rugby, Inc. | $55,000 |

**Item:** 29 **Description:** Expanded Learning Time grant award

**Term:** 1 Year **Options:** One 1-yr **Funding:** USDOE

**Division:** Teaching and Learning **Contract Type:** Full Value

| Vendor Name | Annual Amount |
|---|---|
| Arete Education, Inc. | $369,029 |

**Item:** 30 Withdrawn

**Item:** 31 **Description:** Open-ended solicitation seeking proposals for the provisions of full day UPK services to four-years-old for 2015-2018

**Term:** 3 Years **Options:** 2 Years **Funding:** NYSED

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

| Vendor Name | Estimated Annual Amount |
|---|---|
| New Milestone, Inc. | $446,500.00 |
| Yearling Nursery School | $126,000.00 |

**Item:** 32 Withdrawn

**Item:** 33 Withdrawn

**Item:** 34 Withdrawn

**Item:** 1

**Description:**

Conduct the Student Perception Survey to solicit feedback from public school students about their teachers.

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH PANORAMA EDUCATION, INC. TO PROVIDE THE STUDENT PERCEPTION SURVEY

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Estimated Total Option Amount | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|---|
| $1,480,695 / $4,442,086 | Tax Levy | Three Years | Two 1-Year Options to Extend | $1,480,695 | Request for Proposals (RFP) | No | Requirements |

| | |
|---|---|
| **Vendor Name and Address** | Panorama Education, Inc.<br>109 Kingston St.<br>Fifth Floor<br>Boston, MA 02111 |

| Contract Manager | Lead Contracting Officer | Division of Contracts and Purchasing Contact |
|---|---|---|
| Anna Remenschneider<br>Director, Survey Initiatives<br>Office of School Performance<br>Division of Teaching and Learning | Morayo Tracey Oyemade<br>Deputy Senior Executive Director<br>Finance & Procurements<br>Division of Teaching and Learning | MaryAnne Impostato<br>Procurement Analyst<br>Central Office Procurement |

## PURPOSE

Authorization is requested to contract with Panorama Education (Panorama) to conduct an independent survey soliciting feedback from public school students about their teachers (Student Perception Survey).

## DISCUSSION

The DOE will administer a citywide Student Perception Survey to students in a manner that allows them to provide confidential feedback about their teachers, which will then be aggregated and shared with those teachers and their principals. This survey will provide information on students' perceptions of their teachers' performance and help teachers understand their students' classroom experiences. The Student Perception Survey will be a research-based tool that is available on paper and online in order to provide flexibility to schools participating in the survey. It will be administered annually in the spring to students of eligible teachers in grades 3-12, including approximately 700,000 students throughout 1,600 schools. There will be two versions of the survey: one for students in grades 3-5 and one for students in grades 6-12.

DOE released a Request for Proposals (RFP) seeking survey administrative services such as facilitating survey design, preparing training/support materials, survey administration, and reporting. The RFP included two components: 1) the Student Perception Survey and 2) the NYC School Survey. This RA covers Component 1, the Student Perception Survey. Component 2, the NYC School Survey, will be covered in a separate RA.

The RFP was advertised in the City Record and on the DOE website. Vendors that were on bidders' lists to provide services such as auditing, consulting, technology, and evaluation services, including others that could potentially provide survey administrative services, were also notified via email.

Proposals for both components were received from five vendors, and one vendor proposed for Component 1 only. None of the proposers were MWBEs.

The evaluation of proposals was conducted by two committees, one for each survey, including representatives from the Division of Teaching and Learning with expertise in survey operations and administration and program management. Representatives from the UFT also participated in the evaluation of the Student Perception Survey proposals to ensure that the survey administration and content provide results that will effectively inform UFT membership on teacher practices and performance. Proposals were scored based on the following criteria: demonstrated effectiveness (35 points), program plan (25 points), organizational capacity (20 points), and prices/charges (20 points).

The table below summarizes the pricing for the proposals received for the Student Perception Survey.

| Proposer / Vendor | Student Perception Survey (Component 1) | | |
|---|---|---|---|
| | Original Proposal | BAFO | Negotiated Amount |
| My Student Survey | $3,825,120 | NA | NA |
| Panorama Education | $5,678,760 | **$5,536,260** | **$4,442,086** |
| The Learning Bar | $5,580,923 | NA | NA |
| Research Works | $3,565,256 | NA | NA |
| Cambridge Education | $4,049,610 | NA | NA |
| KPMG | $4,749,138 | $4,419,321 | NA |

The evaluation committee found that My Student Survey failed to demonstrate the necessary experience to successfully adapt its processes to the scale required by the RFP and had concerns regarding My Student Survey's financial stability and ability to provide the necessary resources. The Learning Bar proposed a transition to online surveys that underestimated the logistics involved and focused on schools rather than teachers. Research Works' program plan also lacked key details such as encouraging high survey participation and professional development related to survey results. The absence of these critical elements showed a lack of readiness to manage this program, and also accounts at least in part for their lower price.

Although Cambridge, Panorama and KPMG demonstrated sufficient capacity and experience to administer a survey of this scale, Cambridge Education's program plan was rigid to the extent that it included non-negotiable deadlines for schools and lacked the flexibility necessary to adapt its processes to accommodate the DOE's needs, thus only Panorama and KPMG were considered to be in the competitive range. The committee recommended Panorama for award of the Student Perception Survey (Component 1) for the following reasons:

1. KPMG and its subcontractor, Tripod, demonstrated little flexibility regarding the alteration of Tripod's survey instrument and reporting.
2. KPMG's proposal focused more on gathering data rather than providing the survey results as meaningful reports and tools for teachers and school leaders to use in the improvement of their classroom environments and professional development.
3. The committee ultimately determined that the following additional benefits and offerings proposed by Panorama would outweigh the higher cost of its program:
    - A survey instrument customized specifically for the DOE;
    - The DOE would have full rights to use the survey instrument beyond the contract term; and
    - Panorama's Playbook tool would assist teachers with understanding survey results and guide professional development, at no additional cost.

While Panorama's higher BAFO of $5.5M exceeded KPMG's BAFO total contract amount by $1.1M, extensive negotiations with Panorama resulted in a 19.8 % reduction in the total contract amount, totaling $1,094,174 over the contract term. Panorama's negotiated rates per survey for online and paper are approximately 62% and 64% lower, respectively, than Panorama's standard rates. Moreover, the DOE believes that Panorama's Playbook tool, provided at no additional cost, could reduce the amount of time spent by DOE staff on creating professional development resources and overseeing teacher engagement, with a total potential cost savings attributable to staffing of approximately $780,000 over the three-year contract term. The DOE also anticipates a potential annual savings of up to an additional $585,000 in licensing fees because it will have full rights to use Panorama's survey instrument, whereas it would have to pay to use the KPMG/Tripod survey beyond the contract term. Prices have therefore been determined to be fair and reasonable.

A contract for these services is necessary because the DOE does not have the capacity or expertise to develop a research-based and validated Student Perception Survey.

The estimated contract amount is based on the proposed unit price and number of units estimated by the DOE. The number of units is based on past expenditures and may vary annually depending on the number of eligible survey participants and participating schools.

The contract term for will be three years with two options to extend for one year each. Pricing for each annual extension period will be based on unit prices for year three of the base contract term.

A comprehensive background review conducted on Panorama Education Inc. revealed no significant adverse information; the vendor has therefore been determined to be responsible.

**Item:** 2

**Description:**

Updating of data networks at schools and central offices based on DOE networking standards.

# REQUEST FOR AUTHORIZATION FOR INFRASTRUCTURE BUILD-OUT SERVICES RFP #R1094

| Annual / Total Estimated Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $37,367,497/ $186,837,485 | Tax Levy / Capital/ E-Rate | Five Years | Two 2-Year Renewals ($149,469,988) | Request for Proposals (RFP) | No | Requirements |

| | |
|---|---|
| **Vendor Name & Address** | Dell Marketing L.P.<br>One Dell Way, Round Rock, TX 78682 |

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Joseph Iacoviello<br>Director<br>Division of Instructional and Information Technology | Hal Friedlander<br>Chief Technology Officer<br>Division of Instructional and Information Technology | James J. McBride<br>Chief Administrator<br>Technology & Instructional Material Procurement |

## PURPOSE

Authorization is requested to contract with Dell Marketing L.P. for five years for a variety of information technology installation services. Dell will perform system integration services for school buildings in need of network/hardware re-fresh/updating with the coordination of Division of Instructional and Information Technology (DIIT).

## DISCUSSION

The New York City Department of Education (DOE) released a Request for Proposals (RFP) soliciting installation services for IT hardware, including the retrofit and upgrade of school buildings' existing wireless and LAN/WAN networks, and cable pulls in support of LAN/WAN upgrades. Vendor(s) would be responsible for integration and installation of hardware acquired by DOE through other contracts, with contractors only advising and recommending equipment which may optimize the installed network configurations after site survey is conducted. Hardware will be purchased from a competitive sealed bid contract that is not part of this procurement. Service costs include warehousing of equipment purchased by DOE, coordinating delivery of the equipment to worksites as required, and asset tagging of newly installed equipment for inventory purposes. Vendors were allowed to propose services by borough or multiple boroughs.

With the increased use of mobile devices for students in the classroom, and the increasing importance of on-line instruction and assessments, upgrading the performance of schools' wireless and local/wide area networks is a Departmental priority. In the past, network hardware and associated installation services were procured through mini-bid competitions against New York State Office of General

Services (OGS) contracts. The contract DOE has used for the purchase and integration of wireless and local/wide area networks in schools with IBM expired in September 2015.

It is anticipated that a portion of these networking integration services will be eligible for reimbursement under the Federal Communications Commission's (FCC) schools and libraries universal service support program, commonly known as "E-rate." If new contracts are finalized prior to the close of the E-rate application filing window (anticipated to occur on or around March 23, 2016), purchases under the contracts may be eligible for E-rate funds during Funding Year 2016 (DOE Fiscal Year 2017). The purchase of certain network integration services, Category Two as defined by the FCC, is E-rate eligible. DOE could potentially receive a maximum aggregate amount of approximately $126.5 million for all Category Two E-rate funding requests over a five year period.

An RFP was selected as the procurement method because it is important to the objectives of this procurement that the responding vendors demonstrate past success in implementing hardware and system integration to large clients, in addition to demonstrating a full understanding and ability to execute in conformance with the Federal E-rate Program. Use of the RFP process also allowed DOE to request further clarifications and refinement of proposals prior to making award recommendations.

DCP collaborated with DIIT and the Office of Federal and State Regulatory Compliance (OFSRC) as well as input from Ernst & Young (E&Y) in writing the solicitation and Pricing Form to ensure the documents cover DOE needs and are E-rate compliant.

The RFP was released on June 8, 2015 to vendors on the DOE's bidders list, submitted for advertisement in the City Record, made available via the DOE's website and referenced in an FCC Form 470 (Description of Services Requested and Certification) which was posted on USAC's website. Both the RFP and the Form 470 were publicly available for 88 days prior to the September 4, 2015 due date for receipt of proposals.

This solicitation made it possible to make award(s) by borough to the most cost-effective, responsive and responsible proposer offering the best value to DOE, considering price of E-rate eligible services at 30 percent of total evaluation score, price of E-rate ineligible services at 15 percent, program plan at 20 percent, demonstrated effectiveness at 20 percent, and organizational capacity at 15 percent, respectively. It was the general understanding that allowing the option of dividing the awards by borough could recognize differences (construction, logistics, etc.) attributable to each borough, yet provide for large enough territories to assure sufficient economies of scale. Vendors were able to propose service for multiple boroughs but had to demonstrate that they possess the resources and capacity to perform the work according to the specifications.

The evaluation committee consisted of employees selected from various DIIT groups including; Solutions Design and Engineering group, Vendor Management group, Technology Deployment Group, Digital Communication Policy & Strategy and the Service Delivery & Network Operations group. Five DOE staff members who will work closely with the deployment and who support DOE's IT hardware and network served as Subject Matter Experts (SME) because of their in depth knowledge of this type of integration work.

DCP reviewed the seven proposals received to ensure proposals met minimum qualifications stated in the solicitation. One vendor (Verizon) took exceptions to 2 of the 8 minimum qualification requirements which made their proposal non-responsive; they were notified in writing, no protest was received.

The evaluation committee received and evaluated the remaining six proposals. An evaluation matrix created by E&Y in partnership with OFSRC was used by each evaluator to score the Program Plan, Organizational Capacity and the Demonstrative Effectiveness criteria. Proposal pricing was not scored by the committee. It was instead calculated to linearly distribute points based on the proposal cost, which gave the highest allowed points to the lowest overall price per borough, the second lowest overall price received the next highest number points etc. Overall pricing was scored under nine separate award scenarios which included; a) cost per individual borough; b) the discounted cost of a vendor being awarded 2 boroughs; c) the discount cost of a vendor being awarded 3 boroughs; d) the cost of a vendor being awarded 4 boroughs; and e) the cost of a vendor being awarded all 5 boroughs.

The table below illustrates the initial and final annual pricing for five boroughs:

| Proposer | Initial Price/ Five Boroughs | BAFO Price/ Five Boroughs |
|---|---|---|
| **DELL Marketing L.P.** | **$39,334,206** | **$37,367,496** |
| ASI Systems Integration, Inc. | $48,465,820 | $48,100,867 |
| International Business Machines (IBM) Corporation | $64,130,642 | $61,280,399 |
| Core BTS, Inc. | $52,210,269* | Not in the competitive range |
| Presidio Networked Solutions Group LLC | $67,889,594 | Not in the competitive range |
| CDW Government | $168,543,187 | Not in the competitive range |
| Verizon Business Network Services | $45,669,153 | Not Evaluated/did not meet Min-Quals |

*Core BTS, Inc.'s financial capacity limited them to only be awarded for a maximum of 3 boroughs. The vendor still offered a price for 5 boroughs as part of their proposal.

Three of the six responsive vendors evaluated were not in the competitive range. The evaluation committee noted, among many other issues, two or more of the following problems with each of these three proposals:

1. Lacked a credible work plan
2. No staffing plan or project management
3. Did not dedicate resources (for example, some key personnel percentage time dedicated to implementation of services to the DOE was 50% or less)
4. Warehousing facilities proposed were insufficient in size
5. The project plan did not address expected outcomes and potential issues in the same way that competitive range vendors did.
6. Prior experience offered is not directly related to the proposed services

Two of the three vendors not in the competitive range had the highest prices out of all the evaluated proposals.

Dell's proposed pricing is the lowest among those in the competitive range both in all boroughs individually and collectively.

Compared with pricing in the previous contract, Dell's proposed unit pricing was lower based on reviewing a sampling of service offerings across all five boroughs.

In light of the fact that Dell proposed the lowest prices in a competitive procurement across all classes (boroughs) including multiple borough offerings and also proposed lower unit pricing than the prior contract, pricing has been determined to be fair and reasonable and to represent the most cost-effective option for the DOE.

The evaluation committee positively noted that:

1. Dell's warehouse facilities are sufficiently sized and located for the work being proposed.
2. Risk management and escalation plans were well described.
3. Dell has a sufficient, fully-formed, team.
4. Reporting capabilities were well defined and included sample project plans to show proposed project management.
5. Work staging space description fit with the scope of work.
6. Dell offered valuable narrative on "change management."

Dell staff will perform most of the work but will also use subcontractors with special expertise to augment and compliment their capabilities. Dell included a list of subcontractors for specific aspects of the services including, cabling, installation, electrification, asbestos testing, warehousing, equipment staging, equipment disposal, equipment delivery, project management and E-rate billing. Dell has advised DOE that Custom Computers Specialist will represent approximately 20% of the work performed as a subcontracted vendor along with TKM Serve performing approximately 18%, Washington Computers accounting for 18%, Champion Alarm Systems providing 18%, CEVA Logistics at ~1% and Avnet Services performing less than 1%, respectively.

A background check for Dell Marketing, L.P. (DM) using the City's VENDEX, Vendor CIP Report, and EPLS – Fed Debar List identified the following noteworthy findings for the prime vendor, Dell Marketing, L.P. (DM) indicates the following noteworthy information: A June 2012 press release of the Occupational Safety and Health Administration (OSHA) indicated that affiliate Dell Services Federal Government Inc., had several willful violations of employee safety by allowing its employees to enter telecommunications vaults without following the appropriate precautions with proposed penalties of $140,000. In August 2012, the company reached a settlement with OSHA reducing the violations from willful violations and the fine to $70,000. The vendor disclosed in VENDEX that the fine was paid and the company has enacted corrective measures to address these matters.

In a US Securities and Exchange Commission (SEC) press release from July 22, 2010, the SEC filed a complaint that Dell had violated certain negligence-based fraud laws following a financial review of the company. Dell entered into a settlement with the SEC wherein the company paid $100 million (Michael Dell, the company's founder, paid $4 million personally), consented to a permanent injunction against future violations of various fraud and antifraud provisions, enhanced its disclosure processes, practices, and controls, and agreed to retain an independent consultant to assist in doing so. In Dell's Form 8-K, it indicates that the company had established a reserve in the $100 million amount for potential settlement, hired PricewaterhouseCoopers LLC as the independent registered public accounting firm, to act as consultant for Dell, and implemented a number of other remedial actions and internal control enhancements.

As part of the need to approve or disapprove a prime vendor's proposed subcontractors, noteworthy information also was identified for a Custom Computer Specialists (CCS), a sub-contractor that Dell identified it would use to provide services under this contract. VENDEX reports a caution regarding an April 28, 2011 report from the Special Commissioner of Investigation for the New York City School

District (SCI) that found CCS enabled Ross Lanham, while employed as a consultant for the DOE, to bill millions of dollars to the DOE for five consultants whom he employed through his company, Lanham Enterprises, Inc. without the knowledge and/or agreement of the DOE. In July 2012, CCS provided the DOE with an acceptable corrective action plan in which the vendor indicated it would not disclose any contractual relationships with other entities involved in its contracts with the DOE, notify the DOE of any pass-through entities used by other entities on DOE projects, and contact SCI or the appropriate agency if there is any suspicion of wrongdoing. Since that time the company's performance on DOE business has been determined to be "exceptional."

As the matters reported above have been satisfactorily addressed and Dell's performance on other DOE contracts has been determined to be "exceptional." The DOE does not believe they preclude a determination that the vendor is responsible.

**Item:** 3

**Description:**

Voice and data services to schools.

# REQUEST FOR AUTHORIZATION
# TO CONTRACT WITH VENDORS LISTED BELOW
# TO PROVIDE VOICE AND DATA SERVICES

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Estimated Option Amount | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|---|
| $39,343,665.45 / $393,436,654.50 | Tax Levy / E-rate | 10 Years | Two 2-Years | $15,7374,661.80 | Request for Proposals (RFP) | No | Requirements |

| Vendor Name & Address | See Table Below |
|---|---|

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Mark Spencer<br>Joe Iacoviello<br>Directors<br>Division of Instructional and Information Technology (DIIT) | Hal Friedlander<br>Chief Information Officer<br>Division of Instructional and Information Technology (DIIT) | James J. McBride<br>Chief Administrator<br>Technology & Instructional Material Procurement |

## PURPOSE

Authorization is requested to contract with Verizon, Manhattan Telecommunications Corp. (MetTel), Granite Telecommunications LLC, Level 3, and Lightower Fiber Networks to provide telephone services and data network connectivity for schools and central offices.

## DISCUSSION

Since 2015, DOE has relied on Verizon to provide Telecommunication services for schools and administrative sites. This is a one year contract set to expire on June 30, 2016. Prior to this contract, and since 2006, DOE had relied on Sprint and the New York City Department of Information Technology and Telecommunication's (DoITT) master services agreements (MSA) with Telesector Resources Group (a division of Verizon) and AT&T to provide Telecommunication services for schools and administrative sites.

A portion of the voice and most of the data services covered by these contracts are eligible for reimbursement under the Federal Communications Commission's (FCC) schools and libraries universal service support program, commonly known as "E-rate", as long as E-rate requirements are satisfied. If new contracts for eligible services are finalized prior to the close of the E-rate application filing window (anticipated to occur on or around March 23, 2016), purchases under the contracts may be eligible for E-rate funds during Funding Year 2016 (DOE Fiscal Year 2017). The E-rate reimbursement rate is expected to be at least 40% of the total cost for eligible voice services and at least 80% of the total cost for eligible data services. The start date for each of the new contracts is July 1, 2016.

The Division of Instructional & Information Technology (DIIT) collaborated with the Office of Federal & State Regulatory Compliance (OFSRC) and the Division of Contracts & Purchasing (DCP) in writing the solicitation and price form to ensure the documents cover DOE's needs and are E-rate compliant. The

solicitation was divided in two groups of telecommunication services; Group 1 covers voice services and Group 2 covers data services. Voice was subdivided into four classes of services:

- Class 1 – POTs, Analog Trunk, Centrex, Off-Premise Extension
- Class 2 – ISDN Services, BRI, PRI, DID
- Class 3 – Long Distance Service
- Class 4 – Session Initiation Protocol (SIP) Services

A Request for Proposals (RFP) was released on June 8, 2015 to vendors on the DOE's bidders list, submitted for advertisement in the City Record, made available via the DOE's website and referenced in an FCC Form 470 which was posted on USAC's website. Both the RFP and the Form 470 were publicly available for 72 days prior to the August 20, 2015 due date for receipt of proposals. Eight vendors submitted proposals for one or more groups/classes.

With technical advice from DOE subject matter experts, an evaluation committee consisting of three Managers from DIIT evaluated proposals using the following criteria to recommend various award(s) to vendors stated below:

| CRITERIA | WEIGHT |
|---|---|
| Price of E-rate Eligible Products and/or Services | 30 |
| Price of E-rate Ineligible Products and/or Services | 10 |
| Program Plan | 25 |
| Demonstrative Effectiveness | 20 |
| Organizational Capacity | 15 |
| **Total** | **100%** |

Only vendors that were advanced to the competitive range phase were asked to submit "best and final (BAFO)" pricing.

**Class 1 – POTs, Analog Trunk, Centrex, Off-Premise Extension**:
Basic telephone services for legacy analog telephones, components are for example: Plain old telephone services (POTS) lines for local analog phone systems, standalone fire alarm and emergency telephone lines. Centrex (digital PBX service delivered from carrier's central office).

| Proposer | 10-year Total for Voice Class 1 Originally Proposed Pricing | 10-year Total for Voice Class 1 Competitive Range BAFO Pricing |
|---|---|---|
| AT&T | $ 48,071,693 | $ 48,024,653 |
| **Verizon** | $ 150,493,408 | **$ 150,493,408** |
| MetTel | $ 154,948,275 | n/a |
| Granite | $ 431,755,427 | n/a |
| Level 3 | No bid | n/a |
| TWC | No bid | n/a |
| Lightower | No bid | n/a |

| | | |
|---|---|---|
| Zayo | No bid | n/a |

AT&T's proposal for this class was determined non-responsive because, among other things, their Hosted Voice Services (HVS) solution does not provide alarm and 911 call-out lines, as required in Section 5.5.2.5 – "Provide local service that meets the compatibility requirements for all emergency and enhanced 911 services within New York City..." of the RFP.

MetTel's pricing was higher than Verizon, and was not advanced to the competitive range because they did not provide a program plan to convert the 37,500 POTS and Centrex lines specified in the pricing form, or conversion details of any of the other voice classes of service, each of which have unique requirements that the evaluation committee consider as a core component of the vendor's score. Instead MetTel provided a high level timeline graphic showing an 8 week transition plan for services from the incumbent to their service platform, describing the steps required for a "billing change". MetTel was also unable to demonstrate experience providing services to large urban school districts.

The Committee recommended Verizon for an award in this class because, unlike other vendors, they demonstrated both the necessary capacity and experience, and they will continue to provide POTS and Centrex services for the foreseeable future.

**Class 2 – ISDN Services, BRI, PRI, DID:**
DOE's legacy analog telephones services, such as multiple standalone POTS circuits are bundled into one higher speed line and delivered to the DOE last mile as one circuit, which is converted back to multiple talk paths (voice circuits) once connected to the telephone systems at the schools. Types of high speed circuits are: ISDN (56kbps speed) which equals to two voice circuits, PRI (T1, 1.544 mbps speed) which equals to 23 voice circuits, DID (digital telephone numbers).

| Proposer | 10-year Total for Voice Class 2 Originally Proposed Pricing | 10-year Total for Voice Class 2 Competitive Range BAFO Pricing |
|---|---|---|
| **MetTel** | $ 43,691,092 | **$ 43,691,092** |
| Granite | $ 71,112,840 | n/a |
| Verizon | $ 110,333,000 | $ 107,973,000 |
| AT&T | No bid | n/a |
| Level 3 | No bid | n/a |
| TWC | No bid | n/a |
| Lightower | No bid | n/a |
| Zayo | No bid | n/a |

The Committee recommended MetTel for an award in this class because, in addition to being the lowest price in this class, implementation would be straight-forward with MetTel. In their BAFO response, they provided a detailed and thorough explanation of the migration process to convert billing from Verizon to their systems and in a timeline of 8 weeks. Since the conversion was in essence "just a billing change", there would be no need to perform any work on-site, thus requires no DOE resources. They also have the ability to initiate installation of new circuit media, such as fiber optic cabling, through their network of telecommunications providers on contracts with (besides Verizon). Met Tel will assign a team to supervise and manage the migration and post migration support.

Verizon was not selected because their pricing was approximately 2 ½ times higher than MetTel without related value to the DOE.

**Class 3 – Long Distance Service:**
To give DOE the ability to make domestic long distance and International calls.

| Proposer | 10-year Total for Voice Class 3 Originally Proposed Pricing | 10-year Total for Voice Class 3 Competitive Range BAFO Pricing |
|---|---|---|
| MetTel | $ 4,728,900 | $ 4,728,900 |
| **Granite** | $ 5,062,175 | **$ 4,774,175** |
| Verizon | $ 7,249,554 | $ 7,249,554 |
| AT&T | No bid | n/a |
| Level 3 | No bid | n/a |
| TWC | No bid | n/a |
| Lightower | No bid | n/a |
| Zayo | No bid | n/a |

The Committee recommended Granite for an award in this class because, though the proposal was ~1% above the lowest price, they had a more compelling program plan, such as an automated QA function that initiated a call back loop to a long distance number in vendor's control that essentially enabled a verification test to be completed without incurring any long distance charges in the process. In addition, Granite understands the program and can provide end to end management requiring no DOE resources for migration of Class 3 Long Distance services. They have provided a timeline of 60 days for migration completion, but batches of phone lines would be processed at rates up to 6,000 lines per day and all DOE's long distance service can be converted in 15 business days. Granite had an understanding of the requirements and goals and since they are a reseller, they only need to complete a billing change to switch existing service from the incumbent. The account support and 24x7 customer service team described provided insight into their internal operational dynamics. The account manager and other managers will also be assigned for provisioning, MAC, customer service, billing, gov't contracts and sales. They can provide summary account billing hierarchy that DOE requests. They will provide usage and any customized reports as requested by DOE.

**Class 4 – Session Initiation Protocol (SIP) Service:**
This is a completely digital telephone service and, like Class 2 PRI services, SIP is one high speed digital voice circuit to deliver multiple talk paths (voice circuits) once connected to the telephone systems at the schools.

| Proposer | 10-year Total for Voice Class 4 Originally Proposed Pricing | 10-year Total for Voice Class 4 Competitive Range BAFO Pricing |
|---|---|---|
| MetTel | $ 12,033,600 | n/a |
| Verizon | $ 18,400,000 | $ 16,729,200 |
| **Level 3** | $ 15,656,961 | **option 1 - $ 18,148,478**<br>option 2 - $ 24,583,561 |

| | | |
|---|---|---|
| AT&T | $ 18,390,384 | $ 18,390,384 |
| Granite | $ 56,933,400 | n/a |
| TWC | No bid | n/a |
| Lightower | No bid | n/a |
| Zayo | No bid | n/a |

MetTel was not advanced to the competitive range because the committee felt that they did not provide evidence that they can support the proposed services asked for to large urban school districts, or provide conversion details if awarded.

While higher priced than Verizon, Level 3's solution provided flexibility, permitting SIP services to be delivered using data circuits, internet circuits or voice circuits to deliver inbound, outbound and alternative routing for any circuit type provisioned by Level 3. The committee felt that this represents a significant advantage in architecture over other providers. Legacy telecommunication services can be transitioned in parallel with "traditional" SIP services, permitting the DOE to aggregate and share SIP trunks (call paths) across the enterprise. If a legacy circuit or system goes down, voice traffic can be routed through alternate circuits or to alternate systems until repairs are completed. This solution does not require the DOE to purchase any additional network equipment or invest in additional circuit upgrades. Level 3's solution provides high speed data circuits to 7 DOE locations where installation costs have been included with the monthly service fee, further reducing any need for additional upfront costs. In addition to being lower cost than another Level 3 solution, the DOE will be able to begin migration without the additional ramp up time required to transition legacy phone systems to SIP services.

**Group 2 - Data Services**:
DOE's data network infrastructure that connects schools and administrative offices to node sites so they can access DOE applications and services that are hosted there. Typical data network components are high speed digital circuits, such as Ethernet Virtual Private Line (EVPL) circuits.

| Proposer | 10-year Total for Data Originally Proposed Pricing | 10-year Total for Data Competitive Range BAFO Pricing |
|---|---|---|
| AT&T | $ 179,736,510 | $ 170,965,299 |
| **Lightower** | option 2 - $ 191,296,500<br>option 1 - $ 222,479,500 | **option 2 - $ 176,329,500**<br>option 1 - $ 205,403,500 |
| Verizon | $ 186,666,700 | $ 179,928,000 |
| TWC | $ 178,050,800 | $ 179,957,300 |
| MetTel | $ 183,050,400 | n/a |
| Granite | $ 192,666,000 | n/a |
| Zayo | $ 302,593,620 | n/a |
| Level 3 | $ 143,377,214,673 | n/a |

Though AT&T offered the lowest bid in this Group, it was learned during negotiations that most of their services would be a microwave solution. The microwave solution has never been implemented in DOE's network and would require overcoming several challenges, such as obtaining roof rights at applicable DOE sites (including leased spaces not owned by DOE) for antenna placement and security issues. AT&T also included a caveat that an estimated 5% of schools that reside in leased spaces would incur additional charges if additional work, such as internal construction of risers, conduit, or concrete core drilling to connect the antenna to the DOE closet within the building, is required.

Lightower proposed a 1Gb fiber access port to each school, in essence future proofing bandwidth upgrade requirements and eliminating the need to re-engineer or revisit sites should, if the DOE decides to increase its bandwidth in the future. Their 1 Gb fiber access will support 20 EVCs circuits at each site. Each EVC circuits will be no less than 100MB to each school and will provide real time monitoring. Lightower clearly understands the DOE's goals and objectives and is well positioned to provide the DOE with a 100% vendor owned private fiber backbone solution from the hub to DOE's network interface device. Their detailed work steps for "Fiber Engineering", "Provisioning" and "Field Operations" are concise and indicate they are able to monitor activity, report progress, make adjustments to work flow, and identify issues. They provide four classes of service markers that will allow DOE to manage and shape traffic over the network; this may enable DOE to manage complex data demands more effectively by prioritizing traffic based on service type, such as voice and/or video in the future. Lightower will address DOE's stated EIR bandwidth requirements by providing double the bandwidth size to compensate, an improvement to DOE's requirement. They were able to elaborate on their E-rate methodology and confirm the ability to meet all DOE E-rate requirements, such as 10 year record retention.

| Summary of Awards |
|---|
| **Group 1 Voice Class 1 – POTs, Analog Trunk, Centrex, Off-Premise Extension** |
| Verizon Business Network Services Inc. obo MCI Communication Services Inc. and Verizon New York Inc. |
| 140 West St, New York, NY 10007 |
| Estimated: annual - $15,049,340.79, total contract - $150,493,407.90, option amount - $60,197,363.16 |
| |
| **Group 1 Voice Class 2 – ISDN Services, BRI, PRI, DID** |
| Manhattan Telecommunications Corp. (MetTel) |
| 55 Water St. 32nd Fl, New York, NY 10041 |
| Estimated: annual - $4,369,109.28, total contract - $43,691,092.80, option amount - $17,476,437.12 |
| |
| **Group 1 Voice Class 3 – Long Distance Service** |
| Granite Telecommunications LLC |
| 100 Newport Avenue Ext., Quincy, MA 02171 |
| Estimated: annual - $477,417.54, total contract - $4,774,175.40, option amount - $1,909,670.16 |
| |
| **Group 1 Voice Class 4 – SIP Service** |

| |
|---|
| Level 3 Communications |
| 1025 Eldorado Blvd., Broomfield, CO 80021 |
| Estimated: annual - $1,814,847.84, total contract - $18,148,478.40, option amount - $7,259,391.36 |
| |
| **Group 2 Data Service** |
| Lightower Fiber Networks |
| 80 Central Street, Boxborough, MA 01719 |
| Estimated: annual - $17,632,950.00, total contract - $176,329,500.00, option amount - $70,531,800.00 |

DCP's Cost Price Analysis unit provided the following summary:

- Voice Class 1: **Verizon**
  - Verizon's proposal was the only one that met DOE's requirements. We examined the pricing from the prior contract for this service (for which Verizon was the provider). Verizon's price is approximately 9% lower than pricing from the prior contract. We conclude that pricing is fair and reasonable.
- Voice Class 2: **MetTel**
  - MetTel was the lowest priced vendor among the three vendors that submitted BAFO pricing for this class.
- Voice Class 3: **Granite**
  - Granite was the second lowest price vendor among the three vendors that submitted BAFO pricing for this class. While it offered a superior program plan, its price was less than 1% higher than the lowest price vendor and 52% lower than the highest price vendor.
- Voice Class 4: **Level 3**
  - Level 3 was the second lowest vendor among the three that submitted BAFO pricing for this class. While Level 3's pricing was 8% higher in price than the lowest price vendor and 1% lower than the next lowest price vendor, Level 3's solution as described above offers real opportunities for cost avoidance.
- Data Services: **Lightower**
  - Lightower was the second lowest vendor among the five vendors that submitted BAFO pricing for this class. While AT&T was lower by 3%, its solution (as described above) entailed the use of microwave transmission, which has never been used within the DOE network and presents a number of challenges regarding antenna installation, security and back-up capability. Moreover, AT&T's microwave solution might require additional construction changes at some schools and/or might not be viable at all thereby requiring the use of a different carrier to provide service over the last mile of the network. Therefore, Lightower was the lowest price vendor that could meet DOE's needs.

With the exception of voice class 4, proposed pricing was lower when compared with prior contract pricing by between approximately 9% and 13%. Level 3's proposed pricing for class 4 exceeded the prior contract's pricing, but the marketplace, as determined by the competing price proposals, supports the higher pricing in that *all* of the BAFO prices offered were higher. Moreover, as already stated, Level 3's solution offers real opportunities for cost avoidance.

Therefore, pricing in all classes can be determined to be fair and reasonable.

DCP has reviewed the City's VENDEX, Vendor CIP Report, and EPLS – Fed Debar List. No significant adverse information was revealed for Manhattan Telecommunications Corp. (MetTel), as such they are determined a responsible vendor. The following noteworthy findings were identified:

Noteworthy information identified for Verizon New York. VENDEX contains eight cautions regarding the following:

1. Multiple violations/administrative charges issued by Environmental Control Board (ECB), Occupational Safety and Health Administration (OSHA), National Labor Relations Board (NLRB) and Department of Finance (DOF) 2011-2015. Verizon has provided proof of payment for all ECB violations.
2. On June 18, 2015, an audit by the NYC Department of Information Technology and Telecommunications (DoITT) found that Verizon failed to comply with the terms of its franchise agreement by not providing access to all all residential households within the City by June 30, 2014 and by not completing non-standard installation service requests within the 12 month period required by the franchise agreement. Verizon also:
    - Did not allow access to their systems to verify their claim that 100% of households were passed.
    - Did not fully cooperate with the audit by delaying access to its database systems.
    - Failed to provide copies of the Direct TV contract, internal audit reports, summary of staffing, manual of procedures, pathway vendor contracts, and an electronic map of wire centers.

    Verizon has indicated that they dispute the Audit Report's conclusions regarding compliance with the "homes passed," non-standard installations, and other requirements under the cable franchise agreement. Notwithstanding these objections, Verizon continues to work closely with DoITT to provide further access to all documents, systems, and other information necessary for DoITT to assess Verizon's cable franchise compliance.
3. Multiple investigations by the FCC regarding 17 investigations, the most recent in 2013. Two have been concluded by consent decree, one has been settled, and Verizon has complied with all information requests in connection with the others.
4. As a large employer, Verizon been investigated numerous times, including:
    - A 2009 investigation by the NYS Attorney General concerning the alleged improper disposal of business records. The AG petitioned New York Public Service Commission (NYPSC) to modify the Service Quality Improvement Plan for New York in view of Verizon's alleged poor performance under the plan. The NYPSC dismissed the AG's petition on January 18, 2013.
    - In 2012, Verizon received questions from the Moreland Commission following Superstorm Sandy in connection with the company's storm preparedness, response, and coordination with the power utilities on restoration of service. The Commission's final report contained limited recommendations with respect to Verizon.
    - Audits by the NYC Department of Information Technology and Telecommunications (DOITT) in connection with the company's video franchise and public pay telephone franchise agreements. DoITT closed out the financial audit of Verizon's compliance with the cable franchise on December 13, 2013. The audit of the public pay telephone franchise was closed in early 2014 and the franchise was terminated (as a result of Verizon's sale of the business) shortly thereafter.
    - In 2008, the City of New York filed a complaint against Verizon with the NYPSC regarding an invoice submitted to the City for underbilling of traffic signal circuits provided to the City pursuant to a 1980 contract. Verizon was in settlement discussions with the NYPSC, and indicated that the audit is closed.

- In 2010, a third party audit of Verizon's performance under its Network Review Plan ("NRP") was commenced at the request of the New York Department of Public Service ("DPS"). The NRP had been approved with modifications by the New York Public Service Commission and its purpose was to address issues regarding the grounding of past FiOS installations. In September of 2010, after the third party auditor released its final report which identified some remaining issues, Verizon submitted a Supplemental Review Plan ("SRP") addressing them and requested that the audit be closed following its completion of the actions described in the supplemental plan. In February 2011 the Commission granted Verizon's request to terminate the Network Review Plan and adopted a Supplemental Review Plan ("SRP") to address the six areas in the state in which grounding compliance had been found to be below average. The SRP was to remain in place for a minimum of three months from its commencement date of March 1, 2011 and currently remains in place. In April, the Commission issued a final order finding that the company had met all of the requirements of the NRP and SRP plans. As a result, the order terminated the plans and closed the underlying Commission proceeding.
- In 2009, Counsel for the NYS Chief Information Officer/Office of Technology (CIO/OFT) questioned the execution by Verizon Business Network Services Inc. (VBNSI) of certain contracts on behalf of Verizon New York Inc. (VNY). The matter was resolved in 2009 with the re-execution and notarization of contract documents and a communication to employees that reiterates the signer must sign his or her own name, not the name of the person who delegated signature authority to him or her.
- In 2006, the Massachusetts AG began investigating promotional FiOS offerings by Verizon. While Verizon cooperated with this and an additional request for information received in 2009, no further action has occurred.
- In 2007 the Massachusetts AG initiated an investigation to determine whether to bring a claim against Verizon New England Inc. in connection with its overbilling of certain services that it provides under contract to the Commonwealth of Massachusetts. Verizon New England Inc. did not dispute that it had mistakenly overbilled the Commonwealth for certain services and refunded the difference. On December 15, 2011, without an admission of fault or liability, Verizon New England Inc. entered into an assurance of discontinuance with the Commonwealth of Massachusetts.
- In 2012, Verizon New England received an investigative summons by the Commonwealth of Massachusetts' Inspector General's (IG) Office. The IG was investigating claims of overbilling on a contract under which the Commonwealth and certain eligible entitles purchased various telecommunications services. In December 2014, without an admission of fault or liability, Verizon New England Inc. paid approximately $1.375M to the Commonwealth as part of a settlement agreement with the Commonwealth's Office of the Attorney General.
- In 2008, the Equal Employment Opportunity Commission (EEOC) issued a Notice to Verizon that the Communications Workers of America, AFL-CIO had filed a charge against Verizon Communications Inc. regarding Verizon's attendance policies on a nationwide basis. In 2011, Verizon reached an agreement with the EEOC to resolve these pending matters and some related pending disability discrimination charges that were brought under the Americans with Disabilities Act (ADA). The resulting Consent Decree provides for a $20M Settlement Fund to be used to resolve all related, identified claims and pay eligible class members. Settlement proceeds all distributed to the eligible participants and the matter has been fully resolved.
- The Massachusetts Department of Environmental Protection issued a Notice of Violation in July 2010 to Verizon New England after a vendor broke an asbestos-containing duct while relocating cables. Verizon New England paid a fine to resolve the matter. The penalty was $10,440, of which $8,700 was paid and $1,740 was suspended.

- In 2009, the NYS Department of Labor conducted an inquiry relating to the training of employees in the proper handling of soil from ducts that potentially contained asbestos. The inquiry was terminated with no action taken against Verizon New York.
- In 2012, OSHA issued a citation to Verizon New York Inc. for various training and safety violations relating to work in a joint use environment. Verizon contested the citation. A citation was issued to Verizon NY following the electrocution of an employee working on a cable where the poles contained power lines as well as telecommunication lines. When the employee came to a location where a tree was present the employee failed to follow the company practices using equipment that was in his vehicle. OSHA issued a citation alleging a number of violations. All violations were withdrawn except one, which was not the cause of the accident or fatality. Verizon NY paid a total penalty of $147,000 and agreed to perform additional training. The penalty was high because OSHA argued that this violation was similar to a citation issued almost ten years earlier. Verizon NY did not admit to any violation in accepting the penalty.
- Verizon also advised that as a large employer, in the normal course of its business, it receives inquiries from governmental labor and employment agencies, principally the National Labor Relations Board, Department of Labor (federal and state) and Equal Employment Opportunity Commission regarding complaints filed by employees.

5. A April 28, 2011 investigation by the Special Commissioner of Investigation for the New York City School District (SCI)determined that Willard "Ross" Lanham, a DOE consultant, used Verizon affiliate, Telesector, and other companies to conceal the fact that work on a project he managed was being performed by consultants employed by his company. In response to the report, Verizon reviewed with MOCS its compliance program that promotes legal and ethical conduct in its interactions with New York City on contracting matters. While this program was in place prior to the issuance of the SCI report and subsequently, Verizon made enhancements to its program designed to, among other things, help employees identify and prevent fraud committed by third parties.
6. Multiple violations by various agencies, including 316 ECB violations for Verizon and 278 for affiliate Empire City Subway. The total paid for these violations was just over $76,000 with the largest being slightly more than $10,000.
7. Audit from June 2015 by the Comptroller's Office found that Verizon New York failed to comply with the terms of its franchise agreement with the City by not allowing DoITT access to advertising contracts and other books and records required by the franchise agreement. The audit also found that Verizon New York failed to comply with the terms of its franchise agreement with the City by inaccurately reporting gross advertising revenues (including advertising commissions), and not paying the appropriate franchise fees, as required by the franchise agreement. Verizon is working with the City to resolve those disagreements and meanwhile continues its efforts to provide video services to NYC residents in accordance with the terms and conditions of the 2008 cable franchise agreement.
8. A request for information from the NYC Department of Investigation regarding the NYC Emergency Communications Transformation Program.

In 2013, news reports indicated that Verizon settled a class action lawsuit regarding unauthorized charges imposed on all the class members. As part of the settlement, Verizon Wireless agreed to make a $25 million payment to the US Treasury. The settlement is noted in a public claims submission program where Verizon account holders who believed they were charged unauthorized fees can file a claim for reimbursement in 2001, affiliate Telesector agreed to pay $2.75 million, which included a $100,000 penalty, following an environmental pollution case brought by the NYS Attorney General's office. Verizon asserts that the penalty was paid; however, the records have not been located due to the settlement being finalized 14 years ago.

News reports identified numerous articles connected with ultimate parent Verizon Wireless regarding the release of documents to the National Security Agency (NSA), consumer billing issues,

Hurricane Sandy, and Edward Snowden. None of these matters relate to Verizon New York or the services to be provided under this contract.

In light of the size of parent Verizon, which generated $120 billion in revenue in 2013, and approximately $127 billion in 2014 and that Verizon either has resolved or is in the process of addressing these issues, the DOE does not believe these matters preclude a determination that Verizon New York is responsible.

Noteworthy information identified for Granite Telecommunications. A news search reveals that in September 2015, a class action lawsuit was initiated against Granite Telecommunications, LLC by employees alleging failure to be paid overtime wages in violation of the Massachusetts Wage and Hour Act. Granite advises that the action still is in the pleadings stage and it has filed an answer denying the allegations.

Noteworthy information found for Level 3 Communications, LLC ("Level 3").

- In November 2013, media outlets reported that Level 3's network may have provided the National Security Agency's (NSA) with information that travelled between the data centers of internet giants Google and Yahoo. Level 3 has advised that it complies with applicable laws in all countries of operation and provide information to law enforcement as required.
- In March 2013, the FCC reached an agreement with Level 3, holding the company responsible for meeting certain standards to ensure long-distance calls do not fail disproportionately in rural areas. Level 3 pledged to make a $975,000 voluntary contribution to the U.S. Treasury and will pay an additional $1 million in voluntary contributions if it misses agreed-upon quarterly benchmarks. Level 3 provided a copy of the consent decree entered into with the FCC relating to their industry-wide review of telephone service to rural areas in the US. The FCC's review of other carriers is continuing. In addition, the FCC has issued a notice of proposed rulemaking to develop clear industry standards for service quality applicable to all providers.
- In 2012, Level 3 was a party to a number of class action lawsuits involving its right to install fiber optic cable network in railroad right-of-ways adjacent to various plaintiffs' land. Level 3 advised that the parties reached a settlement in all states, and all settlements have been approved except in Arizona. The settlement in New Mexico is currently under appeal.
- A December 2011 lawsuit alleged breach of fiduciary and other duties under the Employee Retirement Income Security Act (ERISA) with respect to investments in the vendor's common stock held in individual participant accounts in the Level 3 Communications, Inc. ("Level 3 Inc.") 401(k) plan. Level 3 advised that the claim was settled and the lawsuit dismissed.
- An August 2001 lawsuit against Level 3 alleged age and race discrimination and retaliation in violation of the Age Discrimination in Employment Act and Title VII. The District Court of Colorado awarded the plaintiff $10.3 million. Level 3 advised that upon appeal, the jury verdict was substantially reduced by the court and the parties agreed to a settlement resulting in a dismissal of the lawsuit.
- A 2011 OSHA violation exists for parent company, Level 3 Inc., whereby OSHA cited the parent for violations of two OSHA standards with respect to installing aerial fiber. Additionally, OSHA cited an employee performing duties he was not qualified to perform. Level 3 Inc. provided information to OSHA to demonstrate that the employee acted contrary to established company policies, and the inspection was closed with no citation issued to Level 3 Inc.

In light of the resolution of the above, and given the size of the company, which reports that it has over 13,000 employees with revenues in excess of $3 billion, the DOE does not believe these matters preclude a determination that the vendor is responsible.

Noteworthy findings identified for Sidera Networks, LLC (dba Lightower, formerly RCN). VENDEX reports a 2011 investigation into affiliate Connecticut DataNet for commencing construction in a public right-of-way without obtaining the required approval from the local authority. This matter was resolved by DataNet paying a $10,000 fine. VENDEX also reveals an ongoing investigation by the Federal

Communications Commission (FCC) of affiliate Open Access Acquisition, LLC (OA). Prior to Lightower's acquisition of OA, the company had never filed or paid Universal Service Fund (USF) contributions. Lightower self-disclosed this matter to the FCC and is working to resolve the matter by making all retroactive USF filings and has paying all applicable fees, including a voluntary payment to the U.S. Treasury. Moreover, OA agreed to a three year compliance plan to ensure it made timely filings and payments USF in the future.

In 2001, the NY Attorney General settled with RCN to resolve claims the company switched consumers' long distance service without authorization. The settlement requires the companies to change their marketing practices and pay restitution to consumers. In light of the resolution of matters cited above, the DOE does not believe they preclude a determination that the vendor is responsible.

**Item:** 4

**Description:**

Math professional development services for teachers, leaders, coaches, administrators and support staff.

# REQUEST FOR AUTHORIZATION FOR MATH-RELATED SERVICES AND PROFESSIONAL DEVELOPMENT (MTAC R1026 RA#6)

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $60,000 / $300,000 | Tax Levy & Reimbursable Funds | Five Years | None | Multiple Task Award Contract (MTAC) | No | Requirements |

| Vendor's Name & Address | Component(s) | Estimated Annual / Total Amount |
|---|---|---|
| IAT Interactive, LLC d/b/a It's About Time (IAT)<br>333 North Bedford Road, Suite 110<br>Mt. Kisco, NY 10549 | 1, 2 | $30,000 / $150,000 |
| National Training Network, Inc. (NTN)<br>7915 Valley Falls Road<br>Greensboro, NC 27455 | 1 | $30,000 / $150,000 |

| Service Requestor / Contract Manager | Division of Contracts and Purchasing Contact |
|---|---|
| Jessica Kaplan<br>Deputy Executive Director<br>Office of Curriculum, Instruction & Professional Learning<br>Division of Teaching and Learning | Bryan E Hester<br>Procurement Analyst<br>Instructional Service Procurement |

## PURPOSE

Authorization is requested on behalf of the Division of Teaching and Learning to contract with the above-named vendors to provide systemwide mathematics-related professional development services. These services will be provided at the discretion of participating schools, central offices operating on behalf of schools, or consortiums of schools.

## DISCUSSION

To help ensure that its students achieve the higher standards in mathematics that adoption of Common Core Learning Standards (CCLS) requires, the DOE must acquire professional development services for its teachers, leaders, coaches, administrators, and support staff. These services will increase math content and pedagogical knowledge, support the implementation of CCLS, and align resources to improve student achievement. These services will also support schools and learning communities as they plan and conduct effective instruction and professional development in math.

Vendors will provide high-quality, needs-based, and CCLS-aligned professional development and support instruction for teachers and other staff covering prekindergarten through 12$^{th}$ grade. Services will focus on math content, pedagogy, Citywide core curriculum programs, cognitive development, research, and best practices, and will include institutes, workshops, seminars, coursework, conferences, walk-throughs, and inter-visitations.

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

Vendors proposed for one or more of the following components: 1) Mathematics Professional Development and 2) Mathematics Consultants/Coaches.

Proposals were evaluated by a minimum of three evaluators. The evaluation committees included a principal, a teacher, senior instructional coaches, achievement coaches, and program directors. Proposals were scored based on program plan (25 points), organizational capacity (25 points), pricing (25 points), and demonstrated effectiveness (25 points). Successful vendors were required to achieve a minimum score of 80 points.

Thirteen vendors were recommended for contract awards under five previous RAs and two are recommended here.

IAT's PD services focus on the implementation of *Meaningful Math: Algebra 1, Geometry, Algebra 2*, a research-based high school curriculum embedded with the Common Core State Standards for Mathematics (CCSS-M) practices and aligned with the Common Core State Learning Standards (CCLS). Programs are designed to increase teacher content and pedagogical knowledge, foster cooperative learning, utilize assessments, and develop classroom management skills aimed at improving academic outcomes in math. Service options include summer "getting started" workshops, study groups, on-site mentoring, leadership academies, administrator institutes, and a Cyber PD support site. Progress monitoring and feedback tools enable IAT staff developers to customize PD and supports based on the differentiated needs of schools to ensure program sustainability. IAT's initial average hourly rate of $218 was negotiated to $160, resulting in a 26 percent cost savings to the DOE.

NTN will provide on-site grade level training, workshops, summer institutes, coaching, inter-visitations, teacher team planning, and leadership academies that employ a seven-level model of professional development focused on the instructional shifts highlighted in the CCLS. Services are designed to optimize instructional effectiveness and deepen teachers' knowledge of standards-aligned foundational mathematics concepts. NTN staff developers analyze data collected from instructional walks, student data, and feedback from school leaders and network staff to customize and revise ongoing professional development. Negotiations with NTN resulted in a 32 percent reduction of their average hourly rate, from $278 to $189.

Both vendors' prices were determined to be fair and reasonable based on a comparison with hourly rates for like services by vendors contracted under this solicitation.

The estimated contract amount for both vendors is based on the minimum amount for new vendors for Mathematics Related Services and Professional Development requirements contracts of $30,000.

Background checks, including VENDEX, the Vendor CIP Report, the Uniform Commercial Code, the Federal Tax Lien, and the System for Award Management found no significant adverse information. Both vendors have therefore been determined to be responsible to provide approved 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 purchase order. This process ensures 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:** 5

**Description:**

Professional development for instructional technology services to assist with integrating computer technology into the instructional program (RA#2).

# REQUEST FOR AUTHORIZATION (RA#2) FOR PROFESSIONAL DEVELOPMENT SERVICES IN INSTRUCTIONAL TECHNOLOGY (MTAC R1077)

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $208,000 / $1,040,000 | Tax Levy & Reimbursable Funds | Five Years | None | Multiple Task Award Contract (MTAC) | No | Requirements |

| Vendor Names & Addresses | See Table B below. |
|---|---|

| Service Requestor / Contract Manager | Division of Contracts and Purchasing Contact |
|---|---|
| Celine Lewin-Azoulay<br>Executive Director<br>Office of Innovation<br>Division of Instructional and Information Technology | Joy Gentolia<br>Director<br>Instructional Service Procurement |

## PURPOSE

Authorization is requested on behalf of the Office of Innovation to contract with the vendors listed below to provide professional development (PD) services in instructional technology for educators and administrators in Pre-K through 12th grade. These services will be provided at the discretion of participating schools, central offices operating on behalf of schools, or consortiums of schools.

## DISCUSSION

To increase the integration of technology across the Common Core curriculum and help ensure that educators and their students are equipped with appropriate leading-edge technology and support, the DOE must acquire professional development services for its teachers, leaders, coaches, and administrators. These services will focus on improving student performance, enhance and support instruction, and increase schools' capacity to independently expand the instructional use of computer technology.

Awarded vendors provide PD services in instructional technology and assist with integrating computer technology into instructional programs so that educators and administrators can make appropriate use of computers and other technologies in classrooms. PD program delivery methods include presentations, lectures, workshops, and courses.

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

There are currently 15 vendors contracted pursuant to a previous solicitation to provide PD services in instructional technology. Under these contracts, vendors provide services to schools and central and/or field offices, including Borough Field Support Centers, the Office of English Language Learners, and the Bureau of Non-Public Schools.

In response to the most recent solicitation, vendors proposed for one or more of the following components:

1) Professional development workshops that will increase teachers' and administrators' ability to make effective and appropriate use of computers, telecommunications, the Internet, and related technologies.
2) Professional development through curriculum enrichment services, through which organizations will develop model lessons and co-teaching archetypes in collaboration with school-based staff.
3) Professional development through mentoring, through which organizations will provide one-on-one partnerships with classroom teachers. This PD can include a combination of services from Components 1 and 2, and one-on-one services such as observations, experiences, and studies for teaching improvement.

Proposals were evaluated by a minimum of three evaluators. The evaluation committees included a principal, a teacher, senior instructional coaches, and program directors. Proposals were scored based on program plan (25 points), organizational capacity (25 points), pricing (25 points), and demonstrated effectiveness (25 points). Successful vendors were required to achieve a minimum score of 80 points.

Twenty-three proposals have been received; the committee recommended all vendors for award, of which six were named in the previous RA, four are named here, and 13 are still undergoing price analysis and background checks.

Table A shows the proposed and negotiated average hourly rates for each vendor recommended here for award. The negotiated hourly rates range from $70 for Ghetto Film School's workshop for 25 participants over 10 days in a 10-month period, which helps teachers create an educational model to engage millennials in media studies in a traditional classroom setting, to $311 for Fuel Education's multi-session face-to-face, online, and blended workshop for up to 30 participants designed to help teachers make the shift from direct instruction in a traditional classroom to a more student-centered blended learning environment. Negotiations resulted in an average cost savings to the DOE of approximately 31 percent in program hourly rates. Pricing for all four vendors was determined to be fair and reasonable based on a comparison with hourly rates for like services by vendors contracted under similar solicitations.

**TABLE A. HOURLY RATES FOR RECOMMENDED VENDORS**

| Awarded Vendor | Original Average Hourly Rate | Negotiated Average Hourly Rate |
|---|---|---|
| Brienza's Academic Advantage | $500 | $300 |
| Fuel Education LLC | $404 | $311 |
| The Ghetto Film School, Inc. | $125 | $70 |
| Tech4Learning, Inc. | $352 | $284 |

The estimated annual contract amount for Tech4Learning was derived from their previous contracts' expenditures for these types of services. Brienza's Academic Advantage, Fuel Education, and the Ghetto Film School are new vendors of these services with an estimated minimum amount for a requirements contract of $30,000 for PD services in instructional technology.

Background checks on each of these vendors, including VENDEX, the Uniform Commercial Code, the Federal Tax Lien, and the System for Award Management, found no significant adverse information. All four vendors have therefore been determined to be responsible to provide approved services.

| TABLE B. ESTIMATED CONTRACT AMOUNTS FOR RECOMMENDED VENDORS | | |
|---|---|---|
| **Vendor Name & Address** | **Component(s)** | **Estimated Annual / Total Amount** |
| **Brienza's Academic Advantage**<br>8696 18th Avenue<br>Brooklyn, NY 11214 | 1 | $30,000 /<br>$150,000 |
| **Fuel Education LLC**<br>2300 Corporate Park Drive<br>Herndon, VA 20171 | 1, 2 | $30,000 /<br>$150,000 |
| **The Ghetto Film School Inc.**<br>79 Alexander Avenue, Suite 41A<br>Bronx, NY 10454 | 1 | $30,000 /<br>$150,000 |
| **Tech4Learning, Inc.**<br>10981 San Diego Mission Road, Ste. 120<br>San Diego, CA 92108 | 1, 2 | $118,000 /<br>$590,000 |

**Item:** 6

**Description:**

Social Studies professional development and direct student services. (RA #3)

# REQUEST FOR AUTHORIZATION (RA#3) FOR SOCIAL STUDIES PROFESSIONAL DEVELOPMENT AND DIRECT STUDENT SERVICES (MTAC R0997)

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $60,000 / $300,000 | Various | Five Years | None | Multiple Task Award Contract (MTAC) | No | Requirements |

| Vendor's Name & Address | Component |
|---|---|
| Museum of the City of New York<br>Frederick A.O. Schwarz Children's Center<br>1220 Fifth Avenue,<br>New York, NY 10029 | 1 |

| Service Requestor / Contract Manager | Division of Contracts and Purchasing Contact |
|---|---|
| Jessica Kaplan<br>Deputy Executive Director<br>Office of Curriculum, Instruction and Professional Learning<br>Division of Teaching and Learning | Bryan E Hester<br>Procurement Analyst<br>Instructional Service Procurement |

## PURPOSE

Authorization is requested on behalf of the Division of Teaching and Learning to contract with the Museum of the City of New York (MCNY) for social studies professional development (PD) and direct student services. These services will be provided at the discretion of participating schools, central offices operating on behalf of schools, or consortiums of schools.

## DISCUSSION

The Chancellor wants to ensure that all New York City schools work collaboratively with parents, educators, school communities, and external stakeholders to improve student achievement and that every child graduates from high school prepared for college or a career. Toward that end, efforts in social studies are focused on raising the level of content understanding (U.S. history, world history, geography, economics, civics/citizenship, and government), integrating national social studies standards, Common Core Learning Standards, and the New York State Social Studies Framework K-12, while ensuring student engagement, inquiry, and subject area literacy.

Vendors will provide professional development and direct student services in social studies to support the implementation of the DOE's initiatives, engaging teachers and students in work that incorporates social studies best practices, inquiry-based instruction, disciplinary literacy, and informed action around the topics of citizenship, leadership, and democracy.

Under these contracts, vendors provide services to schools and central and/or field offices, including Borough Field Support Centers, the Office of Curriculum and Instruction, and the Bureau of Non-Public Schools.

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

In response to the most recent solicitation, vendors proposed for one or both of these focus areas: 1) Social Studies Professional Development and 2) Social Studies Direct Student Services.

Of 14 proposals received, one vendor did not meet the minimum qualifications, one vendor rescinded its proposal, and two are pending evaluation. Proposals are evaluated by a minimum of three members drawn from a pool of five evaluators consisting of former instructors and operations personnel from the Office of Curriculum, Instruction and Professional Development. To ensure consistency, a training session was conducted for all committee members in which they received an overview of the process and a scoring rubric. Proposals were scored based on program plan (25 points), organizational capacity (25 points), pricing (25 points), and demonstrated effectiveness (25 points). Successful vendors were required to achieve a minimum score of 80 points. Thus far, the committee has recommended four vendors for award, of which three were named in previous RAs and one is named here.

MCNY offers grade-level, standards-aligned professional development and direct student service programs and events to educators and students aimed at increasing content knowledge, improving classroom pedagogy, raising the level of student achievement, and enhancing classroom resources to benefit schools. PD is delivered via half-day workshops and lectures that range in focus from effective social studies instructional practices to content such as the lives of Native Americans before European contact; life in New Amsterdam; and the evolution of transportation, cultural diversity, trade, and technology in the New York City area. Direct student services include inquiry-based lectures and tours of permanent and temporary exhibits designed to immerse students in content using multisensory techniques. Additional program supports are provided through curriculum guides, evaluations, and MCNY's online portal.

MCNY's average hourly pricing was negotiated down from $375 per hour to $100 per hour, resulting in a 73 percent price improvement. MCNY opted to remove rental costs and reduce overhead costs from their original offering. Pricing has been determined to be fair and reasonable based on a comparison with hourly rates for like services by vendors contracted under similar solicitations.

The estimated annual contract amount for MCNY was derived from a previous contract for these types of services.

Background checks, including VENDEX, the Uniform Commercial Code, the Federal Tax Lien, the Federal Excluded Parties List System, and DOE internal sources, revealed no adverse information. The Museum of the City of New York has therefore been determined to be responsible to provide approved 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 purchase order. This process ensures 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 contract award.

**Item:** 7

**Description:**

Student Support Services RA#17

# REQUEST FOR AUTHORIZATION (RA #17)
# FOR STUDENT SUPPORT SERVICES (MTAC R0898)

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $73,000 / $365,000 | Various – Tax Levy & Reimbursable | Five Years | None | Multiple Task Award Contract (MTAC) | No | Requirements |

| Vendor's Name & Address | Component(s) |
|---|---|
| Educational Alliance, Inc.<br>197 East Broadway<br>New York, NY 10002 | 1, 4, 5, 6, 9, 14, 15, 16, 17, 18, 19 |

| Service Requestor | Division of Contracts and Purchasing Contact |
|---|---|
| Robert Weiner<br>Chief Operating Officer<br>Office of Safety & Youth Development | Bryan E Hester<br>Procurement Analyst<br>Instructional Services Procurement |

## PURPOSE

Authorization is requested on behalf of the Office of Safety and Youth Development (OSYD) to contract with Educational Alliance, Inc. (EA) to provide direct student support services and to increase opportunities for educational enrichment. These programs will be provided at the discretion of each participating school or central office operating on behalf of a school or consortium of schools.

## DISCUSSION

Student support services sought through this MTAC fall within 19 components as follows:

1) leadership development and civic engagement
2) individual counseling
3) group counseling
4) mentoring
5) recreation/sports
6) college/post-secondary planning
7) career awareness and the world of work
8) conflict resolution/peer mediation
9) violence prevention/student safety
10) bullying prevention
11) substance abuse and problem gambling prevention and intervention
12) Internet safety
13) school attendance improvement
14) family support services
15) tutoring/homework assistance
16) study/test-taking skills
17) academic skills enhancement
18) thematic projects
19) family literacy

These services may take place inside or outside of school during the school day, after school, or on non-school days.

Proposals were distributed to an evaluation committee that included instructional specialists, operations analysts, grant managers, and directors from OSYD. 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 scored based on the following criteria: program plan (35 points), organizational capacity (20 points), pricing (25 points), and demonstrated effectiveness (20 points). Successful vendors were required to achieve a minimum score of 80 points.

One hundred six (106) vendors were recommended for contract awards under previous RAs and one is recommended here.

A vendor can offer single workshops for a component or offer an à la carte menu of services covering the 19 components listed above.

Educational Alliance, Inc. offers a customizable menu of research-based programs ranging from tutoring and test-taking strategies to violence prevention and family literacy that are designed to effectively engage families in the academic lives of their children, improve student achievement, promote leadership development, and foster overall physical and mental well-being. Services target specific areas based on student needs and are delivered via a blend of workshops, individual and group mentoring, project-based learning, and skill-enhancement activities. Programs are for all students in grades K-12, and give particular attention to ELLs and those with special needs.

EA's average hourly pricing was negotiated from $79 per hour to $67 per hour for a 16 percent price improvement. DCP has determined the pricing to be fair and reasonable based on a comparison with hourly rates for like services by other vendors contracted under this solicitation.

EA's estimated annual contract amount is based on its previous average contract expenditures for similar services.

Background checks, including VENDEX, the Vendor CIP Report, the Uniform Commercial Code, the Federal Tax Lien, and the System for Award Management, found no significant adverse information. Therefore, Educational Alliance, Inc. has been determined to be responsible to provide approved 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 purchase order. This process ensures 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:** 8

## Description:

Recording, reporting, transcription and related services for hearings held by the Impartial Hearing Office.

# REQUEST OF AUTHORIZATION TO CONTRACT WITH eSCRIBERS, LLC TO PROVIDE RECORDING, REPORTING, AND TRANSCRIPTION SERVICES

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Total Option Amount | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|---|
| $996,276 / $4,981,382 | Tax Levy | Five Years (3/01/16 – 2/28/21) | Two 1-Year Options | $1,992,552 | Best Value Request for Bids (RFB) | No | Requirements |

| | |
|---|---|
| **Vendor Name & Address** | eScribers, LLC<br>700 West 192nd Street<br>Suite 607<br>New York, NY 10040 |

| Contract Manager | Lead Contract Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Sharon Ainspan<br>Operations Manager<br>Office of Impartial Hearings | Stacey Reeves<br>Chief Administrator<br>Office of Impartial Hearings | Arlene Campbell<br>Procurement Analyst<br>Central Office Procurement |

## PURPOSE

Authorization is requested to contract with eScribers, LLC to provide recording, reporting, and transcription services for the DOE's Office of Impartial Hearings (OIH). This authorization will result in a requirement contract with a term of five years, commencing on or around March 1, 2016

## DISCUSSION

The DOE promotes the participation of parents, families, and communities in the education of children with special needs. In cases where a parent or guardian has concerns related to a child's education and the services offered by the DOE that cannot be resolved, the Individuals with Disabilities Education Act provides parents with a means to address such concerns by requesting a Due Process Hearing. All hearings are recorded, and a transcript of each hearing is produced from the recording and made available to parents at no charge.

A Request for Bids (RFB) was released on January 21, 2015, seeking qualified vendors to provide recording, reporting, and transcription services for the purposes described above. The bid was advertised in the City Record and on the DOE website. The solicitation was also sent via electronic mail to potential bidders believed to have the capacity to meet the requirements of the bid, including the preferred source New York State Industries for the Disabled, Inc. (NYSID).

Bidders had to address all of the services listed in the RFB to be eligible for award. Five responsive bids were received. Bids were evaluated by a procurement manager in the Division of Contracts and Purchasing and a payment coordinator with experience in data management from OIH. Evaluations used the following criteria: organizational capacity, experience, references, and price.

A breakdown of pricing by vendor appears below:

| SERVICE DESCRIPTION | UNIT OF MEASURE | ESTIMATED ANNUAL QUANTITY | BIDDER | | | | |
|---|---|---|---|---|---|---|---|
| | | | eScribers | Ubiqus | Associated Reporters | ANP Reporting | Excel Reporting |
| Regular Audio Recording Session | Per Session | 4,412 | **$60.00** | $68.00 | **$95.00** | $79.00 | $175.00 |
| Regular Video Recording Session | Per Session | 15 | **$90.00** | $90.00 | $95.00 | $100.00 | $375.00 |
| Special Session for Audio Recording | Per Session | 18 | **$120.00** | **$68.00** | $95.00 | $100.00 | $195.00 |
| Special Session for Video Recording | Per Session | 18 | **$120.00** | $90.00 | $95.00 | $100.00 | $425.00 |
| Regular Transcription for Audio Recording | Per Page | 220,588 | **$2.60** | $2.80 | $2.75 | $2.39 | $3.85 |
| Regular Transcription for Video Recording | Per Page | 1,471 | **$2.60** | $2.80 | $2.75 | $2.75 | $3.95 |
| Special Session Transcription for Audio Recording | Per Page | 1,765 | **$2.60** | $2.80 | $2.75 | $2.75 | $4.25 |
| Special Session Transcription for Video Recording | Per Page | 1,765 | **$2.60** | $2.80 | $2.75 | $2.76 | $4.25 |
| Overnight Completion of Transcription for Audio Recording (24 hour Turnover) | Per Page | 36,765 | **$3.50** | $3.80 | **$2.75** | $3.09 | **$7.25** |
| Overnight Completion of Transcription for Video Recording (24 hour turnover) | Per Page | 1,765 | **$3.50** | $3.80 | $4.00 | $3.05 | $7.95 |
| Cancellation Fee (DOE cancellations on same day of hearing) | Per Cancella-tion | 150 | **$30.00** | $50.00 | $95.00 | $25.00 | **$300.00** |
| **TOTAL ANNUAL AMOUNT** | | | **$996,276** | $1,089,773 | $1,166,768 | $1,017,361 | $1,984,540 |

Ultimately, the committee found that eScribers LLC bid the lowest overall price and presented the overall best value to the DOE by offering to provide the recording, reporting, and transcription services using the latest technology available.

eScribers' overall pricing was compared to that of prior contract amounts and contracts offering similar services and was found to be lower. Therefore, eScribers' prices have been determined to be fair and reasonable.

A comprehensive background check of eScribers, including VENDEX, did not reveal any significant adverse information. The vendor has therefore been determined to be responsible.

A contract for these services is necessary because the DOE does not have the necessary personnel or resources to perform them.

**Item:** 9

**Description:**

Technical assistance and support for Measures of Student Learning evaluation system and distribution of the Annual Professional Performance Reviews to teachers, as approved by the State under Education Law §3012-c.

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH EDUCATION ANALYTICS INC. FOR TECHNICAL ASSISTANCE AND DATA ANALYSIS SUPPORTING ANNUAL TEACHER PERFORMANCE REVIEWS

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Estimated Option Amount | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|---|
| $600,000 / $1,200,000 | Tax Levy | Two Years (7/01/15 - 6/30/17) | N/A | N/A | Negotiated Service | Yes | Requirements |

| | |
|---|---|
| **Vendor Name & Address** | Education Analytics Incorporated<br>131 W. Wilson Street #200<br>Madison, WI 53703 |

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Jordan Munn<br>Executive Director<br>Office of Talent Research and Data | Morayo Tracey Oyemade<br>Director of Contracts<br>Division of Teaching and Learning | Kevin Humphrey<br>Procurement Analyst<br>Central Office Procurement |

## PURPOSE

Authorization is requested to contract with Education Analytics Incorporated (EA) to provide technical assistance and perform data analysis for the Office of Talent Research and Data (ORD) using data from the Annual Teacher Performance Review to measure student learning for teachers, as approved by Education Law §3012-c.

## DISCUSSION

In May 2010, New York State passed Education Law §3012-c, mandating significant changes to how educators throughout New York State are evaluated and supported. The Law is intended to foster teacher development and create more rigorous, fair and accurate assessments of teacher effectiveness than the previous Satisfactory/Unsatisfactory evaluation system, through the use of multiple measures. There are three mandated types of component measures:

- Measures of Teacher Practice (e.g., teacher observations conducted by supervisors), worth 60% of a teacher's final rating.
- State Measures of Student Learning, worth 20%.
- Local Measures of Student Learning, worth 20%.

In February 2009 the DOE released a Request for Proposals (RFP) seeking an organization to provide data analysis to measure teacher-level contributions to student achievement. The Board of Regents of the University of Wisconsin Value-Added Research Center (VARC), headed by Dr. Robert Meyer, was awarded this contract for a base term of three years ending on June 30, 2012. The DOE exercised its two options to extend the contract by one year each and subsequently extended the contract by an additional year, for a total extension period of three years beyond the base term.

The Department has since determined that continuing these services beyond the extension period is necessary in order to produce 2015-2016 school year teacher ratings and to revise the current system's

metrics for the rollout of a new evaluation system in compliance with New York Education Law §3012-d, which was passed in April 2015. However, processing a new solicitation for these services is not practical because the data analysis and technical support needed depend on a variety of complicated data cleaning and policy requirements, and a new research team would take several months before it could replicate DOE's existing models and begin new development work. An additional extension of VARC's original contract is also not possible, as VARC's team, still headed by Dr. Meyer, is now working as Education Analytics, Inc.

The DOE has therefore determined that procuring these services from Education Analytics via a Negotiated Services agreement would be in its best interest, as Education Analytics, having developed the existing DOE models over the past five years, is ready to begin work immediately. Moreover, the reduced start-up cost is expected to result in an overall cost reduction. Pricing has therefore been determined to be fair and reasonable.

Listed below are the proposed estimated annual contract amounts, based on previous project activities.

| Tasks | Total Annual Estimated Amount |
|---|---|
| Model Development and Implementation | $419,854 |
| General Analytic and Policy Research | $109,864 |
| Data Validation and Quality Assurance | $30,525 |
| Meetings | $39,757 |
| **ANNUAL TOTAL** | **$600,000** |

The Division of Contracts & Purchasing has reviewed its own procurement and performance review files, VENDEX files, and public records and found no significant adverse information. Education Analytics has therefore been determined to be responsible with respect to this work.

The Committee on Contracts approved this negotiated services contract on December 14, 2015, on the basis of the need for continuity of services.

**Item:** 10

**Description:**

Amendment to a contract for evaluation services for after school and youth development programs funded by the 21st Century Community Learning Centers Grant.

# REQUEST FOR AUTHORIZATION TO AMEND THE CONTRACT WITH L&G RESEARCH & EVALUATION CONSULTING, INC. TO PROVIDE PROFESSIONAL EVALUATION SERVICES TO THE 21ST CCLC SITES

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| Original Contract: $311,882<br>Contract Increase: $395,088<br>Total: $706,970 | New York State Education Department (NYSED) | One Year (7/01/15 – 6/30/16) | None | Amendment | Yes | Full Value |

| Vendor Name & Address | L&G Research & Evaluation Consulting, Inc.<br>1136 East 37th Street<br>Brooklyn, NY 11210 |
|---|---|

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

## PURPOSE

Authorization is requested to amend a contract with L&G Research & Evaluation Consulting, Inc. (L&G) to provide evaluation services for after school and youth development programs. The contract was competitively awarded through the New York State Education Department (NYSED) 21st Century Community Learning Centers (21st CCLC) Grant by district or, in some cases in which the DOE works with priority schools across more than one district, a consortium of districts.

## DISCUSSION

L&G was awarded a contract to provide program evaluation services to 16 schools in a District 3/7 Consortium, a District 4/5 Consortium, District 11, and District 27. The original contract provided for one year of services at $311,882. However, the DOE was subsequently awarded $395,088 in additional funding through the 21st CCLC Grant to expand the work done by L&G into an additional 19 schools in Districts 1, 2, 17, 18, 19, and 21.

These services follow the guidelines set forth in the NYSED Evaluation Manual and comply with all New York State and federal reporting and accountability mandates for the 21st CCLC programs. The process include an assessment of each 21st CCLC site, an implementation evaluation to ensure that all sites are working toward the project goals and objectives set forth in the grant, and an impact/outcome evaluation, which measures the program's impact on student learning and behavior and community involvement.

This amendment is retroactive because approval for funding was not received from NYSED until November 2015

The contract manager's office has experience with the vendor providing these services and confirms that they have performed satisfactorily. DCP reviewed information regarding the vendor's background

in the DOE files and VENDEX systems and found no significant adverse information. The vendor 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 NYSED 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:** 11

**Description:**

Conversion of half day to full day UPK services.

# REQUEST FOR AUTHORIZATION TO AMEND CONTRACTS FOR EXPANDED UNIVERSAL PREKINDERGARTEN SERVICES IN HIGH-NEED SCHOOL DISTRICTS WITHIN NEW YORK STATE

| Contract Increase | Funding Source | Contract Term | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|
| $432,000.00 | New York State Education Department (NYSED), Tax Levy | Remainder of the Contract | Contract Amendment per Section 4-08 of DOE Procurement Policy & Procedures | Yes | Full Value |

| Vendor Name | See attached table. |
|---|---|

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Xanthe Jory<br>Executive Director, Expansion Planning<br>Division of Early Childhood Education | Sophia Pappas<br>Chief Executive Officer<br>Division of Early Childhood Education | Angela Edwards<br>Chief Administrator<br>Central Office Procurement |

## PURPOSE

Authorization is requested to amend Universal Prekindergarten (UPK) contracts with the vendors listed below to provide for 6 hours and 20 minutes of service per day rather than the five hours per day provided under the current contract. The overall term of the contracts remain unchanged.

## DISCUSSION

In September 2013, the New York State Education Department (NYSED) announced a Request for Proposals (RFP) for a grant to create or expand full-day Universal Prekindergarten (UPK) seats in high-need school districts. The State defines full-day UPK services as lasting at least five hours. This amendment seeks to convert the State-defined full-day program to six hours and 20 minutes.

In support of Mayor de Blasio's plan to expand full-day UPK, the New York City Department of Education (NYCDOE) encouraged any provider interested in offering full-day UPK to propose a consistent weekly schedule for full-day programs (6 hours and 20 minutes) between 8:00 am and 4:30 pm, five days per week for 180 days of the school year.

The Division of Early Childhood Education (DECE) submitted a proposal on behalf of the NYCDOE and was notified of a grant award from NYSED in January 2014. The grant allocated funds for services to start in fiscal year 2014; however, at least 90 days of instruction had to be provided in FY 2014 to be eligible. It was therefore prudent to initiate the delivery of services upon notice of award; hence these contracts are retroactive.

Given the time constraints of implementing these services mid-year in FY 2015, DECE used the grant funds exclusively for Community Based Organization (CBO) UPK programs and began the process of selecting vendors by identifying those who currently provide half-day UPK seats.

DECE began the process by identifying all vendors who already provided five-hour UPK programs. In October 2014, all vendors providing five-hour UPK programs were contacted to assess whether such vendors were interested in converting existing five-hour UPK seats to full-day UPK seats with a mid-year start date. Vendors were asked to provide: (1) a Letter of Interest to convert to six hours and 20 minutes, (2) a new schedule of the six hour, 20 minute day, (3) the vendor's original proposal to DECE, (4) a map out of any internal changes relating to staff, schedule, and outreach to families, and (5) a revised budget.

DECE seeks to award 72 seats to the two vendors listed below. These were both existing contracted providers for five-hour UPK services through RFP R0882 and proposed for full-day services at the same location. These vendors will need to submit proposals in response to the subsequent RFP for UPK services if they want to continue providing UPK services after the expiration of their contract term.

The providers below were recommended for award pursuant to the grant requirements. The vendors' half-day contracts were amended to accommodate the State-defined full-day programming. Pursuant to this amendment, the vendors' five-hour contract will be amended to provide UPK services for 6 hours and 20 minutes.

DECE has attested to the vendors' satisfactory performance under its contract for UPK services. The vendors have therefore been determined to be responsible.

| Vendor Name | Seats Converted | New Per Seat Cost | New Annual Amount | Years Left on Contract | Total Contract Increase Amount |
|---|---|---|---|---|---|
| Catholic School Region of Manhattan (St. Paul School) | 36 | $10,000.00 | $360,000.00 | 2.0 year | $216,000.00 |
| Catholic School Region of the Northwest-South Bronx (St. John School) | 36 | $10,000.00 | $360,000.00 | 2.0 year | $216,000.00 |

**Item:** 12

**Description:**

Comprehensive background checks of Universal Pre-Kindergarten and other prospective contractors.

# REQUEST FOR AUTHORIZATION TO EXTEND A CONTRACT WITH LEMIRE LLC TO PERFORM COMPREHENSIVE BACKGROUND CHECKS

| Estimated Annual / Total Extension Amount | Funding Source | Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $444,000 | New York State Education Dept. UPK & Tax Levy | 1/01/16 – 12/31/16 | None | Extension per Section 4-07(b) of DOE Procurement Policy and Procedures | Yes | Requirements |

| | |
|---|---|
| **Vendor Name & Address** | Lemire LLC<br>Investigative Specialists<br>44 Wall Street, 12th Floor<br>New York, NY 10005 |

| Contract Manager / Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|
| Jay Miller<br>Chief Administrator<br>Vendor Research & Price Analysis<br>Division of Contracts & Purchasing | Ryan Henry<br>Vendor Research & Price Analysis |

## PURPOSE

Authorization is requested to extend a contract with Lemire, LLC (Lemire) to perform comprehensive background checks.

## DISCUSSION

The Division of Contracts and Purchasing (DCP) has contracted with Lemire LLC since 2014 to perform background checks of UPK vendors because it does not have the in-house resources necessary to complete them. The initial six-month contract with Lemire LLC was extended by one year to ensure that these services were provided during the FY 2015 rollout of the UPK program (UPK 2015), during which over 400 comprehensive background checks were performed.

This volume of work limited DCP's resources so that a new Request for Proposals (RFP) for these services could not be released in time for the 2016 UPK rollout. It is therefore necessary to again extend Lemire's contract for these services.

It is anticipated that the completion of approximately 150-400 comprehensive background checks will be required by April 1, 2016. Since the high volume of UPK background checks impacts the turnaround time for the completion of background checks on non-UPK vendors, Lemire will also be used for some non-UPK backgrounds if needed.

An RFP will be released in early 2016 and a new contract awarded by the end of the extension term.

Of the proposals received for UPK 2014, Lemire provided the DOE the lowest price, the greatest flexibility in assigning the work, and the best timelines for competing required vendor checks. Lemire's president and founder has extensive experience with government background checks from her work at the NYPD, the U.S. Attorney's Office for the Southern District of New York, and the District Attorney's Office in New York County (Manhattan). Lemire LLC is currently conducting monitorships for the Business Integrity Commission and the New York State Department of Financial Services and has conducted background checks for Tishman Construction as well as other clients in the course of confidential engagements.

Lemire will provide screening of primary vendors, their affiliates, and principal owners/officers, researching various public records databases, including, but not limited to:

- Lexis – news information
- Lexis Nexis business and person reports
- New York State Department of State Division of Corporations
- New York State Charities Bureau
- Lists of debarred vendors for the Federal Government (System for Award Management) and the New York State Department of Labor
- Websites of several government agencies

In addition, follow-up on noteworthy information, consisting of contacting the company being researched and/or the source of the information (e.g., another government agency), if applicable, may be required. Upon completion of the background check, Lemire will provide the DOE with a PDF file of the results of its research and prepare a brief written report summarizing the findings on each company.

Lemire has offered to conduct each prime vendor background check, including up to three principals, for $350. Checks on each affiliate and subsidiary will cost $200. Lemire has also offered tiered pricing for follow-up, depending upon the level of expertise utilized: $250 per hour for an investigative attorney, $175 per hour for investigators, and $170 per hour for analysts. The table below shows that Lemire's proposed pricing for 2014 was significantly lower than the pricing of the other proposals received. Lemire has agreed not to increase its pricing during the requested extension; on this basis, Lemire's pricing has been determined to be fair and reasonable.

**SUMMARY OF 2014 PROPOSALS**

| Vendor Name | Cost per Entity | Entity Defined | Follow-Up Work |
|---|---|---|---|
| **Lemire LLC** | **$350 (includes vendor and principals)<br>$200 per affiliate and subsidiary** | **Company and up to three principals** | **$250/hour for investigative attorney;<br>$175/hour for investigators;<br>$170/hour for analysts.** |
| Thacher Associates | $155 | Company or principal. | $250/hour for investigative attorney;<br>$175/hour for investigators;<br>$170/hour for analysts. |
| G4S Compliance and Investigations | $227.50 ($910 per vendor; prime + three officers) | Each company plus three officers. | Excludes follow-up. |
| FTI Consulting | $725 to $1,450 ($2,900 per report; one corporate entity with one to three owners and/or principals) | Each vendor, affiliate, owner, or principal. | Negotiated on a case-by-case basis. Usually an additional 25% of unit price. |
| Kroll: Option A - Using DOE-prescribed database list. | $750 ($3,000 per vendor + three principals) | Each vendor, affiliate, owner, or principal. | $500 for two hours of investigatory work. |
| Kroll: Option B - Accessing DOE-prescribed database list through alternate sources. | $400 ($1,600 per vendor + three principals) | Each vendor, affiliate, owner, or principal. | $500 for two hours of investigatory work. |

It is necessary to contract for these services because the DOE does not possess the resources to perform them. This agreement is retroactive as it is necessary to engage the vendor immediately because of the short delivery time frame to complete the background checks.

A background check of Lemire using DOE's internal sources and the federal System for Award Management revealed no significant adverse information. Therefore, the vendor has been determined to be responsible with respect to this extension.

Lemire LLC is certified as a woman-owned business (WBE) by New York State, the Women Presidents' Educational Organization (WPEO), and the Women's Business Enterprise National Council (WBENC). Its certification as a WBE is pending with the New York City Department of Small Business Services.

**Item:** 13

**Description:**

Extension of contracts providing system wide program evaluation services.

# REQUEST FOR AUTHORIZATION TO EXTEND MULTIPLE TASK AWARD CONTRACTS FOR SYSTEMWIDE PROGRAM EVALUATION SERVICES

| Estimated Six-Month Extension Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $815,000 | Various including Tax Levy & Reimbursable Funds | Six Months | None | Extension per DOE Procurement Policy and Procedures, Section 4-07(b) | No | Requirements |

| Vendor Names & Addresses | See list of vendors below. |
|---|---|

| Service Requestor / Contract Manager | Division of Contracts and Purchasing Contact |
|---|---|
| Michelle Paladino<br>Deputy Executive Director, Research Policy Support Group<br>Division of Teaching and Learning | Bryan Hester<br>Procurement Analyst<br>Instructional Service Procurement |

## PURPOSE

Authorization is requested to extend contracts with the vendors listed below for six months. These contracts provide systemwide program evaluation services for schools, central offices, and school support organizations.

## DISCUSSION

In April 2009, a solicitation for systemwide program evaluation services was issued to assist in formally and comprehensively evaluating instructional programs and professional services provided to schools and various DOE central and field offices.

The base term of the ensuing five-year contracts ran through December 2014 and one-year extension were authorized to ensure continuity of services after changes in the program office's management delayed the release of a new solicitation.

The DOE issued a successor solicitation for systemwide program evaluation services in June 2015. However, the complexity and length of price negotiations delayed the approval of vendor proposals until after the expiration of the already extended contracts. A six-month contract extension is therefore requested to avoid a disruption in the continuity of services provided by the vendors named here.

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

Fifty locations, including schools, community school districts, and central offices, have used the services of the vendors included on the list below. All of these vendors have been recommended for extensions.

Background checks including the Excluded Parties List, Uniform Commercial Code Lien Search (UCC), VENDEX, and the System for Award Management found no significant adverse information. These providers have therefore been determined to be responsible to provide approved services.

On December 14, 2015, the Committee on Contracts approved this extension on the basis of continuity of services during new procurement.

Pricing was previously evaluated and negotiations were conducted with each individual proposer. The selected vendors offer a broad range of expertise sought by the DOE to provide strategies and methods for program evaluation services. Prices have been determined to be fair and reasonable.

The estimated six-month contract extension amounts are based on the average yearly expenditures during the life of the expiring five-year contracts.

| Awarded Vendors | Estimated 6-Month Extension Amount |
|---|---|
| American Education Solutions, Inc.<br>3 Croton Point Avenue<br>Croton-on-Hudson, NY 10520 | $235,000 |
| Hezel Associates<br>731 James Street, Suite 300<br>Syracuse, NY 13203 | $50,000 |
| John Schoener and Associates<br>973 Springs Fireplace Road<br>East Hampton, NY 11937 | $45,000 |
| Metis Associates<br>120 Wall Street, 21st Floor<br>New York, NY 10005 | $485,000 |
| **TOTAL** | **$815,000** |

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

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

**Item:** 14

**Description:**

Provide textbook, lab-kits, and ancillary materials for participating public and non-public school

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH KENDALL HUNT PUBLISHING COMPANY TO PROVIDE TEXTBOOKS AND ANCILLARY MATERIALS

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $273,000 / $1,911,000 | Reimbursable, Tax Levy | Seven Years | None | Listing Application | No | Requirements |

| | |
|---|---|
| **Vendor Name & Address** | Kendall Hunt Publishing Company<br>4050 Westmark Drive<br>Dubuque, IA 52002 |

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Matthew Coffey<br>Director<br>Textbooks and Ancillary Materials<br>Division of Contracts and Purchasing | James McBride<br>Chief Administrator<br>Technology and Instructional Materials Procurement<br>Division of Contracts and Purchasing | Melissa Hernandez<br>Procurement Analyst<br>Instructional Materials Procurement |

## PURPOSE

Authorization is requested to contract with Kendall Hunt Publishing Company (Kendall Hunt) to provide textbooks, lab kits, and ancillary materials for participating public and non-public schools.

## DISCUSSION

Kendall Hunt publishes hands-on, inquiry-based science and mathematics programs for grades PreK-12. Kendall Hunt also offers a Gifted Learner Program for students who are advanced learners across four disciplines: mathematics, language arts, science, and social studies.

Kendall Hunt is the sole provider of these materials, making a competitive procurement impractical.

A comprehensive background check on Kendall Hunt Publishing Company, including VENDEX, the Uniform Commercial Code, the Federal Tax Lien and the System for Award Management, found no significant adverse information. This vendor has therefore been determined to be responsible.

The estimated contract amount is based on expenditures under the vendor's previous contract. Kendall Hunt has offered the DOE the lowest prices available to any of its customers. Therefore, pricing has been determined to be fair and reasonable.

**Item:** 15

**Description:**

Provide textbooks, lapbooks, and book collections for participating public and non-public schools

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH LEE & LOW BOOKS INC. TO PROVIDE TEXTBOOKS AND ANCILLARY MATERIALS

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $205,400 / $1,437,800 | Reimbursable, Tax Levy | Seven Years | None | Listing Application | No | Requirements |

| | |
|---|---|
| **Vendor Name & Address** | Lee & Low Books Inc.<br>95 Madison Ave, Suite 1205<br>New York, NY 10016 |

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Matthew Coffey<br>Director<br>Textbooks and Ancillary Materials<br>Division of Contracts and Purchasing | James McBride<br>Chief Administrator<br>Technology and Instructional Materials Procurement<br>Division of Contracts and Purchasing | Melissa Hernandez<br>Procurement Analyst<br>Instructional Materials Procurement |

## PURPOSE

Authorization is requested to contract with Lee & Low Books Inc. (Lee & Low) to provide textbooks, lapbooks, and book collections for participating public and non-public schools.

## DISCUSSION

Lee & Low publishes diverse contemporary stories that emphasize the richness of today's culture. Textbooks are offered in Language Arts, Math, Science, and Social Studies, for students in Pre-K to High School and supplemental lesson plans and teacher guides support the development of effective reading and comprehension strategies.

Lee & Low is the sole provider of these materials, making a competitive procurement impractical.

A comprehensive background check on Lee & Low Books Inc., including VENDEX, the Uniform Commercial Code, the Federal Tax Lien and the System for Award Management, found no significant adverse information. This vendor has therefore been determined to be responsible.

The estimated contract amount is based on expenditures under the vendor's previous contract. Lee & Low has offered the DOE the lowest prices available to any of its customers. Therefore, pricing has been determined to be fair and reasonable.

**Item:** 16

**Description:**

Textbooks and ancillary materials

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH FOCUS IN EDUCATION TO PROVIDE PUBLISHED AND COPYRIGHTED TEXTBOOKS AND ANCILLARY MATERIALS

| Estimated Annual / Total Contact Amounts | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $146,000 / $1,022,000 | Reimbursable, Tax Levy | Seven Years | None | Listing Application | No | Requirements |

| | |
|---|---|
| **Vendor Name & Address** | Focus in Education<br>PO Box 180188<br>Brooklyn, NY 11218 |

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Matthew Coffey<br>Director<br>Textbooks and Ancillary Materials<br>Division of Contracts and Purchasing | James McBride<br>Chief Administrator<br>Technology and Instructional Materials Procurement<br>Division of Contracts and Purchasing | Demetrise Daniels-Foster<br>Procurement Analyst<br>Instructional Materials Unit |

## PURPOSE

Authorization is requested to contract with Focus in Education, a publishing company that provides published and copyrighted textbooks and ancillary materials to public and participating non-public schools.

## DISCUSSION

Focus in Education publishes science and history textbooks and reading comprehension curricula. Its books address students' educational needs while maintaining a high interest level with eye-catching graphics and follow-up exercises after each chapter. Because these materials cannot be purchased in the open market, a competitive sealed bid process is impractical.

The proposed contract requires that the prices the DOE pays be the lowest offered to any client. The vendor will provide a 20 percent discount on all items. As such, pricing for these materials has been determined to be fair and reasonable.

The estimated contract amounts are based on prior expenditures and contract usage by various public and non-public schools.

A background check of Focus in Education, along with a review of VENDEX, VCIP, federal debarment, and the New York State UCC lien search, revealed no significant adverse information. In addition, Focus in Education's performance under previous contracts has been satisfactory. This vendor has therefore been determined to be responsible.

**Item:** 17

**Description:**

Textbooks and ancillary materials

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH PACIFIC LEARNING TO PROVIDE TEXTBOOKS AND ANCILLARY MATERIALS

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $237,000 / $1,659,000 | Reimbursable, Tax Levy | Seven Years | None | Listing Application | No | Requirements |

| | |
|---|---|
| **Vendor Name & Address** | Pacific Learning<br>P.O. Box 2723<br>Huntington Beach, CA 92647 |

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Matthew Coffey<br>Director<br>Textbooks and Ancillary Materials<br>Division of Contracts and Purchasing | James McBride<br>Chief Administrator<br>Technology and Instructional Materials Procurement<br>Division of Contracts and Purchasing | Demetrise Daniels-Foster<br>Procurement Analyst<br>Instructional Materials Unit |

## PURPOSE

Authorization is requested to contract with Pacific Learning to provide textbooks and ancillary materials for participating public and nonpublic schools.

## DISCUSSION

Pacific Learning publishes textbooks and ancillary materials that use interactive technology to provide differentiated instruction. Pacific Learning's publications incorporate English language arts, science, and social studies, providing students in prekindergarten through grade 8 with strategies for improving reading comprehension, vocabulary, and fluency.

Because these materials cannot be purchased in the open market, a competitive sealed bid process is impractical. The proposed contract requires that the prices the DOE pays be the lowest offered to any client; as such, the pricing for these materials has been determined to be fair and reasonable.

A comprehensive background check was conducted on Pacific Learning which found no significant adverse information. In addition, Pacific Learning has performed satisfactorily under its predecessor contract. This vendor has therefore been determined to be responsible.

The estimated contract amount is based on expenditures under the vendor's previous contract.

**Item:** 18

**Description:**

Amendment to a demonstration project studying high-dosage tutoring as an innovative approach to academic intervention services to expand services to a greater number of students.

# \REQUEST FOR AUTHORIZATION TO AMEND THE VALUE OF A CONTRACT WITH SAGA INNOVATIONS, INC. FOR A DEMONSTRATION PROJECT TO STUDY AN INNOVATIVE APPROACH TO ACADEMIC INTERVENTION SERVICES

| Estimated Annual / Total Contract Amounts | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive ? | Contract Type |
|---|---|---|---|---|---|---|
| Original Amount: $431,440<br>One 2-year Option: $1M / $2M<br><br>Option Increase: $1.15M / $2.3M<br>Amended Option Total: $2.15 / $4.3M | Tax Levy | Six Months | One 2-Year Option (7/01/15 – 6/30/17) | Amendment per Section 4-08 of DOE Procurement Policy & Procedures | No | Full Value |

| Vendor Name & Address | SAGA Innovations, Inc.<br>10 Laudholm Road<br>Newton, MA 02458 |
|---|---|

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Susan Vairo<br>Senior Operating Officer<br>Office of Safety & Youth Development | Robert Weiner<br>Chief Operating Officer<br>Office of Safety & Youth Development | Lisvett Jaen<br>Lead Procurement Analyst<br>Central Office Procurement |

## PURPOSE

Authorization is requested to amend the value of a contract with SAGA Innovations, Inc. (SAGA). SAGA is already engaged through a demonstration project to study an innovative approach to academic intervention services called high-dosage tutoring. This contract amendment will increase the amount budgeted for each of the school years 2015-2016 and 2016-2017 by $1.15 million. This demonstration project represents one of a series of anti-gun violence initiatives developed by the Mayor's Office of Criminal Justice (MOCJ) in cooperation with the New York City Council.

## DISCUSSION

On January 12, 2015, the Committee on Contracts (COC) approved an agreement with SAGA for a demonstration project aimed at studying high-dosage tutoring for a contract term of January 1 through June 30, 2015 for a total cost of $431,440, with one two-year option to renew at a cost of $1 million for each year. The DOE already exercised the option to extend the contract for two years based on the effectiveness of the program during the first six months of the contract.

Studies show that greater attainment in education can have significant impacts on reducing future involvement with the criminal justice system. The one-on-two, high-dosage math tutoring program provided by SAGA is the same design used in Chicago which, after piloting, was shown to provide nearly three years of math learning in a single school year of intensive teaching. This project is a pull-out model. Tables are set up in a separate room where the students are tutored.

The first implementation of high-dosage tutoring in the New York City school system took place during the spring semester of 2015 at the Thomas Jefferson campus, servicing a cohort of up to 130 students from four co-located schools: FDNY High School for Fire and Life Safety, High School for Civil Rights, Performing Arts and Technology High School, and World Academy for Total Community Health High School. Data from the 2015 spring semester study yielded the following results:

- Overall attendance in the program was 67 percent.

- Students' integrated Algebra I Regents scores rose from 52.6 to 61.6 points. Students with above-average attendance in SAGA showed an average gain of 11.9 points. Students with below-average attendance in SAGA showed an average gain of 3.8 points.
- Students' Common Core Algebra I Regents scores rose from 48.9 to 52.9. Students with above-average attendance in SAGA showed an average gain of 4.4 points. Students with below-average attendance in SAGA showed an average gain of 0.3 points.
- On average, students came in with a 67.2 percent grade in their math class at the end of Semester 1; by the end of Semester 2, the average math class grade was a 69.5 percent. Students with above-average attendance in SAGA showed an average gain of 3.1 percentage points. Students with below-average attendance in SAGA showed an average gain of 0.7 percentage points.

Although the first implementation of the program yielded positive results, the Office of Safety and Youth Development (OSYD) has worked with SAGA to make several improvements in the program design for 2015-2016, in order to bolster student participation and attendance levels:

- Each class period has been scheduled to be over-enrolled by one student.
- SAGA site directors will have a call with an OSYD representative and the school principal or his/her designee to discuss individual student attendance, progress, issues, attrition, suspensions, and/or medical absences so that the schools can implement effective plans to maximize student attendance and performance.
- Each of the five school principals has agreed to allow students serving in-school principal's suspensions to attend their scheduled SAGA tutorials to continue receiving their math tutoring.
- Students who miss 10 or more tutoring periods may be removed from the program and replaced with other students.
- SAGA has committed to working with each of the principals to schedule make-up sessions if the classes are missed due to field trips, inclement weather, or other building conditions.

SAGA is also concerned with improving parent engagement and tutors are expected to communicate with parents on a weekly basis to discuss student performance. Parents are called after 7:00 P.M. to ensure they are home and all parent communications are recorded in note form and shared with school staff.

Additionally, MOCJ has engaged Crime Lab New York, an independent research organization funded by grants and philanthropic support independent of New York City, to rigorously evaluate this demonstration project for the 2015-2016 school year, including the benefit of SAGA addressing situations of "academic mismatch," in which students fall behind and teachers are unable to provide the individualized attention that would help them catch up. Crime Lab also had SAGA provide a ranking of its tutors during the hiring process. In doing so, Crime Lab hopes to be able to relate educational outcomes to SAGA's internal rankings. Crime Lab will seek to better understand the impacts and challenges of scaling this program, from how principals can best select students to the disparate impacts of the tutors themselves and if any of these characteristics can better be targeted in the future. Ultimately, this evaluation will give policymakers a better sense of how SAGA addresses "academic mismatch" in urban math classrooms.

The contract's $1 million option per commitment year was an estimated budget amount, pending availability of funds from MOCJ, to provide tutoring services to as many students as that amount would cover. In May 2015, the Mayor announced a $2.15 million per year commitment for a large-scale deployment of the SAGA tutoring, thus granting an additional $1.15 per year from what was initially estimated would be budgeted for the program.

SAGA will provide tutoring services for a cohort of up to 684 students per school year from three sites encompassing five schools: DeWitt Clinton High School (X440), Abraham Lincoln High School (K410), and Bronx Middle School campus at 1000 Teller Avenue, which serves three co-located schools: Junior

High School 145 Arturo Toscanini (X145), Urban Science Academy (X325), and New Millennium Business Academy Middle School (X328). While the current contract value of $1 million per annum would be sufficient to provide tutoring for up to 684 students for the first half of each targeted school year, an additional $1.15 million per year is required to continue the tutoring for the for the second half each year.

The table below provides a comparison between the allocation for the pilot program and the first full year of the program's implementation. It should be noted that the cost per tutor per day for the pilot stage of the program was 43% higher than the cost for the first full year implementation because the leadership component dedicated 80% of their time to the program in its pilot demonstration stage.

| | No. of Instructional Days | No. of Tutors | Total Tutor Workdays | Cost per Tutor per Day | Total Cost |
|---|---|---|---|---|---|
| **Pilot Program (Spring 2015)** | | | | | |
| 130 students received 45 minutes of tutoring per day | 90 | 10 | 900 | $479.38 | **$431,442.00** |
| **1st and 2nd Option Years (2015/16 and 2016/17)** 684 students will receive 45 minutes of tutoring per day | | | | | |
| Abraham Lincoln HS | 158 | 20 | 3,160 | $273.12 | $863,059.20 |
| Dewitt Clinton HS | 158 | 16 | 2,528 | $273.12 | $690,447.36 |
| Bronx MS Teller Ave. Campus | 168 | 13 | 2,184 | $273.12 | $596,494.08 |
| **3 Sites / 5 Schools** | **484** | **49** | **7,872** | **$273.12** | **$2,150,000.64** |

The proposed annual cost of $2.15 million equates to $3,143 per student, based on the program capacity of 684 students. The cost per student would be $3,490 per student if actual enrollment averages 90 percent of capacity, which breaks down to $273.12 per day for each tutor. Since each tutor provides instruction for seven periods a day, the cost per period is $39.02. This hourly rate compares favorably with rates ranging from $32 to $80 per hour charged for individual tutoring by DOE vendors under Multiple Task Award contracts. On this basis, pricing has been determined to be fair and reasonable.

A comprehensive background check conducted on SAGA Innovations, Inc. revealed no significant adverse information. The vendor has therefore been determined to be responsible.

The Chancellor's Committee on Contracts reviewed and approved the amendment request to contract with SAGA based on the cost effectiveness of the innovative tutoring services provided and the below-market value of the cost of these services.

**Item:** 19

**Description:**

City Council allocation for anti-gun violence prevention initiative.

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH POLICE ATHLETIC LEAGUE, INC.TO PROVIDE VIOLENCE PREVENTION AND INTERVENTION SERVICES

| Estimated Annual / Total Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $40,000 | City Council | One Year (7/01/15–6/30/16) | None | City Council Allocation per Section 1-03 (c) of DOE Procurement Policy & Procedures | Yes | Full Value |

| | |
|---|---|
| **Vendor Name & Address** | Police Athletic League, Inc.<br>34 ½ East 12th Street<br>New York, NY 10003 |

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

## PURPOSE

Authorization is requested to contract with the Police Athletic League, Inc. to provide anti-violence programming at I.S. 117 – Joseph H. Wade Middle School (I.S. 117) in the Bronx, District 9.

## DISCUSSION

The Police Athletic League, Inc. (PAL) provides services aimed at reducing community gun violence through violence prevention work with middle school youth and to collaborate with school leaders to transform a school's culture into one that promotes safety and healthy conflict resolution.

To curb long-term violence in the 46th precinct, the PAL has partnered with the New York Police Department (NYPD) to implement a year-long anti-gun violence initiative at I.S. 117, which serves more than 600 youth in the community. In last year's school survey, only 53 percent of students reported that they feel safe in the hallways, bathrooms, locker rooms, and cafeterias of the school. As such, I.S. 117 school leaders have identified school safety as a top priority and support this effort by working with PAL to identify students for the program and providing classroom space.

The goals of the program are:

- To reduce youth involvement in negative behaviors inside and outside of school through positive youth development programming; and
- To engage youth residing in the high-crime 46th precinct in pro-social groups that motivate them to model anti-violence principles and promote anti-violence messaging among peers.

To meet these goals, PAL offers a sports-based intervention program at I.S. 117 that engages 30 youths in gun violence prevention workshops, community-building with police officers from the 46th precinct, and teamwork through sports leagues. The PAL has partnered with the 46th precinct and I.S. 117 administrators to identify and recruit 30 youths from the school to participate in programming on a regular basis from October 2015 to March 2016.

This contract is retroactive due to delays in the approval of the vendor by the Mayor's Office of Contract Services (MOCS).

A review of the vendor's background in the DOE's files and VENDEX systems found no significant adverse information. The vendor 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:**

City Council allocation for conflict resolution, violence prevention and youth development.

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH JACOB A. RIIS NEIGHORHOOD SETTLEMENT HOUSE, INC. TO PROVIDE CONFLICT RESOLUTION SERVICES

| Annual / Total Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $80,000 | City Council | One Year (7/01/15 – 6/30/16) | None | City Council Allocation per Section 1-03 (c) of DOE Procurement Policy & Procedures | Yes | Full Value |

| | |
|---|---|
| **Vendor Name & Address** | Jacob A. Riis Neighborhood Settlement House, Inc.<br>10-25 41st Avenue<br>Long Island City, NY 11101 |

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

## PURPOSE

Authorization is requested to contract with Jacob A. Riis Neighborhood Settlement House, Inc. (Jacob Riis) to provide a conflict resolution program to 30 students at PS/IS 111 – The Jacob Blackwell School and IS 204 – The Oliver W. Holmes School in District 30, in Queens.

## DISCUSSION

Jacob Riis provides students in PS/IS 111 and IS 204 with services that assist with the prevention and reduction of gun violence. These services include leadership development, civic engagement, service learning projects, life skills awareness, and curriculum workshops. The program serves 15 students in PS/IS 111 and 15 students in IS 204, ages 10 to 14, who come from families with a history of violence or incarceration and who have been identified by each school's leadership and Jacob Riis staff as high-risk in grades 6, 7, and 8.

This contract is retroactive because the Mayor's Office of Contract Services needed additional time to clear the vendor.

DCP reviewed the vendor's background in the DOE's files and in VENDEX and found no significant adverse information. The vendor 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 names this vendor for the amount stated above. To have these services provided by another party would be contrary to the City Council allocation process.

**Item:** 21

**Description:**

City Council allocation for violence prevention, conflict resolution and youth development.

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH SCAN – NEW YORK VOLUNTEER PARENT-AIDES ASSOCIATION

| Annual / Total Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $80,000 | City Council | One Year (7/01/15 – 6/30/16) | None | City Council Allocation, per Section 1-03(c) of DOE Procurement Policy & Procedures | Yes | Full Value |

| | |
|---|---|
| **Vendor Name & Address** | SCAN-New York Volunteer Parent-Aides Association<br>345 East 102nd Street, Suite 301<br>New York, NY 10029 |

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

## PURPOSE

Authorization is requested to contract with SCAN-New York Volunteer Parent-Aides Association to provide a conflict resolution program to the students at JHS 22 – The Jordan L. Mott School and JHS 145 – The Arturo Toscanini School in District 9, the Bronx.

## DISCUSSION

SCAN provides participants with programs aimed at increasing the number of college-bound students through homework assistance, tutorial services based on teacher observations, student assessments, report cards, and practice examinations. Through SCAN's Reach for the Stars program, students develop literacy skills through writing, reading comprehension, oral presentations, and investigative research. In addition, a comprehensive sports and recreation program and focuses on developing healthful eating habits and integrating physical activity into students' lifestyles.

This contract is retroactive due to necessary revisions to the program work plan and budget, and delays in the approval of the vendor by the Mayor's Office of Contract Services (MOCS).

A review of SCAN's background information revealed four cautions in VENDEX:

- New York State Office of Children and Family Services (NYS OCFS) conducted an investigation related to suspected child abuse and maltreatment for charges filed with the NYS OCFS against a staff member at the vendor's LaGuardia nursery. A report was later filed by Administration of Children Services determining the case to be unfounded.
- The New York District Attorney's Office issued a subpoena to the vendor for all personnel files or documents related to the employment of three former employees of the company. SCAN reported that the nature of the investigation was not disclosed.
- The NYC Department of Health and Mental Hygiene conducted an investigation in response to a general complaint filed with its office alleging a child was scratched while playing outdoors. The investigation was closed in December 2013, reporting that allegation as "unfounded."

- In 2011, the Administration for Children's Services (ACS) Office of Confidential Investigations investigated allegations of child abuse and maltreatment by two SCAN staff members. The investigation was closed without being substantiated.

There are no other adverse findings that should preclude SCAN from moving forward in the contracting process. SCAN has provided satisfactory services to the DOE and as such has 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 these services provided by another party would be contrary to the City Council allocation process.

**Item:** 22

**Description:**

City Council Anti-Gun Violence initiative

# 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 |
|---|---|---|---|---|---|---|
| $80,000 | City Council | One Year (7/01/15 – 6/30/16) | None | City Council Allocation, Per Section 1-03(c) of DOE Procurement Policy & Procedures | Yes | Full Value |

| | |
|---|---|
| **Vendor Name & Address** | YPIS of Staten Island, Inc. d/b/a The New York Center for Interpersonal Development (NYCID)<br>130 Stuyvesant Place, 5th Floor<br>Staten Island, NY 10301 |

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

## PURPOSE

Authorization is requested to contract with the YPIS Of Staten Island, Inc., d/b/a New York Center for Interpersonal Development (NYCID), to provide conflict resolution and peer mediation training at Curtis High School and Ralph R. McKee Career and Technical High School in District 31 in Staten Island.

## DISCUSSION

NYCID provides peer mediation and conflict resolution training to tenth and eleventh grade students to evaluate the current mediation training program with the objective of modernizing and improving it. NYCID also offers ongoing peer mediator support and developmental workshops to students, teachers, and school staff members, as well as program implementation assistance in order to reduce conflict in the schools and create a positive environment for academic progress.

This contract is retroactive due to delays in the approval of the City Council allocation by the Mayor's Office of Contract Services (MOCS).

A review of the vendor's background in DOE's files and VENDEX found that NYCID's performance was rated as unsatisfactory/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 Postsecondary 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:** 23

**Description:**

City Council funded Anti-Gun violence initiative

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH NEW YORK PEACE INSTITUTE, INC. TO PROVIDE CONFLICT RESOLUTION SERVICES

| Estimated Annual / Total Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $80,000 | City Council | One Year (7/01/15 – 6/30/16) | None | City Council Allocation, per Section 1-03(c) of DOE Procurement Policy & Procedures | Yes | Full Value |

| | |
|---|---|
| **Vendor Name & Address** | New York Peace Institute, Inc.<br>111 John St., Suite 600<br>New York, NY 10038 |

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

## PURPOSE

Authorization is requested to contract with New York Peace Institute, Inc. to provide comprehensive conflict resolution services to students at PS K284 and at Brownsville Academy (K568) in Districts 17 and 23, in Brooklyn.

## DISCUSSION

New York Peace Institute, in partnership with Church Avenue Merchant Block Association (CAMBA), provides over 60 students with conflict mediation training geared towards strengthening community, encouraging school attendance, and reducing incidents and suspensions among students identified as having high needs. These students are identified by school staff and CAMBA's Cure Violence staff.

New York Peace Institute conducts pre- and post-surveys with identified students and select school staff to evaluate the effectiveness of the programs. Meetings are held regularly with partners at the school and CAMBA to monitor progress.

This contract is retroactive due to delays in the approval of the City Council allocation by the Mayor's Office of Contract Services (MOCS).

A review of the vendor's background in the DOE's files and VENDEX systems found no significant adverse information. The vendor 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 names this vendor for the amount stated above. To have these services provided by another party would be contrary to the City Council allocation process.

**Item:** 24

**Description:**

City Council funded dropout prevention and intervention services in NYC High Schools

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH EDUCATIONAL TESTING SERVICE TO PROVIDE DROPOUT PREVENTION AND INTERVENTION SERVICES

| Estimated Annual / Total Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $167,000 | City Council | One Year (7/01/14 – 6/30/15) | None | City Council Allocation per Section 1-03 (c) of DOE Procurement Policy & Procedures | Yes | Full Value |

| | |
|---|---|
| **Vendor Name & Address** | Educational Testing Service<br>660 Rosedale Road<br>Princeton, NJ 08541 |

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

## PURPOSE

Authorization is requested to contract with the Educational Testing Service to provide dropout prevention and intervention services in more than 30 New York City high schools.

## DISCUSSION

The Educational Testing Service (ETS) provides school-based dropout prevention programs by restructuring large high schools into clusters of small learning communities (SLCs). The ETS model is built on the belief that small, highly supportive, challenging learning environments promote valuable relationships between teachers and students, and can improve student motivation, facilitate learning, and help students stay in school and graduate on time. ETS provides a professional development program and on-site coaching for principals, assistant principals, teachers, counselors, and school-based coaches.

This contract is retroactive due to delays in the approval of the vendor by the Mayor's Office of Contract Services (MOCS).

A review of the vendor's background in VENDEX found one self-reported caution, related to an investigation conducted by the Special Commissioner of Investigation (SCI), that substantiated that ETS, working as a subcontractor to the College Board, routinely made payments to DOE employees for administering the Standardized Achievement Test (SAT) to students with disabilities who were entitled to testing accommodation. However, the employees also were paid by the DOE for providing these services and SCI noted that such conduct by employees may violate the City's conflicts of interest rules. While SCI recommended that the DOE establish procedures to prevent such "double dipping" by its employees, it made no recommendation regarding ETS as conflicts of interest rules govern the behavior of employees and their actions, not vendors. Nonetheless, ETS consulted with the DOE's Conflicts Officer and committed to developing a plan to avoid any payments, stipends, or scholarships to DOE employees.

As the conduct reported by SCI concerned DOE employee behavior and in light of ETS's efforts to assist in its avoidance, the DOE does not believe this matter precludes a determination that the vendor is responsible. Moreover, the Office of Safety and Youth Development confirmed that ETS has performed satisfactorily under previous contracts. There being no other significant adverse findings, ETS has 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:** 25

**Description:**

Conflict resolution and peer mediation training

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH MAN UP! INC. TO PROVIDE CONFLICT RESOLUTION AND PEER MEDIATION TRAINING

| Estimated Annual / Total Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $160,000 | City Council | One Year (7/01/15 – 6/30/16) | None | City Council Allocation, Per Section 1-03(c) of DOE Procurement Policy & Procedures | Yes | Full Value |

| | |
|---|---|
| **Vendor Name & Address** | Man Up! Inc.<br>821B Van Siclen Avenue<br>Brooklyn, NY 11207 |

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

## PURPOSE

Authorization is requested to contract with Man Up! Inc. to provide conflict resolution and peer mediation training at four schools in District 19 in Brooklyn.

## DISCUSSION

Man Up! Inc. teaches students in grades 6-8 how to resolve conflicts peacefully, accept and respect differences, and help their peers work through conflicts. Groups of 10-15 students receive training in the peer mediation program, whose ultimate goal is to reduce the number of conflicts in the school and thereby create a positive environment conducive to students' academic progress.

This contract is retroactive due to changes in the designation of the organization by the Mayor's Office of Contract Services, delaying implementation of the work plan and budget, which required multiple revisions.

A review of information regarding the vendor's background in VENDEX as well as in DCP's procurement files found no adverse information. Moreover, the Office of Safety and Youth Development confirms that the vendor has previously provided satisfactory performance of these services. Man Up! 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 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 contracted services was established to match the City Council allocation.

**Item:** 26

**Description:**

Software for the schools

# REQUEST FOR AUTHORIZATION
# TO PURCHASE TRIUMPH LEARNING EDUCATIONAL SOFTWARE

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $80,000 / $560,000 | Tax Levy / Reimbursable | Seven Years | None | Listing Application | No | Requirements |

| | |
|---|---|
| **Vendor Name & Address** | Triumph Learning<br>136 Madison Avenue<br>New York, NY 10301 |

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| James McBride<br>Chief Administrator<br>Technology & Instructional Material Procurement<br>Division of Contracts and Purchasing | Dan Aymar-Blair<br>Senior Executive<br>Division of Teaching and Learning | Kay Robbins<br>Procurement Analyst |

## PURPOSE

Authorization is requested to contract with Triumph Learning for its entire educational software product line on a requirements basis.

## DISCUSSION

Triumph Learning provides Waggle for grades 2-8 in Math and English Language Arts (ELA). Waggle is a personalized online program that reinforces the work in the classroom. Teachers assign goals for each student in Math and ELA based on their skill levels. As students work toward the assigned goals, Waggle provides an immediate snapshot of students' progress, which teachers' access on their computers via the application's dashboard feature.

Triumph Learning is the sole provider of this software, so a Request for Bids (RFB) is not practical.

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

The estimated contract amount is based on prior usage.

Background checks performed on Triumph Learning, including a review of VENDEX, CTS, the New York State Department of Labor, and the Federal Debarment List, identified no significant adverse information. Accordingly, the vendor has been determined to be responsible.

**Item:** 27

**Description:**

Professional development to K095 & K228 in District 21as part of the 21st Century grant.

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH GLOBAL LANGUAGE PROJECT, INC. TO PROVIDE PROFESSIONAL DEVELOPMENT SERVICES TO THE 21ST CCLC SITES

| Estimated Annual | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $32,750 | New York State Education Department (NYSED) | One Year (7/01/15 – 6/30/16) | None | Vendor named in Grant per Section 1-03 (b) of DOE Procurement Policy & Procedures | Yes | Full Value |

| | |
|---|---|
| **Vendor Name & Address** | Global Language Project, Inc.<br>1 Little West 12th Street<br>New York, NY 10014 |

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

## PURPOSE

Authorization is requested to contract with Global Language Project, Inc. (GLP) to provide professional development to staff at P.S. 095 and I.S. 228 in District 21, through the 21st Century Community Learning Centers (21st CCLC) Grant.

## DISCUSSION

Global Language Project is a nonprofit organization established to engage children in learning additional languages early in life, in order that they become multilingual at an early age, thus increasing their opportunities in higher education and the global marketplace.

GLP provides 22 professional development workshops, each lasting between 90 minutes and five hours, to 60 teachers working with English as a New Language (ENL, formerly ESOL) and English as a Second Language (ESL) students. Teachers develop skills and strategies to increase the rigor for their ENL students, specifically in higher-order thinking skills, writing skills, and test preparation strategies. ESL teachers develop methods of working collaboratively to ensure that content teachers are meeting the needs of their students.

This contract is retroactive because of the time that was required to review multiple revisions to the work plan and budget.

DCP reviewed information regarding the vendor's background in the DOE's files and VENDEX systems and found no significant adverse information. The vendor 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 NYSED 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:** 28

**Description:**

Sports-based youth development programs in three schools under the 21st CCLC grant

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH PLAY RUGBY USA

| Annual / Total Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $55,000 | New York State Education Department (NYSED) 21st Century Community Learning Centers Grant | One Year (7/01/15 – 6/30/16) | None | Vendor named in Grant, per Section 1-03(b) of DOE Procurement Policy & Procedures | Yes | Full Value |

| | |
|---|---|
| **Vendor Name & Address** | Play Rugby USA<br>630 Ninth Avenue, Suite 809<br>New York, NY 10036 |

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

## PURPOSE

Authorization is requested to contract with Play Rugby USA, Inc. to provide student engagement services to the Monroe Academy of Visual Arts and Design (X692) and the High School of World Cultures (X550), in District 12 in the Bronx.

## DISCUSSION

Play Rugby USA's curriculum teaches the game of rugby while instilling participants with important values and life skills such as respect, teamwork, discipline, and sportsmanship. Youth Development Mentors follow the curriculum's more than 30 progressive lesson plans, which incorporate over 60 flag games, which impart skills in the following categories to student participants:

- Sport-specific – rugby passing, flagging, defensive positioning, tackling, catching, evasion, etc.
- Fitness – dynamic warm-ups, rugby-specific fitness drills, etc.
- Social-emotional – conflict resolution, strengths inventory, goal setting, compromise for team success, etc.

Students participate in after-school sessions and weekend tournaments. The program is open to all students in grades 9-12 and serves a minimum of 15 students from each school during the school year.

This contract is retroactive because the work plan and budget required multiple revisions.

A review of information regarding Play Rugby USA's background in the DOE's files 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 NYSED 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:** 29

**Description:**

Title IIB grant to support the Math and Science Partnership

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH ARETÉ EDUCATION, INC. TO PROVIDE ACADEMIC SUPPORT AND ENRICHMENT ACTIVITIES

| Estimated Annual / Total Contract Amount | Funding Source | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|
| $369,029 | New York State Education Department (NYSED) Extended Learning Time | One Year (7/01/15 – 6/30/16) | One 1-Year Option | Vendor named in Grant, per Section 1-03(b) of DOE Procurement Policy & Procedures | Yes | Full Value |

| | |
|---|---|
| **Vendor Name & Address** | Areté Education, Inc.<br>557 Grand Concourse, Suite 3, #140<br>Bronx, NY 10451 |

| Contract Manager | Lead Contracting Officer | Division of Contracts and Purchasing Contact |
|---|---|---|
| Keisha Womack<br>Procurement Specialist/Budget Support, Team B<br>Bronx Borough Field Support Office | Morayo Oyemade<br>Director, Contracts and Operations<br>Division of Teaching & Learning | Denesia Stroom-Blair<br>Procurement Analyst<br>Central Office Procurement |

## PURPOSE

Authorization is requested to contract with Areté Education, Inc. (Areté) to provide academic support and enrichment activities at MS 223 - The Laboratory School of Finance and Technology, in District 7 in the Bronx.

## DISCUSSION

The DOE's Middle School Redesign (MSR) initiative provides over 4,400 students with an expanded school day that features three key elements: increased time for individualized literacy instruction, increased exposure to the arts, and increased time to enhance academic growth mindsets and prepare for high school choice. The New York State Education Department (NYSED) Extended Learning Time (ELT) identified MS 223 as one of the schools having the greatest need due to its community's high poverty rate and other serious threats to the well-being of its students.

The ELT named Areté, a Community-Based Organization, to provide student, staff, and parent engagement services to MS 223, including a four-week summer learning experience during the summer of 2015, as well as academic support and enrichment activities in grades 5-9 during the 2015-2016 academic year. Over 600 students are provided with an additional 100 hours of enrichment and daily literacy support, giving them 25 percent more learning time than the traditional school day; in addition, middle school students receive at least two art classes over the school year. Areté will also provide a variety of parent engagement activities.

This contract is retroactive because funding for the program was not received by the program office until August 2015.

A review of the vendor's background, including DCP's files and VENDEX, 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 Extended Learning Time 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:** 30

**Description:**

Universal Pre-kindergarten programs in NYC Childhood Centers-withdrawn

**Item:** 31

**Description:**

Open-ended solicitation seeking proposals for the provisions of full day UPK services to four-years-old for 2015-2018

# REQUEST FOR AUTHORIZATION TO CONTRACT WITH PROVIDERS OF EARLY CHILDHOOD EDUCATION SERVICES FOR FOUR-YEAR-OLDS IN THE UNIVERSAL PREKINDERGARTEN (UPK) PROGRAM (RFP R1079)

| Estimated Annual / Total Contract Amounts | Funding Source | Contract Term | Options | Estimated Option Amount | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|---|---|
| $519,920.00/ $1,612,340.00 | New York State Education Department (NYSED), Tax Levy | Three Years | Options to Extend for Two 1-Year Periods or One 2-Year Period | $1,039,840.00 | Request for Proposals (RFP) via an Innovative Procurement per Section 3-13 of DOE Procurement Policy & Procedures | Yes | Requirements |

| Vendor Name & Address | See attached table. |
|---|---|

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Xanthe Jory<br>Executive Director, Expansion Planning<br>Division of Early Childhood Education | Sophia Pappas<br>Chief Executive Officer<br>Division of Early Childhood Education | Angela Edwards<br>Chief Administrator<br>Central Office Procurement |

## PURPOSE

Authorization is requested to contract with the vendors listed in the attached table to provide high-quality instructional programming as part of the Full-Day 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.

Additionally, New York State Education Law provides for a statewide Universal Prekindergarten Program and contracts for these services are necessary. State Regulations require that at least 10 percent of State funding goes to community-based organizations. Currently in New York City, approximately 60 percent of UPK children are served in community-based organizations that contract

directly with the DOE. This solicitation was conducted as an open-ended Request for Proposals (RFP) and not as a Request for Bids (RFB) because these services are administered directly to children and must be evaluated on nine (9) criteria listed in the RFP.

The Committee on Contracts (COC) approved the use of an Innovative Procurement method to release this modified RFP and receive proposals through the City's Health and Human Services (HHS) Accelerator System. The COC approval allowed the DOE to modify the UPK RFP for pre-qualification and delegate the HHS Accelerator Director, a non-DOE employee, with required authority to make prequalification decisions on the DOE's behalf. The intended use of this system is to streamline the receipt and evaluation of proposals in order to expedite the development and registration of contracts pursuant to the RFP.

The HHS Accelerator is essentially a document vault system for data and document exchange during the contract cycle or on an as needed basis. It allows for a more simplified RFP document and significant paper reduction since vendors will be required to submit their proposal and relevant documents through the system. The DOE will have access to vendors' documents, thus reducing the need to request documents separately for each procurement or contract action. Further, use of the HHS Accelerator online system increases speed and accuracy for proposer responsiveness checks.

Additionally, the COC approved the use of an Innovative Procurement method to release an open-ended RFP. The open-ended RFP was released in April 2015, seeking to award eligible early childhood providers who are willing to collaborate with the DOE's Division of Early Childhood Education to implement the UPK Program in New York City districts with a need for more seats than the DOE is able to offer within the New York City public school system. The initial intent was to have the RFP remain open for an indefinite period; however, the RFP closed on June 15, 2015 when the DOE determined that there were sufficient proposals. The use of an open-ended procurement was believed to be in the best interests of the City as it supports the Mayor's Pre-K expansion plan by streamlining the standard RFP process.

The Division of Early Childhood Education (DECE) performed a needs analysis to determine areas to target for full-day seats citywide. DECE measures this seat gap by evaluating the difference between the estimated number of Pre-K aged students in each district and zone, and the number of Pre-K seats available The RFP requested vendors to submit proposals for any areas within the five boroughs and 32 community school districts.

Contract awards pursuant to this RFP are contingent upon the need of the area, capacity and performance of the provider and availability of funding. Additionally, demand was also factored into award decisions based on the most up-to-date demand data available at the time of award.

Of the 252 proposals received in HHS Accelerator, 161 were evaluated after removing the duplicates and non-responsive proposals during the responsiveness checks. There are 2 vendors recommended for award of a full-day program at 2 sites on this Request for Authorization. Additional sites will be included in subsequent RAs. Contracts for these services are necessary because the DOE does not possess the personnel to perform them.

The program provides at least 180 total days of Pre-K for All services (based on a 5 day week), or the required 216 calendar days (based on a 6 day week), including four (4) days scheduled for professional development per year. The program may be scheduled for a maximum of 6 days per week (Monday through Friday and either Saturday or Sunday), *provided* that if the program operates 6 days a week, then the program must satisfy the minimum weekly hours requirement (31 hours, 40 minutes in a typical week) and operate for a minimum of 216 calendar days each school year.

The UPK full-day expansion allows for limited start-up funds for programs 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, other small upgrades, or for furniture and other materials for their new classrooms.

DECE convened evaluation committees comprised of DECE field office UPK instructional and operational personnel to evaluate proposals under their guidance, as well as consultants with extensive experience in Early Childhood education. Proposals were scored using the following evaluation criteria:

| RESPONSE CATEGORY | MAXIMUM POINTS |
|---|---|
| Organizational Experience and Effectiveness | 11 |
| Vision | 5 |
| Enrollment/Community Served | 5 |
| Instruction | 17 |
| Family Engagement | 17 |
| Program Management | 10 |
| Human Resource and Talent Management | 15 |
| Health and Safety | 15 |
| Facility | 5 |

All vendors in areas where additional seats are needed who met the minimum qualifications, scored at or above the 55 points, proposed a viable site, and presented fair and reasonable prices are recommended for award. In areas where the capacity of vendors exceeded the estimated demand for services, awards were made based on vendor scores.

All of the vendors and their principal owners and officers were subject to a comprehensive background check and have been determined to be responsible. No noteworthy information was found for either vendor.

| Vendor | Site District | Site ID | Geographic Borough | Site Zip Code | Awarded # of Full-Day Seats | Negotiated Cost per Child for Full-Day Seats | Negotiated Annual Contract Amount for Full-Day Seats | Start-up costs for furniture and materials | Start-up costs for facilities/ permits | Highest Annual Amount |
|---|---|---|---|---|---|---|---|---|---|---|
| New Milestone Inc. | 30 | QBNN | Q | 11102 | 40 | $ 9,848.00 | $ 393,920.00 | $ 22,580.00 | $ 30,000.00 | $ 446,500.00 |
| Yearling Nursery School | 10 | XAZG | X | 10463 | 12 | $ 10,500.00 | $ 126,000.00 | | | $ 126,000.00 |

**Item:** 32

**Description:**

Universal pre-kindergarten full day services-withdrawn

**Item:** 33

**Description:**

Half-Day Universal Prekindergarten Services - withdrawn

**Item:** 34

**Description:**

Head Start Full Day Services for Universal Pre-Kindergarten-withdrawn

# Universal Pre-Kindergarten Technical Changes

# TECHNICHAL CHANGE FOR PROVIDER UNDER PREVIOUS REQUEST FOR AUTHORIZATION TO AMEND CONTRACTS FOR EXPANDED UNIVERSAL PREKINDERGARTEN SERVICES IN HIGH-NEED SCHOOL DISTRICTS WITHIN NEW YORK STATE R0922

| Funding Sources | Contract Term | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|
| New York State Education Department (NYSED), Tax Levy | Reminder of the term | Request for Proposals (RFP) | Yes | Requirements |

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Xanthe Jory<br>Executive Director, Expansion Planning<br>Division of Early Childhood Education | Sophia Pappas<br>Chief Executive Officer<br>Division of Early Childhood Education | Angela Edwards<br>Chief Administrator<br>Central Office Procurement |

## PURPOSE

In June of 2015, the Panel for Educational Policy (Panel) approved a Request for Authorization (RA) to contract with vendors to provide high-quality instructional programming as part of the Universal Prekindergarten (UPK) program.

The table below shows technical changes for Universal Prekindergarten Service providers previously approved:

| Panel | Vendor Name Original | Site ID | Geographic Borough | Site Zip Code | *Type of Change* | REVISION |
|---|---|---|---|---|---|---|
| June 23, 2015 | Stepping Stone Pre &Grade School | QAHG | Q | 11412 | ***Name/Remaining Years/ Total Contract Change*** | **Stepping Stone of S.E. Queens Inc./ Remaining Years 1 Year 6/30/15/ Total Contract Change $ (26,760.00)** |

| | | | | | | |
|---|---|---|---|---|---|---|
| June 23, 2015 | ON OUR WAY LEARNING CENTER | QAVP | Q | 11691 | *Remaining Years/ Total Contract Change* | **Remaining Years 1 Year 6/30/15/ Total Contract Change $35,400.00** |
| June 23, 2015 | LAURELTON DAY CARE | QAXL | Q | 11413 | *Name/Remaining Years/Total Contract Change/ Cost Per Child* | **Laurelton Child Care, Inc./ Remaining Years 2 Years 6/30/17/ Annual Contract Change $51,000/Total Contract Change $102,000.00/ Cost per child $8,520.00** |
| June 23, 2015 | Montessori Progressive | QAXN | Q | 11412 | *Name/Remaining Years/Total Contract Change* | **Montessori Progressive Learning Center, Inc./ Remaining Years 2 Years 6/30/16 / Total Contract Change $460,721.16** |
| June 23, 2015 | Boys & Girls Harbor | MAVS | M | 10029 | *Name/Remaining Years/ Total Contract Change* | **Boys & Girls Harbor, Inc./ Remaining Years 2 Years/ Total Contract Change $1,199,200.00** |
| June 23, 2015 | Urban Concepts of NY /Round the Clock Nursery Inc. | MAWW | M | 10031 | *Name/Remaining Years/ FY14 FD Cost per Seat/ FY14 Annual Contract Award/ Total Contract Change* | **Urban Concepts of New York Round-The-Clock Nursery, Inc./ Remaining Years 1 Year/ Correct FY14 FD cost per seat is $7,362.00/ Correct FY14 Annual contract $147,240.00/ Total contract Change $252,760.00** |
| June 23, 2015 | Washington Heights Hellenic St. Spyridon | MAXP | M | 10033 | *Name/Remaining Years/ Total Contract Change* | **Washington Heights Hellenic Orthodox Church/ Remaining Years 1 Year/ Total Contract Change $93,600.00** |
| June 23, 2015 | Urban Concepts of NY /Round the Clock Nursery Inc. | MBFX | X | 10039 | *Name/Remaining Years/ FY14 FD Cost per Seat/* | **Urban Concepts of New York Round-The-Clock Nursery, Inc./ Remaining Years 1 Year/ Correct FY14 FD cost per seat is** |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | | | | *FY14 Annual Contract Award/ Total Contract Change* | **$7,362.00/ Correct FY14 Annual contract $147,240.00/ Total contract Change $52,760.00** |
| June 23, 2015 | AMALGAMATED NURSERY SCHOOL | XAAH | X | 10463 | *Name/Remaining Years/ Total Contract Change* | **Amalgamated Housing Corporation/ Remaining Years 2 Years/ Total Contract Change $38,000.00** |
| June 23, 2015 | LITTLE STARS THREE, INC. | XAFG | X | 10469 | *Remaining Years/ Total Contract Change* | **Remaining Years 1 Year/ Total Contract Change $268,634.00** |
| June 23, 2015 | Phipps Community Development | XAFK | X | 10460 | *Name/Remaining Years/ Total Contract Change* | **Phipps Neighborhoods, Inc. / Remaining Years 1 Year/ Total Contract Change $144,000.00** |
| June 23, 2015 | NORTHEAST BRONX DAY CARE CENTERS, INC | XAHM | X | 10471 | *Name/Remaining Years/ Total Contract Change* | **Northeast Bronx Day Care Center, Inc. / Remaining Years 1 Year/ Total Contract Change $236,000.00** |
| June 23, 2015 | LITTLE STARS T00, INC. | XAHS | X | 10469 | *Remaining Years/ Total Contract Change* | **Remaining Years 1 Year/ Total Contract Change $95,280.00** |
| June 23, 2015 | Child Development Center of The Mosholu Montefiore Community Center | XAMQ | X | 10463 | *Name/Remaining Years/ Total Contract Change* | **Boys & Girls Club of Mosholu Montefiore Community Center, Inc./ Remaining Years 1 Year/ Total Contract Change $124,200.00** |
| June 23, 2015 | Belmont Community Day Care | XAOM | X | 10458 | *Name/Remaining Years/ FY14 FD Cost per Seat/ FY14 Annual* | **Belmont Community Day Care Center, Inc. / Remaining Years 2 Years/ Correct FY14 FD cost per seat is $8,500.00/ Correct FY14 Annual contract $459,000.00/ Total** |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | | | | *Contract Award/ Total Contract Change* | contract Change $129,600.00 |
| June 23, 2015 | Brenda Caceres D/B/A Brenda's Playschool Family Daycare | XAON | X | 10463 | *Name/Remaining Years/ Total Contract Change* | Brenda Caceres D/B/A Brenda's Playschool/ Remaining Years 1 Year/ Total Contract Change $12,000.00 |
| June 23, 2015 | Child Development Center of The Mosholu Montefiore Community Center | XAOW | X | 10467 | *Name/Remaining Years/ Total Contract Change* | Boys & Girls Club of Mosholu Montefiore Community Center, Inc./ Remaining Years 1 Year/ Total Contract Change $46,000.00 |
| June 23, 2015 | Round the Clock Nursery, Inc. | XAPH | X | 10458 | *Name/Remaining Years/ FY14 FD Cost per Seat/ FY14 Annual Contract Award/ Total Contract Change* | Urban Concepts of New York Round-The-Clock Nursery, Inc./ Remaining Years 1 Year/ Correct FY14 FD cost per seat is $7,362.00/ Correct FY14 Annual contract $588,960.00/ Total contract Change $411,040.00 |
| June 23, 2015 | LITTLE STARS SCHOOL, INC. | XAPT | X | 10466 | *Remaining Years/ Total Contract Change* | Remaining Years 1 Year/ Total Contract Change $214,320.00 |
| June 23, 2015 | NORTHEAST BRONX DAY CARE CENTERS, INC | XAPY | X | 10466 | *Name/Remaining Years/ Total Contract Change* | Northeast Bronx Day Care Center, Inc. / Remaining Years 1 Year/ Total Contract Change $18,000.00 |
| June 23, 2015 | SS. Philip & James Parrochial Elementary School | XAQK | X | 10469 | *Remaining Years/ Total Contract Change* | Remaining Years 2 Years/ Total Contract Change $270,000.00 |
| June 23, 2015 | ST. FRANCIS OF ASSISI SCHOOL | XAQL | X | 10466 | *Remaining Years/* | Remaining Years 2 Years/ Total Contract Change $2,588,400.00 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | | | | ***Total Contract Change*** | |
| June 23, 2015 | Volunteers of America, Greater New York, Inc. | XARD | X | 10457 | ***Name/Remaining Years/ Total Contract Change*** | **Volunteers of America - Greater New York, Inc. / Remaining Years 1 Year/ Total Contract Change $25,600.00** |
| June 23, 2015 | 3467 Ready Set Learn LLC. | XARS | X | 10456 | ***Name/Remaining Years/ Total Contract Change*** | **3467 Ready, Set, Learn LLC. / / Remaining Years 1 Year/ Total Contract Change $142,400.00** |
| June 23, 2015 | KENNEDY CHILD STUDY CENTER | XAUW | X | 10460 | ***Remaining Years/ Total Contract Change*** | **Remaining Years 2 Years/ Total Contract Change $259,064.00** |
| June 23, 2015 | BRONXWORKS, INC. | XAUZ | X | 10453 | ***Remaining Years/ Total Contract Change*** | **Remaining Years 1 Year/ Total Contract Change $62,100.00** |
| June 23, 2015 | Little Scholars Early Development | XAVJ | X | 10459 | ***Name/Remaining Years/ Total Contract Change*** | **Little Scholars Early Development Center, LLC / Remaining Years 2 Years/ Total Contract Change $95,400.00** |
| June 23, 2015 | THE NORTHEAST BRONX DAY CARE CENTERS, INC | XAHB | X | 10453 | ***Name/Remaining Years/ Total Contract Change*** | **Northeast Bronx Day Care Center, Inc. / Remaining Years 1 Year/ Total Contract Change $342,000.00** |
| June 23, 2015 | 1199 Employer Child Care Corp. D/B/A Future of America Learning Center 1&2 | XAPN | X | 10468 | ***Name/Remaining Years/ Total Contract Change*** | **1199 SEIU/Employer Child Care Corporation / Remaining Years 1 Year/ Total Contract Change $137,000.00** |

# TECHNICAL CHANGES FOR PROVIDERS APPROVED UNDER PREVIOUS REQUESTS FOR AUTHORIZATION OF EARLY CHILDHOOD EDUCATION SERVICES FOR FOUR YEAR-OLDS IN UNIVERSAL PREKINDERGARTEN (2014-2017) (N1015)

| Funding Sources | Contract Term | Options | Procurement Method | Is Contract Retroactive? | Contract Type |
|---|---|---|---|---|---|
| New York State Education Department (NYSED), Tax Levy | Three Years | None | Contract via Negotiated Services (NS) per Section 3-08(b) of DOE Procurement Policy & Procedures | No | Requirements |

| Contract Manager | Lead Contracting Officer | Division of Contracts & Purchasing Contact |
|---|---|---|
| Xanthe Jory<br>Executive Director, Expansion Planning<br>Division of Early Childhood Education | Sophia Pappas<br>Chief Executive Officer<br>Division of Early Childhood Education | Angela Edwards<br>Chief Administrator<br>Central Office Procurement |

## PURPOSE

In February of 2015, the Panel for Educational Policy (Panel) approved a Request for Authorization (RA) to contract with vendors to provide high-quality instructional programming as part of the Universal Prekindergarten (UPK) program.

The table below shows technical changes for Universal Prekindergarten Service providers previously approved on the April 2015 Panel meeting:

| Panel | Vendor Name Original | Site District | Geographic Borough | Site Zip Code | *Type of Change* | REVISION |
|---|---|---|---|---|---|---|
| July 2014 | Roman Catholic Church of Good Shepherd d/b/a Good Shepherd School | 22 | K | 11229 | ***Name*** | Good Shepherd Catholic Academy |