Panel for Educational Policy
Contract Agenda
September 15, 2010

Item: 1 **Description:** Provide DOE matching funds to grant awarded by US Department of Commerce/DOITT. Free desktop computers, discounted broadband service, access to educational software, family digital literacy training, and tech support for 18,560 students from low income families at approximately 100 schools. Please see item 11 for grant funds.

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

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

Vendor Name	Annual Amount
Computers For Youth Foundation, Inc.	$581,000

Item: 2 Withdrawn

Item: 3 **Description:** Civil engineering consulting services for the maintenance of school buildings.

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

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

Vendor Name	Estimated Annual Amount
HAKS Engineers, Architects and Land Surveyors	$228,950

Item: 4 Withdrawn

Item: 5 **Description:** Arts education services to advance teaching and learning in the four art forms: visual arts, music, dance and theatre.

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

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

Vendor Name	Estimated Annual Amount
144 Music and Arts, Inc.	$350,000
Art in Motion (A.I.M.)	$100,000
John Bertles - Bash the Trash Consulting	$100,000
Lotus Fine Arts Production, Inc.	$100,000
Staten Island Institute of Arts and Science dba Staten Island Museum	$100,000

Item: 6 **Description:** Supplemental enrichment services for students to build self-esteem, encourage academic achievement, develop interpersonal and motor skills, responsibility and accountability, multicultural diversity, improve attendance and provide students with positive mentors.

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

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

Vendor Name	Estimated Annual Amount
Getaway Adventures Ltd	$50,000
Harlem Dowling-West Side Center for Children and Family Services	$100,000
Henkels & McCoy	$50,000

Reading Excellence and Discovery (READ) Foundation	$50,000
Space Explorers Inc	$75,000
Trail Blazer Camps, Inc.	$50,000

Item: 7 **Description:** Needs-based professional development and support for comprehensive standards-based mathematics instruction for K-12 teachers, teacher leaders, coaches, school leaders/administrators and school support organization administrators.

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

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

Vendor Name	Estimated Annual Amount
Fordham University	$50,000
Metamorphosis Teaching Learning Communities	$25,000
The Research Foundation at CUNY on behalf of the City College of CUNY	$50,000

Item: 8 **Description:** Professional development for arts education services including blueprint trainers, standards-based professional development and instructional planning and support services.

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

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

Vendor Name	Estimated Annual Amount
Theatre Development Fund	$100,000

Item: 9 **Description:** Professional development and direct student services in social studies, citizenship/civics and global education.

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

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

Vendor Name	Estimated Annual Amount
Museum at Eldridge Street	$75,000
The Silk Road Project	$120,000

Item: 10 **Description:** Instructional textbooks and ancillary materials for use in classrooms.

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

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

Vendor Name	Estimated Annual Amount
Addison Wesley	$100,000
Heinemann Group	$100,000
Howard Citron	$100,000
I Keep Safe Coalition	$100,000
New Paradigm	$100,000
Phoenix Learning Resources	$100,000
Santillana Publishing	$100,000

Item: 11 **Description:** Free desktop computers, discounted broadband service, access to educational software, family digital literacy training, and tech support for 18,560 students from low income families at approximately 100 schools. Please see item 1 for DOE matching funds.

Term: 3 years **Options:** None **Funding:** US National Tele-Communications & Informatio

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

Vendor Name	Annual Amount
Computers for Youth	$8,289,186

Item: 12 **Description:** Speech services for teachers of students with speech and language disabilities. (Correction to the term and total contract amount of this previously approved item.)

Term: 5 years **Options:** None **Funding:** State Funded

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

Vendor Name	Annual Amount
UFT – Educational Foundation, Inc.	$85,200

Item: 13 Withdrawn

Item: 14 **Description:** Process servers to complete the service of legal process and legal papers in conformity with New York State Civil Practice Laws and Rules.

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

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

Vendor Name	Estimated Annual Amount
Nationwide Court Services, Inc.	$80,000

Item: 15 **Description:** Web-based comprehensive legal research services for the Office of Legal Services.

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

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

Vendor Name	Estimated Annual Amount
Lexis Nexis, a division of Reed Elsevier Inc.	$68,472

Item: 16 **Description:** Project management services on the Virtual Learning project.

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

Division: Deputy Chancellor for Strategy and Innovation **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
Gartner Group	$1,755,000

Item: 17 **Description:** Add-on item. Extension of K-12 transportation and escort services. (Change of language from renewal to extension and correction to contract amount and terms specified in the document for this previously approved item.)

Term: 4 years **Options:** 1 year extension **Funding:** Tax Levy

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

Vendor Name	Estimated Annual Amount
Brothers Transportation Corp.	$3,641,017
Kings Matron Corp.	$7,739,779
Quality Transportation Corp.	$10,269,254

Item: 18 **Description:** Add-on item. Extension of K-12 transportation and escort services. (Change of language from renewal to extension for this previously approved item.)

Term: 4 years **Options:** 1 year extension **Funding:** Tax Levy

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

Vendor Name	Estimated Annual Amount
Allied Transit Corp.	$2,451,230

Empire State Bus Corp	$6,630,680
Empire State Escorts, Inc.	$3,569,209

Item: 1

Description:

Provide DOE matching funds to grant awarded by US Department of Commerce/DOITT. Free desktop computers, discounted broadband service, access to educational software, family digital literacy training, and tech support for 18,560 students from low income families at approximately 100 schools. Please see item 11 for grant funds.

REQUEST FOR AUTHORIZATION FOR CONTRACT WITH COMPUTERS FOR YOUTH, PART OF THE NYC CONNECTED LEARNING PROGRAM

Total Contract Not to Exceed Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
Highest Annual $581,000; Total $1,113,600	Tax Levy	3-Years – March 1, 2010 to February 28, 2013	None	Negotiated Services	Yes	Full Value
Vendor Name & Address	Computers for Youth Foundation, Inc.					
	322 Eighth Avenue, Room 12A					
	New York, NY 10001					
	Mark Malaspina, Chief Program Officer					

Service Requestor/Contract Manager	Division of Contracts & Purchasing Contact
Bruce Lai, Chief of Staff, Chief Information Officer	Peter Frey, Chief Administrator , Funded and Special Services Procurements
Division of Instructional Information Technology (DIIT)	Division of Contracts and Purchasing

STATEMENT OF PURPOSE

Authorization is requested to contract with Computers for Youth Foundation, Inc., (CFY) as part of the NYC Connected Learning Program. This program will provide about 18,560 students from low income families at about 100 schools with free desktop computers, the opportunity to purchase discounted broadband service, access to educational software, family digital literacy training, and tech support in the home. The program is intended to improve student academic achievement and stimulate broadband adoption in underserved communities by giving students access to on-line learning opportunities in the home and training parents to be "learning partners" to their children.

DISCUSSION

New York City's Department of Information Technology and Telecommunications (DoITT) and the New York City's Department of Education (DOE) entered into a Memorandum of Understanding (MOU) to implement a grant awarded to DoITT by the US Department of Commerce (Award No. 36-43-B10512). DoITT coordinated with DIIT in writing the City's proposal. Funding is derived from the ARRA program and the grant is administered by US Department of Commerce's National Telecommunications and Information Administration. The total grant award is $22,162,825..

The MOU and the grant both specify that CFY will provide the above described goods and services at a cost of $16,193,334 and that the DOE will furnish $5,056,592 in matching funds. Of this DOE matching portion, $1,113,600 was budgeted for CFY for the term of the contract. The remainder of the $5 million will fund DOE staff, CUNY tech interns, student and teaching training materials, and external education consultants. These materials and consultants will be

obtained through a combination of purchases against existing DOE requirements contracts or through other procurements.

The $1,113,600 will pay about 70% of CFY's14 full-time program managers' salaries for 22 to 27 months of service. These program managers will work directly with the schools. The Committee on Contracts approved the procurement because it is NYCDOE's obligation under the grant, the overall benefits of which easily justify the DOE's contribution.

The Division of School Support and Instruction has received satisfactory service from this vendor providing similar services.. DCP reviewed Vendex, D & B and other data bases regarding the vendor's background and found no significant adverse information. The vendor is therefore deemed responsible.

These services are being contracted out because the DOE does not have sufficient qualified staff to perform these services and because the vendor's participation is specified in the grant.

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

Items 1 and 11 - Computers For Youth

Budget Summary With Possible Changes

Categories	Total Cost (plan)	Federal Funds (plan)	Match In-Kind (plan)	DOE Match Cash (plan)	Changes Under Consideration
MOUSE	$1,097,451	$904,659	$ -	**$192,792**	Yes - See Note 1
CUNY	$ 2,450,622	$2,225,422	$ -	**$225,200**	Yes - See Note 1
DOE - Admin	$ 1,001,266	$821,224	$ 180,042	$	Yes - See Note 2
DoITT	$ 528,853	$285,120	$ 243,733	$	
Teaching Matters/AUSSIE	$ 5,250,000	$1,725,000	$ -	**$3,525,000**	
CFY TOTAL	$ 17,699,000	$16,193,334	$ 384,000	**$1,113,600**	
Total Costs	**$ 28,027,191**	**$22,154,759**	**$ 807,774**	**$5,056,592**	

Note 1 - Amount in Match Cash will become funded by federal funds.

Note 2 - Amount in Match In-Kind will become funded as Match

CFY's In-Kind is the value of training provided by volunteers at $12/hour

Item: 2

Description:

Withdrawn

Item: 3

Description:

Civil engineering consulting services for the maintenance of school buildings.

REQUEST FOR AUTHORIZATION

HAKS Engineering, Architects and Land Surveyors, to provide Engineering (Civil) Services to the Division of School Facilities

Contract Cost	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$228,950 Annual $1,144,750 Contract Term	Tax Levy	5 Years	No	RFP	No	Requirement
Vendor Name & Address	HAKS Engineers, Architects, and Land Surveyors P.C.					
	40 Wall street New York, NY 10005					
	11th Floor					

Service Requestor/Contract Manager	Division of Contracts & Purchasing Contact
Volkert Braren, Program Director	Shelley Epstein
Division of School Facilities)	Division of Contracts and Purchasing

STATEMENT OF PURPOSE

Approval is requested to contract with HAKS Engineering, Architects and Land Surveyors to provide civil engineering services to the Division of School Facilities (DSF). The contract term is five years and will be funded by DSF.

DISCUSSION

These contractual services are required because the DSF does not have in house expertise available to provide civil engineering consulting services for the maintenance of school buildings. A Request for Proposals (RFP) was issued because the services vary qualitatively and, therefore, cannot be effectively evaluated and compared on bid prices alone. The estimated annual usage for said services will be a total of $228,950 throughout the life of the agreement based on anticipated work related to Local Law 11/98 requiring inspections of buildings over six stories.

A selection committee consisting of representatives from each of DSF's Program Management, Quality Control, and Specification Units and a representative from the School Construction Authority (SCA) evaluated the proposals. Eleven proposals were received.

After reviewing proposals, the committee narrowed the field to the five proposals that best met the requirements of the RFP and provided reasonable pricing. The selected proposers, Gandhi Engineering, HAKS, Liro Engineers, SJH Engineering and Gace/Goldstein Associates were invited for oral presentations. These included the four lowest price proposals and one (Liro) higher priced vendor that had particularly relevant experience.

The committee later down selected to include Haks and Gandhi, the second and third lowest price vendors. Both of these proposers provided detailed program plans, had the organizational capacity and school experience. They also had experience writing repair and maintenance specifications and experience with façade inspections for the SCA.

In response to our request for a BAFO, Gandhi maintained their pricing while HAKS Engineering lowered their price from $ 236,125 to $228,950. HAKS was selected because they provided a thorough program plan, had school experience, organizational capacity, met requirements of the RFP and offered the second lowest price.

The Vendor Research and Price Analysis Unit conducted a background check on HAKS and found no significant adverse information. After a review of their financials, it was determined that they have the financial capacity to service this contract.

DSF has not previously had a contract for civil engineering services. Due to the receipt of several proposals assuring a competitive process, the prices are deemed to be fair and reasonable.

COMPANY	TOTAL	BAFO
GACE/Goldstein Associates	$214,778.55	
HAKS Engineers, Architects and Land Surveyors	$236,125.00	$228,950.00
Gandhi Engineering Inc.	$237,125.00	$237,125.00
SJH Engineering	$243,062.50	
H2M	$243,300.00	
Cashing Associates	$250,507.00	
Tectonic Engineering	$261,082.00	
Liro Engineers	$277,987.50	
Malaren Engineering Group	$280,300.00	
Superstructures Engineers and Architects	$280,600.00	
Thornton Toasty	$304,066.00	

Item: 4

Description:

Withdrawn

Item: 5

Description:

Arts education services to advance teaching and learning in the four art forms: visual arts, music, dance and theatre.

REQUEST FOR AUTHORIZATION FOR THE PROVISION OF ARTS EDUCATION SERVICES FOR THE NEW YORK CITY DEPARTMENT OF EDUCATION (PQS# R0164) RA #7

Estimated Contract Cost Annual/Total	Funding Source	Contract Term	Procurement Method	Is Contract Retroactive?	Contract Type
$750,000/ $3,750,000	Various	5 years	Multiple Task Award Contract (MTAC)	No	Requirements
Vendor Names & Addresses			See table below for awardees and contract data.		

Awarded Vendors	Estimated Annual Amount
Art in Motion (A.I.M.) 669 St. Marks Avenue #5 Brooklyn, NY 11216	$100,000
Staten Island Institute for Arts & Sciences dba Staten Island Museum 75 Stuyvesant Place Staten Island, NY 10301	$100,000
John Bertles - Bash the Trash Consulting 11 Wilson Place Hasting-on-Hudson, NY 10706	$100,000
Lotus Fine Arts Productions 109 West 27th Street New York, NY 10001	$100,000
144 Music & Arts 99 Main Street #307 Nyack, NY 10960	$350,000

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

Statement of Purpose

Approval is sought to enter into requirements contracts with the above named vendors to provide services to students, related professional development and planning sessions and/or services to parents in the areas of visual arts, music, dance and theatre. These programs will be provided at the discretion of each participating school. Six previous RAs for Arts Education Services were approved by the Chancellor, recommending a total of 167 vendors for contract award.

Discussion

The goal for this initiative is to enter into contracts with providers who can deliver high quality arts education services to support and advance teaching and learning in the four art forms: visual arts, music, dance and theatre. Thirteen vendors submitted proposals after RA #6 was approved, and four were selected for award.

Proposals were read and evaluated by committees that included the Executive Director of the Office of Arts and Special Projects, former and current teachers, a principal and an assistant principal. Each committee member is knowledgeable about the NYC Blueprint for the Arts due to their participation in developing and implementing quality arts programming as well as years of experience teaching in NYC schools.

DCP receives and distributes proposals for art education services on an on-going basis. One of the four standing committees (Visual Arts, Music, Dance and Theatre) evaluates each proposal. The five providers included in this RA were recommended for contract award by the applicable evaluation committee contingent upon background investigations.

Four of the five awarded vendors had prior contracts with the DOE with an average annual spend of under $100,000. Contract amounts were set at the benchmark of $100,000 established in collaboration with the client. The awarded vendors' hourly rates were analyzed and common workshops such as theatre/assembly performances, dance ensembles, museum lectures and art events/museum trips were categorized for comparison with prior contracts. It was found that hourly rates had either not changed or had increased slightly, which is reasonable considering the prior contract pricing is more than four years old. Cost for programs offered by awarded vendors range from $3 per student for a dance assembly to $6 per student for a dance workshop. Professional Development workshops range from $200-$250 per hour depending on the discipline, length of course and artist/teacher instructing the workshop. The proposed rates were found to be fair and reasonable based on comparison with rates charged by similar providers.

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

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

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

144 Music & Arts was excluded from a prior award due to adverse IRS findings. An extensive background check revealed two outstanding tax liens and the vendor is currently in a payment plan with the IRS to alleviate these liens. Background checks for the four other vendors included VENDEX, the Uniform Commercial Code and the Federal Excluded Parties List System. No adverse findings were uncovered, and therefore, all five vendors are deemed responsible.

Item: 6

Description:

Supplemental enrichment services for students to build self-esteem, encourage academic achievement, develop interpersonal and motor skills, responsibility and accountability, multicultural diversity, improve attendance and provide students with positive mentors.

REQUEST FOR AUTHORIZATION TO PROVIDE ENRICHMENT SERVICES (R0084 RA#2)

Estimated Contract Cost Annual / Total	Funding Source	Contract Term	Procurement Method	Is Contract Retroactive?	Contract Type
$375,000 / $1,875,000	Various	Five years	Multi Task Award Contract (MTAC)	No	Requirements
Vendor Names & Addresses			See table below for awardees and contract data.		

Awarded Vendors	Estimated Annual Amount	Range of Participants
Getaway Adventures Ltd 1173A 2nd Avenue #350 New York, NY 10021	$50,000	10-200
Reading Excellence and Discovery (READ) 80 Maiden Lane-11th floor New York, NY 10038	$50,000	20-50
Trail Blazer Camp 250 West 57th Street #1132 New York, NY 10019	$50,000	40-80
Harlem Dowling-West Side Center for Children and Family Services 2090 Adam Clayton Powell Jr. Boulevard New York, NY 10027	$100,000	1-5
Space Explorers 1825 Nimitz Drive DePere, WI 54115	$75,000	Unlimited
Henkels & McCoy 3000 East Tremont Avenue #B56 Bronx, NY 10461	$50,000	15

Service Requestor/Contract Manager:	**Division of Contracts & Purchasing Contact**:
Rosemary Tafaro, Chief Operating Officer Division of School Support & Instruction	Aldrina Hazell-Procurement Analyst

Statement of Purpose

Approval is sought to enter into requirements contract with multiple vendors to provide supplemental enrichment programs to students. These services will enable creativity, motivational opportunities that build self-esteem, encourage academic achievement, develop interpersonal and motor skills, responsibility and accountability, multicultural diversity, attendance and provide students with positive mentors. Providers may offer programs during school, after school, weekends and summer. Services will be provided at the discretion of each participating school. One previous RA for enrichment Services was approved by the Chancellor, recommending a total of twenty-six providers for contract award.

Discussion

The goal of these programs is to encourage recreational and enrichment services with academic studies. Providers were asked to develop curriculum models with flexible programs that would meet the needs of schools and students. Eighteen proposals were reviewed by an Evaluation Committee consisting of members of the Division of School Support, Gifted and Talented and the Children's First Network who were chosen to ensure that the needs of individual schools were met by the selected vendors. The

evaluation criteria consist of Program Plan (30 points), Organizational Capacity (30 points), Demonstrated Effectiveness (20 points) and Price (20 points). Successful vendors had to achieve a minimum score of 80 points. Of the 18 proposals reviewed, 8 were selected for award and 10 were not selected. Two vendors could not provide information for our Office of Equal Opportunity in a timely manner and elected to withdraw from this award, making the total number of contracts at this time six.

Nearly all programs will be in the form of workshops during school, after school or summer. Programs will align the New York State standardized curriculum initiative with enrichment courses and academic studies. Current rates were compared to rates from contracts providing similar services and were found to have increased slightly, which is acceptable, considering the pricing is more than five years old. Cost per student range from a few dollars for an after school reading program to $930 for a Personal Educational Computer Assembly Kit, which students will build from scratch (students will be able to keep their built computers). Prices are considered fair and reasonable. It was agreed that new vendors would receive an estimated base amount of $50,000 while vendors with prior contracts received an estimated amount based on usage.

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

Background checks included a review of the City's VENDEX database, the Uniform Commercial Code and the Excluded Parties List System. No significant adverse information was discovered and all were found responsible.

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

Item: 7

Description:

Needs-based professional development and support for comprehensive standards-based mathematics instruction for K-12 teachers, teacher leaders, coaches, school leaders/administrators and school support organization administrators.

REQUEST FOR AUTHORIZATION FOR MATH PROFESSIONAL DEVELOPMENT (PQS # R0727) RA#2

Estimated Annual/Total Contract(s) Cost	Funding Source	Contract Term	Procure-ment Method	Is Contract Retroac-tive?	Contract Type
$125,000/ $625,000	Various including Tax levy & Reimburs-able funds	5 years	Multiple Task Award Con-tract	Yes	Requirements
Vendor Name & Address	See Table Below for Awardees and Contract Data (Appendix A)				

	Vendors	Awarded Components	Estimated Annual Contract Amount
1.	**The Research Foundation on behalf of-CUNY/Math In the City** 555 West 57th Street, New York, NY 10019	1,3	$50,000/Year $250,000 - Total
2.	**Metamorphosis** 165 Park Row, New York, NY 10038	1, 2, 3	$25,000/Year $125,000 - Total
3.	**Fordham University** 113 West 60th Street, New York, NY 10023	1, 2	$50,000/Year $250,000 - Total

Service Requestor/Contract Manager	Division of Contracts and Purchasing
Eric Nadelstern, Deputy Chancellor	James E. Whitfield, Procurement Contract Manager
Division of School Support and Instruction (DSSI)	Division of Contracts and Purchasing (DCP)

Statement of Purpose

Approval is sought to enter into requirements contracts with the vendors listed above to provide math professional development and related services system-wide. These programs will be provided at the discretion of each participating school.

Discussion

This is the second set of awards proposed for comprehensive professional development services for various math programs for schools, central offices and school support organizations throughout the city.

Vendors were asked to propose for one or more of the following components:

- Component 1 – Professional Development services in Mathematics
- Component 2 – Math Coaches
- Component 3 – Math Consultants

Proposals were scored based on the following Criteria: Program Plan (25 points), Demonstrated Effectiveness (25 points), Organizational Capacity (25 points) and Price (25 points). An evaluation committee of three former teachers who now are school administrators with the Department of Science, Technology, Engineering and Mathematics was established to insure that school needs were being met by the selected vendors. All proposed awardees demonstrated a strong capacity to provide services to our schools and a clear understanding of how their services would be implemented.

Thirteen vendors responded to the initial solicitation, and seven vendors were proposed for award under RA #1. Five vendors were recommended for award under RA #2, making the total number of recommended awards twelve, only three vendors are listed on this RA (#2) as two vendors are currently awaiting Office of Equal Opportunity approval. When approval is received, they will be submitted under RA #3.

All awardees' hourly rates were analyzed for pricing comparisons. The hourly rates for these vendors ranged from $128 - $500 per hour for professional development, direct math coaches and math consultants (Components 1 – 3). The proposed rates by the awardees were found to be fair and reasonable based on a comparison with rates charged by other awardees from earlier submission from the same solicitation.

The estimated annual contract amount for Metamorphosis is based the estimated minimum amount for a requirements contract of $25,000 because that vendor had no history of providing math professional development or related services. The vendors whose estimated contract amounts were $50,000 per year had expenditures in previous years of approximately that amount or less.

All vendors have undergone background checks which included the Excluded Parties List, the Uniform Commercial Code Lien Search, Vendex Advice of Caution, and the Vendor Watch List. No significant adverse information was revealed.

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.

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

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

as a result of this procurement. Future RAs for these services will be submitted in batches as new providers are presented for award of contracts.

Item: 8

Description:

Professional development for arts education services including blueprint trainers, standards-based professional development and instructional planning and support services.

REQUEST FOR AUTHORIZATION FOR PROFESSIONAL DEVELOPMENT FOR ARTS EDUCATION (PQS #R0089) ~RA#3

Estimated Contract Cost Annual/Total	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$150,000/ $750,000	Various including Tax levy & Reimbursable funds	5 Years	None	Multiple Task Award Contract	No	Requirements

	Awarded Vendors	Certified Blueprint Trainers	Component(s)	Estimated Annual/ Total Amount
1.	Theatre Development Fund 520 8th Avenue, Suite 801, New York NY 10018	Marianna Houston, Judy Tate and Stephen DiMenna	1, 2 & 3	$150,000 annual/ total/ $750,000

Service Requestor/Contract Manager	Division of Contracts and Purchasing
Paul King, Executive Director	Xavier Cerda, Procurement Analyst
Office of Arts and Special Projects	Division of Contracts and Purchasing (DCP)

Statement of Purpose

Approval is sought to contract with Theatre Development Fund to provide professional development services for arts education planning sessions. The Department contracts with organizations and/or individuals that can provide services in one or more of the following component areas: Component #1- Blueprint Trainers, Component #2- Standards-Based Professional Development, and Component #3-Instructional Planning and Support Services. These programs will be provided at the discretion of each participating school.

The previous two RAs for Professional Development for Arts Education Services were approved and recommended a total of 26 vendors for contract award.

Discussion

The goal for this initiative is to enter into contracts with providers who can deliver high quality professional development and consultancy services for arts education to support and advance teaching and learning. As an essential priority of the Children First agenda, professional development services providers will collaborate with schools to utilize the Blueprint for Teaching and Learning in the Arts ("Blueprint") to maximize effectiveness, as well as to assist schools in providing content-rich arts learning as required by the New York State learning standards for education. The Blueprint provides a standards-based approach to designing curriculum in each arts discipline that is both subject-based (defining the goals for content) and outcome-based (defining the goals for student achievement).

Blueprint-based professional development for teachers, school administrators and school leaders focuses around parent engagement through arts programming, and providers of standards-based professional development will work with schools to enhance teaching and learning in one or more of the following art

forms: visual arts, music, dance and theater and/or film and new media. Providers of instructional planning and support services will consult with school leaders in the areas of facilities, budgeting, planning and scheduling for arts education as well as in the areas of assessment and evaluation.

Proposals were read and evaluated by committees with at least one director from the Office of Arts and Special Projects, former and current teachers and principals/assistant principals. Each committee member is knowledgeable about the NYC Blueprint for the Arts due to their participation in developing and implementing quality arts programming, as well as their years of experience teaching in the NYC schools.

DCP receives and distributes proposals for arts education services on an on-going basis. One of the five standing committees (Theater, Visual Arts, Music, Dance and Film, Video and New Media) evaluates each proposal. The one provider included in this RA was recommended for contract award by the applicable evaluation committee. There were 5 vendors who were not recommended for award and three who were named in the previous RA. Theatre Development Fund was pulled from the previous RA because the vendor failed to submit Office of Equality Opportunity documents. This has been resolved.

The hourly rate for all vendors awarded a contract for blueprint training (Component #1) is $75 per trainer, and the annual estimated contract amount for all vendors providing blueprint training is $50,000.

The average hourly rate for Components 2 and 3 from previous RAs under this solicitation is $420. Theater Development Fund's hourly rates for Components 2 and 3 is $205 per hour and therefore, the newly proposed rates were found to be fair and reasonable. The average annual spend under previous contracts held by TDF was approximately $100,000. Therefore, TDF will receive an annual estimated amount of $150,000, - $100,000 for components 2 and 3 and $50,000 for component 1.

The background check performed for this vendor included VENDEX, the Uniform Commercial Code, the Federal Tax Lien, and the Federal Excluded Parties List System. No significant adverse findings were uncovered during this investigation and thus this vendor is deemed responsible.

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

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

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

Item: 9

Description:

Professional development and direct student services in social studies, citizenship/civics and global education.

REQUEST FOR AUTHORIZATION FOR SOCIAL STUDIES PROFESSIONAL DEVELOPMENT AND DIRECT STUDENT SERVICES RA# 3

Estimated Annual/Total Contract Cost Total	Funding Source	Contract Term	Procurement Method	Is Contract Retroactive?	Contract Type
$195,000/ $975,000	Various Funding	5 years	Multiple Task Award Contract	No	Requirements Contract

	Awarded Vendors	Component	Estimated Annual Amount	Total Contract Cost
1.	**Museum at Eldridge Street** 12 Eldridge Street, New York, NY 10002	2	$75,000	$375,000
2.	**The Silk Road Project** 20 Westmister Street, Providence RI 02903	1 and 2	$120,000	$600,000

Service Requestor/Contract Manager	Division of Contracts and Purchasing
Division of School Support and Instruction	Xavier Cerda, Procurement Contract Analyst
	Division of Contracts and Purchasing (DCP)

Statement of Purpose

Approval is sought to contract with the two vendors listed above for social studies professional development and direct student services. These programs will be provided at the discretion of participating schools. Previous RAs approved ten vendors pursuant to the same solicitation.

Discussion

In order to achieve the goals of several mandated initiatives to improve Kindergarten-12th grade social studies instruction, the solicitation included two components:

1. Professional development designed for teachers, administrators, social studies workers, early childhood coordinators, education assistants, family assistants, teacher leaders and coaches.
2. Direct student services designed to engage students in the classroom and out of the classroom in order to improve and enrich knowledge content.

Two proposals were submitted after RA #2 was approved; both proposals were selected for award. Next to each vendor's name in the chart above is the component(s) to be provided. The proposals were read and evaluated by evaluation committee members selected by the Director of English Language Arts, Social Studies, and Gifted & Talented Programs. The committee evaluating these proposals included two former teachers with a combined experience of 16 years in classrooms from elementary to high school. The third evaluator is a high-level program administrator. All have experience in evaluating learning materials and implementing programs aimed at achieving increases in student and teacher performance. The evaluation criteria were: Program Plan (25 points), Organizational Capacity (25 points), Pricing (25 points) and Demonstrated Effectiveness (25 points). Successful vendors must achieve a minimum score of 80.

The contract amounts established for the two vendors are based on an average of expenditures on prior contracts for the same services.

The hourly rates for the Silk Road Project (SRP) for professional development workshops range from $63 to $83 per hour. These rates are dramatically lower than the rate of $240 under the previous contract for these services due to in-kind contributions from other cultural partners. The higher rates include two or more instructors, learning packets and can include classroom materials (maps, games etc.). SRP's direct student services workshop's hourly rate is $211 (includes student materials). In addition to professional development and direct student services, schools may choose to participate in an end of year performance at a cost of $99,350. In this program, students will interact with guest artists in a series of school visits that will lead up to an opportunity for them to share narratives accompanied by music which tie lessons together from history to the classroom in a performance with members of the Silk Road Ensemble and Yo-Yo Ma. The cost of this event is driven by the availability to a cluster of schools (3-5), and the ability to host 300-500 students at a rate of $180 per student. The rates remain consistent with SRP's negotiated services agreement which was approved last year.

The Museum on Eldridge Street provides direct student services at a rate of $120 per hour. In-class workshops for students are valued comparably to direct student services provided by other vendors contracted under this solicitation which average $122 per hour. All of the proposed rates were found to be fair and reasonable based on a comparison with rates charged by other vendors who were previously awarded contracts under the same solicitation.

Background checks for Eldridge Street Museum and The Silk Road Project, included VENDEX, the Uniform Commercial Code, the Federal Tax Lien, and the Federal Excluded Parties List System. No adverse findings were uncovered. Based on the committee's

recommendation and the lack of adverse findings, Eldridge Museum and Silk Road Project have been determined responsible.

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.

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

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

Item: 10

Description:

Instructional textbooks and ancillary materials for use in classrooms.

REQUEST FOR AUTHORIZATION TO PROVIDE TEXTBOOKS AND ANCILLARY MATERIALS

Annual/Total Contract Cost	Funding Source	Contract Term	Procurement Method	Is Contract Retroactive?	Contract Type
$700,000/ $4,900,000	Reimbursable, Tax Levy, City Council	Seven Years	Listing Application	No	Requirements

Vendor Name & Address	Contract Term	Estimated Annual/Total Contact Cost
New Paradigm 2776 South Arlington Mill Drive, #191 Arlington, VA 22206	10/01/10 – 09/30/17	$100,000/$700,000
Phoenix Learning Resources 910 Church Street Honesdale, PA 18431	10/01/10 – 09/30/17	$100,000/$700,000
Heinemann 361 Hanover Street Portsmouth, NH 03801	10/01/10 – 09/30/17	$100,000/$700,000
Santillana USA Publishing Company 2023 NW 84th Avenue Doral, FL 33122	10/01/10 – 09/30/17	$100,000/$700,000
Pearson/Addison Wesley 10 Bank Street, Suite 900 White Plains, NY 10606	10/01/10 – 09/30/17	$100,000/$700,000
Howard Citron 24 Freshwater Lane Wilton, CT 06897	10/01/10 – 09/30/17	$100,000/$700,000
I Keep Safe Coalition 4607 40th Street North Arlington, VA 22207	10/01/10 – 09/30/17	$100,000/$700,000

Service Requestor/Contract Manager:	**Division of Contracts and Purchasing Contact**
Jennifer Ayuso Medina, Director	Susan Dick-McKeon
Division of Contracts and Purchasing	Division of Contracts & Purchasing

STATEMENT OF PURPOSE

Approval is sought to enter into contracts with the above-mentioned vendors to provide textbooks and ancillary materials to all public and participating non-public schools.

DISCUSSION

The publishers recommended for award of contract are the sole publishers of their copyrighted materials. They publish textbooks, teacher's editions, assessment and other support curriculum that aligns with national and state standards in a range of subject matters. Because these materials cannot be purchased in the open marketplace, a competitive sealed bid process is impractical.

A background check was conducted for all of the aforementioned vendors including Uniform Commercial Code, Excluded Parties List and VENDEX and there was no adverse information found. The vendors are therefore deemed responsible. Additionally, we are assured that no other institution, agency, school district, municipality or organization will receive better pricing than that being offered to the DOE based on their "Most Favored Customer" contract clause.

Item: 11

Description:

Free desktop computers, discounted broadband service, access to educational software, family digital literacy training, and tech support for 18,560 students from low income families at approximately 100 schools. Please see item 1 for DOE matching funds.

REQUEST FOR AUTHORIZATION FOR CONTRACT WITH COMPUTERS FOR YOUTH, PART OF THE NYC CONNECTED LEARNING PROGRAM

Total Contract Not to Exceed Amount	Funding Source	Contract Term	Optio ns	Procurement Method	Is Contract Retroactive ?	Contract Typ
$16,193,334	US National Tele-Communications and Information Administration – American Recovery and Resource Act (ARRA)	3-Years – March 1, 2010 to February 28, 2013	None	Vendor Named by source of funds, per Section 1-03 (b) of DOE Procurement Policy & Procedures	Yes	Full Value
Vendor Name & Address	Computers for Youth Foundation, Inc.					
	322 Eighth Avenue, Room 12A					
	New York, NY 10001					
	Mark Malaspina, Chief Program Officer					

Service Requestor/Contract Manager	Division of Contracts & Purchasing Contact
Bruce Lai, Chief of Staff, Chief Information Officer	Peter Frey, Chief Administrator , Funded and Special Services Procurements
Division of Instructional Information Technology (DIIT)	Division of Contracts and Purchasing

STATEMENT OF PURPOSE

Authorization is requested to contract with Computers for Youth foundation, Inc., (CFY) as part of the NYC Connected Learning Program. This program will provide about 18,560 students from low income families at about 100 schools with free desktop computers, the opportunity to purchase discounted broadband service, access to educational software, family digital literacy training, and tech support in the home. The program is intended to improve student academic achievement and stimulate broadband adoption in underserved communities by giving students access to on-line learning opportunities in the home and training parents to be "learning partners" to their children.

DISCUSSION

New York City's Department of Information Technology and Telecommunications (DoITT) and the New York City's Department of Education (DOE) entered into a Memorandum of Understanding (MOU) to implement a grant awarded to DoITT by the US Department of Commerce (Award No. 36-43-B10512). DoITT coordinated with DIIT in writing the City's proposal. Funding is derived from the ARRA program and the grant is administered by US Department of Commerce's National Telecommunications and Information Administration.

The MOU and the grant both specify that CFY will provide the above described goods and services at a cost of $16,193,334 and that the DOE will furnish $5,056,592 in matching funds. Of this amount, $1,113,600 will pay for CFY to provide 8 full time School Program Managers and is the subject of a Negotiated Services procurement and its own Request for Authorization.

The remainder of the $5 million will fund DOE staff, CUNY tech interns, student and teaching training materials, and external education consultants." These materials and services will be provided through a combination of DOE staff and purchases against existing DOE requirements contracts.

Finally, the MOU and grant provide $712,704 to subsidize broadband discounts and the grantor has authorized that CFY be the conduit for its distribution as the pass-through agent. This is included in the contract amount of $16,193,334.

In order to be eligible, 75% of students in a middle school must qualify for free or reduced lunch and the principal must have demonstrated success in leveraging technology to achieve student success.

The Division of School Support and Instruction has received satisfactory service from this vendor providing similar services, although on a much smaller scale. DCP reviewed information regarding the vendor's background and found no significant adverse information.

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

Item: 12

Description:

Speech services for teachers of students with speech and language disabilities. (Correction to the term and total contract amount of this previously approved item.)

REQUEST FOR AUTHORIZATION FOR TEACHER RESOURCE AND COMPUTER TRAINING CENTERS

Annual /Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$85,200/$426,000	NYSED	7/1/09-6/30/14	none	Vendor Named in Grant, per Section 1-03 (b) of DOE Procurement Policy & Procedures	Yes	Full Value
Vendor Name & Address	UFT Educational Foundation, Inc. 52 Broadway 18th Floor NEW York, N.Y. 10004					

Service Requestor/Contract Manager	Division of Contracts & Purchasing Contact
Eduardo Contreras	Maxine Needle, Director of Grants
Office of Curriculum Standards and Academic Engagement	Division of Contracts and Purchasing

STATEMENT OF PURPOSE

Authorization is requested to amend the term and the total amount of the above-referenced contract. The Panel for Educational Policy approved a one year term on June 22, 2010. The annual amount approved by the Panel remains the same; however, the total contract amount has been changed to $ 426,000.

DISCUSSION

The one year term provided for in the prior Request for Authorization was erroneous and the correct term is five years, as consistent with the Grant Award Notification from the State Education Department. As stated in the Request for Authorization approved by the Panel in June, the Speech-Language and Bilingual Speech-Language Personnel Development Technical Assistance Center is a collaborative project of the New York City Department of Education, the United Federation of Teachers (UFT) and Western Kentucky University. It was developed to address the shortage of bilingual and monolingual teachers of students with speech and language disabilities in the NYC public schools. This program is designed to recruit potential candidates for initial certification, provide coursework in clinical practice, prepare candidates for required certification examinations and assist candidates in applying for tuition benefits while studying for the Master of Science degree in Communication Disorders.

When applicants accepted into the masters program obtain enough credits and fulfill state requirements for initial certification, they work as "Teachers of Students with Speech and Language Disabilities" in high-need areas throughout the city.

Since its inception in 2002, 120 candidates have graduated and are working in all districts in the New York City public schools. Currently 105 participants are undergoing training. When these graduate students complete the program they will be placed in DOE schools and work with an average of 45 students each.

The grantor's program is the State Education Department (SED). Grant # 08606. DOE Grant Track # 12705

The grant award specifically named this vendor for the amount stated above. To have the services provided by another party would be contrary to the grant.

A contract for personal services is necessary because personnel with the expertise of the vendor are not available within the DOE at this time.

The Contract Manager's office has experience with the vendor providing these services and confirms that they performed satisfactorily. DCP reviewed information regarding the vendor's background and found no adverse information, and the vendor is therefore deemed responsible.

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

Item: 13

Description:

Withdrawn

Item: 14

Description:

Process servers to complete the service of legal process and legal papers in conformity with New York State Civil Practice Laws and Rules.

REQUEST FOR AUTHORIZATION
TO UTILIZE A NYC LAW DEPARTMENT CONTRACT WITH
NATIONWIDE COURT SERVICES, INC.

Estimated Contract Amount	Funding Source	Contract Term	Procurement Method	Is Contract Retroactive?	Contract Type
$160,000	Tax Levy	2 Years	NYC Law Department Contract	No	Requirement
Vendor Name & Address	Nationwide Court Services, Inc. 4250 Veterans Memorial Highway, Suite 4000 Holbrook, NY 11741				

Service Requestor/Contract Manager	Division of Contracts & Purchasing Contact
Richard Ross, Director of Operations	Angela Edwards, Director
Office of the General Counsel	Division of Contracts and Purchasing

STATEMENT OF PURPOSE

Approval is requested to use a New York City Law Department (NYCLD) contract with Nationwide Court Services, Inc. (Nationwide). NYCLD has a contract with Nationwide for the provision of legal process and legal papers services that expires on December 31, 2012. The Department of Education's Office of the General Counsel requests to use this contract for two years, beginning on or around September 1, 2010 at an annual estimated amount of $80,000.

DISCUSSION

The Office of General Counsel seeks to use this contract as a cost-effective vehicle to satisfy the legal obligations of the various offices serving the General Counsel. Process servers are required on an as needed basis to complete the service of legal process and legal papers in conformity with New York State Civil Practice Laws and Rules. NYS Education Law section 3020a requires that employees who are served with charges of misconduct to formally respond (i.e. request a due process hearing) within 10 days of the date of notification. The utilization of a process server will allow the Department to document the date of service and to proceed with the associated administrative tribunal in a timely manner in accordance with the DOE/UFT Reassignment Initiative agreement.

The use of process servers allows greater spending flexibility and cost containment as opposed to hiring several full-time employees to complete the related legal process services at a rate that exceeds the cost of this procurement. Use of this contract is therefore cost effective.

A Request for Bid was not done because the required specialized services are available through this city contract per Sections 2-08(d)(2) and 3-11 of the Department's Procurement Policy and Procedures.

Item: 15

Description:

Web-based comprehensive legal research services for the Office of Legal Services.

REQUEST FOR AUTHORIZATION
TO UTILIZE A DCAS CONTRACT WITH LEXIS NEXIS

Contract Cost	Funding Source	Contract Term	Procurement Method	Is Contract Retroactive?	Contract Type
$136,944	Tax Levy	2 Years	DCAS Contract	No	Requirement
Vendor Name & Address	Lexis Nexis, a division of Reed Elsevier Inc.				
	125 Park Avenue, Suite 2200				
	New York, NY 10017				

Service Requestor/Contract Manager	Division of Contracts & Purchasing Contact
Richard Ross, Director of Operations	Angela Edwards, Director
Office of the General Counsel	Division of Contracts and Purchasing

STATEMENT OF PURPOSE

Approval is requested to use a Department of Citywide Administrative Services (DCAS) contract with Lexis Nexis, a division of Reed Elsevier Inc. (Lexis Nexis). The estimated cost of services will be $136,944 covering the period of September 1, 2010 through October 31, 2012.

DISCUSSION

The Department had a contract in place with Lexis Nexis for the provision of web-based comprehensive legal research services that expired on June 30, 2010. As these services are used throughout the Department, it is more efficient and cost effective to use the existing DCAS contract for those same services. NYS' Office of General Services has a similar contract; however the contract does not have bundled pricing.

The Office of Legal Services (OLS) and the Office of Labor Relations (OLR) use this service on a daily basis to conduct web-based comprehensive legal and factual research for pending litigation, arbitrations, and other administrative processes. The Division of Contracts and Purchasing (DCP) utilizes this service to conduct public records searches of prospective vendors, therefore it is imperative that there is no disruption of service to the Department.

In view of these circumstances, it is in the best interest of the Department to utilize the aforementioned competitively awarded DCAS contract for the period proposed, during which time alternative options for procuring services for the longer term will be evaluated.

Lexis Nexis has provided satisfactory service to the Department in prior contracts and OLS is confident that they will continue to provide satisfactory service on the DCAS contract.

Item: 16

Description:

Project management services on the Virtual Learning project.

REQUEST FOR AUTHORIZATION

For project management services on the Virtual Learning project with Gartner Consulting

Contract Cost	*Funding Source*	*Contract Term*	*Procurement Method*	*Is Contract Retroactive?*	*Contract Type*
Estimated $1.755 million	Tax Levy, ARRA IID, C4E	1 year	Task Order against DoITT contract	No	Requirement
Vendor Name & Address	Gartner Consulting 80 Broad Street 5th Floor, New York, NY 10004				

Service Requestor/Contract Manager	*Division of Contracts & Purchasing Contact*
Sandeep Chellani, Executive Director	James McBride, Chief Administrator
Division of Talent & New Initiatives	Central Office Procurement, Division of Contracts & Purchasing

STATEMENT OF PURPOSE

Approval is sought to enter into a requirements agreement with Gartner Consulting for project management services on the Virtual Learning project. The fee for this one-year agreement is estimated at $1.755 million. The contract is expected to start on or about August 1, 2010.

DISCUSSION

The Department is expanding its on-line learning resources to provide schools greater flexibility to meet individual students' learning needs and has identified a need for an external Project Monitoring and Quality Assurance vendor to assist with development and evaluation of a Request for Proposals (RFP). The RFP is for a learning platform with a broad range of features that will support the aggregation, creation, management, and delivery of virtual courses from many publishers.

A Task Order for project management services on the Virtual Learning project was released to authorized vendors on DoITT contract # 85820090022841. Five (5) proposals were received.

An evaluation committee consisting of representatives from DOE and the Office of Management and Budget reviewed and evaluated the proposals. On completing the proposal evaluations, the committee voted to recommend Gartner Consulting for award. The committee's award recommendation was based on Gartner's approach and methodology, organizational capability, staff expertise, and relevant experience.

Gartner Consulting's hourly rates are slightly above the average range as compared with similar job titles through NYS OGS consulting contracts. Therefore, their rates are deemed fair and reasonable.

The Division of Contracts & Purchasing has reviewed the City's VENDEX, Vendor CIP Report, and EPLS – Fed Debar List. No significant adverse information was revealed. Additionally, Gartner has provided satisfactory services to the DOE in the past. Therefore, they are deemed a responsible vendor.

Item: 17

Description:

Add-on item. Extension of K-12 transportation and escort services. (Change of language from renewal to extension and correction to contract amount and terms specified in the document for this previously approved item.)

AMENDED REQUEST FOR AUTHORIZATION

To enter into four-year contract extension plus one-year extension at the discretion of the DOE with Brothers Transportation Corp., Quality Transportation Corp. and Kings Matron Corp. to provide special education transportation and escort services

Contract Cost	Funding Source	Contract term	Procurement Method	Is Contract Retroactive	Contract Type
Brothers Transportation Corp $3,641,017 estimated annual cost $18,205,085 estimated total cost	Tax Levy	July 1, 2010-June 30, 2014 plus 1 year extension at the discretion of the DOE through June 30, 2015	Section 1-03(b) Exception	No	Requirements
Quality Transportation Corp $10,269,254 estimated annual cost $51,346,273 estimated total cost					
Kings Matron Corp. $7,739,779 estimated annual cost $38,698,889 estimated total cost					
Vendor Name & Address	Brothers Transportation Corp./Quality Transportation Corp./Kings Matron Corp.				
	3167 Atlantic Avenue				
	Brooklyn, New York 11208				

Service Requestor/Contract Manager	Division of Contracts & Purchasing Contact
Eric Goldstein, Chief Executive Officer	David Ross, Executive Director
Nutrition and Transportation	Division of Contracts & Purchasing

STATEMENT OF PURPOSE

Approval is sought to extend the below referenced contracts with affiliates Brothers Transportation, Quality Transportation and Kings Matron Corp. to provide special education transportation and escort services. The extension will run four (4) years from July 1, 2010 through June 30, 2014 plus (1) year extension at the discretion of the Department of Education (DOE) through June 30, 2015. The estimated cost to the Department of Education over 5 years is $108,250,247.

Contract	Name	Service Type
0070	Brothers Transportation	Special Education
0070	Quality Transportation	Special Education
	Kings Matron	Escort Services

DISCUSSION

Prior Panel approval has already been received for an amount of $61,019,518. The revision to this RA reflects the language change from renewal to extension. All other information remains the same.

The Office of Pupil Transportation ("OPT") is responsible for providing and coordinating transportation services to and from school for eligible students in both public and non-public schools. Transportation services include stop-to-stop (general education) and door-to-door (special education) busing. Alternatively, the Department provides Metro Cards for use on public transportation.

Daily school bus transportation services are provided to approximately 160,000 pupils through almost 8,700 distinct daily bus routes. These include nearly 2,100 general education and over 4,600 special education routes for the regular school year, and 2,000 special education routes during the summer. The fleet used to provide these services is composed of approximately 7,800 buses (including spares) operated by 48 bus companies. Brothers will operate 39 buses and Quality will operate 84 buses during the regular school year, representing about 1.33% of the total number of winter routes.

The contracts were assigned to Brothers and Quality Transportation by Daily Bus & Truck Rental Corporation and Aspirity Transportation, Inc. Brothers and Quality have been formed by L&M Bus Corp.'s owner, Augustino Vona. Although L&M has heretofore been a provider of Pre-Kindergarten/Early Intervention busing, rather than school-age busing, L&M has been a vendor in good standing with the DOE and their services have been consistently satisfactory. They have also formed a separate company, Kings Matron Corp. to provide escort services

Most of the current regular school contracts were originally bid in 1979 and a subsequent group of school year general education contracts were bid in 1986. Smaller groups of summer special education contracts, a specialized contract for non-ambulatory handicapped pupils, and school year special education and general education contracts were bid in 1988, 1989, 1994 and 1995.

New York State Education Law § 305 permits extensions of contracts originally subject to competitive bidding requirements in Subdivision 14. Specifically, this Subdivision states: "...The requirement for competitive bidding shall not apply to annual, biennial, or triennial extensions of a contract nor shall the requirement for competitive bidding apply to quadrennial or quinquennial year extensions of a contract involving transportation of pupils..."

OPT and the Division of Contracts and Purchasing (DCP) believe that it is in the Department's best interests to extension a portion of the existing contracts for differing lengths of time while incrementally introducing competitive requests for bids. Accordingly, OPT and DCP engaged in discussions with representatives of current service providers. In these discussions, the Department sought partners to both hold the line on costs and agree to what we believed were significant but reasonable concessions.

In addition to the more favorable contract terms articulated in the table below, Brothers and Quality have agreed to waive a portion of the 5% fee for escort administration. Brothers and Quality will instead charge a 3% escort administration fee in the first year and 3.5% for the remaining 4 years; anticipated savings are $382,057 over the contract period. In turn, the DOE has offered to extend their contract for four years plus a one year extension at the discretion of the DOE. Price escalations will stay within the state prescribed Consumer Price Index (CPI)

limits. The combination of generally better contract terms with prices that are generally lower than other companies to begin with allows us to conclude that pricing is fair and reasonable. The changes in contract provisions are as follows.

Category	Item	Current Extension Specification	Proposed New Extension Specification
Term of Extension	Term		4 year term with a one year extension option solely at the Discretion of the DOE
Vehicles	GPS	All vehicles and dispatch operations will be equipped with GPS and back-up cellular at no cost to the contractor.	At Director's sole discretion, all or a portion of the vehicles and dispatch operations may be equipped with a telematics system, including but not limited to global positioning system (GPS), automatic vehicle location (AVL) functionality, and/or back up cellular emergency equipment. To the extent that the Director requires that telematics system units be added to any vehicles and dispatch stations, DOE will bear all costs.
Vehicles	Vacillation in the Number of Vehicles	During the life of the extension agreements the contractor would be entitled to restoration of any vehicles deleted during this period and subsequently needed again.	At no time after October 30th of each Extension Year will the Contractor be entitled to restoration of any additional vehicle(s) previously deleted. DOE will apply this restoration date deadline uniformly to all contracts under this extension.
Vehicles	Vacillation in the Number of Vehicles	Director shall offer any 'additional' vehicle(s) to contractors in the relevant contractual item as determined by the order of contractors established as of August 24, 2004 (the "Pick Order"),	"Pick Order" for school year contracts updated on an annual basis as of August 24th of each year for 10 month contracts and as of June 1st of each year for summer contracts. DOE will apply the pick order dates uniformly to all

			contracts under the respective extensions (i.e., 10 month and summer contracts).
Vehicles	Vintage	Current term allows vehicles to be as old as 19 years	Terms were updated so that no vehicle can be more than 16 years old at the start of the Extension year (e.g., June 30, 2010, no vehicle can be of a model year before 1994).
Vehicles	Air Conditioning	Ninety percent of small vehicles are required to be air conditioned.	By June 30, 2010, all small vehicles are required to be air-conditioned except spare vehicles which must all be air-conditioned by May 1, 2011. (Any child with IEP requiring air-conditioning must have air-conditioned small bus.)
Vehicles	Insurance	Contractor's base premiums in place from prior policy year March 1, 2003 are not re-evaluated for adjustment by the DOE's insurance brokerage firm.	No Change
Terms and Conditions	Termination		DOE may terminate for reasonable cause subject to an agreed upon opportunity to cure by Contractor
Payment	Calculation for Escort Cost Reimbursement	NYCDOE currently pays for actual escort costs. (I.e. if an escort is required to work on any DOE holiday contractor is required to pay premium pay such as time and a half or double time).	NYCDOE will not pay for escorts who do not work on Chancellor's Day and will only pay the straight daily escort rate for escorts who work on Chancellor's Day.
Payment	No Payment for Escort on Days Not Operated	Contractors are compensated for escort service on days when contractor was required to provide service and service was cancelled. (e.g. snow day)	Contractor electing traditional escort pay method shall not be paid for escort services for a no service day. (Contractors electing full escort cost reimbursement option are paid if an escort reports to work and school is cancelled, e.g., snow day.)
Payment	Escort Administration Fee	Contractors making the election hereunder shall be paid an administrative fee for providing such escorts, which fee shall equal five percent (5%) of	Contractor will reduce administration fee to 3% in the first year and

		the Contractor's Escort Costs.	3.5% in years two thru five.
Vehicles	New Laws, Rules, Regulations or Safety Features	Contractor must comply promptly with Federal, State and local changes, *provided*, the BOE shall pay one-half (½) of the cost of compliance with any new or revised State and/or local driver and/or operational procedures and/or for the purchase and installation of new safety features and/or other equipment in compliance with any such State and/or local legal and/or regulatory changes	No change from current extension language.

New Provisions		
Category	**Item**	**New Extension Specifications**
Payment	Claims for Payment Deadline	Invoices received any more than sixty (60) calendar days after the end of the month in which the service was rendered will be returned unpaid (except for court order, court judgment, DOE audit report, DOE error, or retroactive unemployment insurance rate changes).
Financials	Financial Statements	On an annual basis, upon reasonable request by the OPT Director, the Contractor shall provide full and accurate copies of financial records maintained by Contractor in its ordinary course of business. DOE agrees to treat these documents as trade secrets.
Terms and Conditions	Yearly audit and payment responsibility to pension and welfare funds	On at least an annual basis, the Contractor must submit to the OPT Director written confirmation that its pension fund and health/welfare fund liabilities have been audited and that there are no outstanding balances. If the Contractor is not subject to any requirements for pension fund and/or health/welfare fund contributions, the Contractor must submit to the OPT Director a written certification to that effect not later than September 30th of each Extension Year.
Terms and Conditions	Investigations	Section added to require the Contractor's cooperation with any governmental agency with appropriate jurisdiction in its investigations. It specifies terms under which cooperation and testimony must be given and penalties for any failure to comply.
Terms and Conditions	Conflicts of Interest	Section added to spell out what business and/or ownership interests any current or former Board or City employees may have with a contractor. It also prohibits gifts to Board officials/employees and details potential penalties.

Provisions removed from original contract and/or any extensions		
Terms and Conditions	Demographics	The NYCDOE shall not reduce the number of 'additional' vehicles held by the Contractor as of June 30th each extension year during the period of this Extension and Thirteenth Amendment Agreement, ***except*** in instances of decreases of student population affecting the Contractor's geographical service area(s) and/or type(s) of vehicle(s).
Terms and Conditions	Most Favored Nation Clause	The contractor's entitlement to any provisions offered in any extensions, amendments and/or Request for bids that provide favorable and/or more favorable terms, conditions and/or specifications to the Contractor.

In light of the generally favorable contract terms and with prices that are in the competitive range, the DOE has agreed to a four year plus one year extension at the discretion of the DOE. Brothers, Quality, and Kings Matron will be required to submit updated VENDEX forms and a background check will be conducted by DCP's Vendor Research and Price Analysis Unit. Any matters of concern will be brought to the Panel's attention prior to execution of this contract.

Item: 18

Description:

Add-on item. Extension of K-12 transportation and escort services. (Change of language from renewal to extension for this previously approved item.)

AMENDED REQUEST FOR AUTHORIZATION

To enter into four-year contract plus one-year extension at the discretion of the DOE with Empire State Bus Corp. and Allied Transit Corp. to provide special education, summer transportation and escort services

Contract Cost	Funding Source	Contract term	Procurement Method	Is Contract Retroactive	Contract Type
Empire State Bus $6,630,680 estimated annual cost $33,153,399 estimated total cost	Tax Levy	July 1, 2010-June 30, 2014 plus 1 year extension at the discretion of the DOE through June 30, 2015	Section 1-03(b) Exception	No	Requirements
Allied Transit $2,451,230 estimated annual cost $12,256,147 estimated total cost					
Empire State Escort 3,569,209 estimated annual cost $17,846,044 estimated total cost					
Vendor Name & Address	Empire State Bus Corp/Allied Transit Corp. 141 Hinsdale St., P.O. Box 70801 Brooklyn, New York 11207				

Service Requestor/Contract Manager	Division of Contracts & Purchasing Contact
Eric Goldstein, Chief Executive Officer	David Ross, Executive Director
Nutrition and Transportation	Division of Contracts & Purchasing

STATEMENT OF PURPOSE

Approval is sought to extend the below referenced contracts with Empire State and Allied Transit to provide special education and summer transportation services. The will run four (4) years from July 1, 2010 through June 30, 2014 plus (1) year extension at the discretion of the DOE through June 30, 2015. The estimated cost to the Department of Education over 5 years is $63,255,590.

Contract	Name	Service Type
0070	Empire State Bus	Special Education
7165	Empire State Bus	Special Education
8108	Empire State Bus	Special Education
4516	Empire State Bus	Summer Transportation
7165	Allied Transit	Special Education
	Empire State Escort	Escort Service

DISCUSSION

Prior Panel approval has already been received for an amount of $63,255,590. The revision to this RA reflects the language change from renewal to extension. All other information remains the same.

The Office of Pupil Transportation ("OPT") is responsible for providing and coordinating transportation services to and from school for eligible students in both public and non-public schools. Transportation services include stop-to-stop (general education) and door-to-door (special education) busing. Alternatively, the Department provides Metro Cards for use on public transportation.

Daily school bus transportation services are provided to approximately 160,000 pupils through almost 8,700 distinct daily bus routes. These include nearly 2,100 general education and over 4,600 special education routes for the regular school year, and 2,000 special education routes during the summer. The fleet used to provide these services is composed of approximately 7,800 buses (including spares) operated by 48 bus companies. At present, Empire/Allied operate 79 buses during the regular school year, representing about 1.19% of the total number of winter routes and 43 buses during the summer representing about 1.76% of the total number of summer routes. Their services have been consistently satisfactory.

Most of the current regular school contracts were originally bid in 1979 and a subsequent group of school year general education contracts were bid in 1986. Smaller groups of summer special education contracts, a specialized contract for non-ambulatory handicapped pupils, and school year special education and general education contracts were bid in 1988, 1989, 1994 and 1995.

New York State Education Law § 305 permits s of contracts originally subject to competitive bidding requirements in Subdivision 14. Specifically, this Subdivision states: "...The requirement for competitive bidding shall not apply to annual, biennial, or triennial s of a contract nor shall the requirement for competitive bidding apply to quadrennial or quinquennial year s of a contract involving transportation of pupils..."

OPT and the Division of Contracts and Purchasing (DCP) believe that it is in the Department's best interests to extend a portion of the existing contracts for differing lengths of time while incrementally introducing competitive requests for bids. Accordingly, OPT and DCP engaged in discussions with representatives of current service providers. In these discussions, the Department sought partners to both hold the line on costs and agree to what we believed were significant but reasonable concessions.

In addition to the more favorable contract terms articulated in the table below, Empire/Allied has agreed to waive a portion of the 5% fee for escort administration. Empire/Allied will instead charge a 3% escort administration fee in the first year and 3.5% for the remaining 4 years; anticipated savings are $244,625 over the contract period. In turn, the DOE has offered to extend their contract for four years plus a one year extension at the discretion of the DOE. Price escalations will stay within the state prescribed Consumer Price Index (CPI) limits. The combination of generally better contract terms with prices that are generally lower than other companies to begin with allows us to conclude that pricing is fair and reasonable. The changes in contract provisions are as follows.

Category	Item	Current Specification	Proposed New Specification
Term of	Term		4 year term with a one year extension option solely at the Discretion of the DOE
Vehicles	GPS	All vehicles and dispatch operations will be equipped	At Director's sole

		with GPS and back-up cellular at no cost to the contractor.	discretion, all or a portion of the vehicles and dispatch operations may be equipped with a telematics system, including but not limited to global positioning system (GPS), automatic vehicle location (AVL) functionality, and/or back up cellular emergency equipment. To the extent that the Director requires that telematics system units be added to any vehicles and dispatch stations, DOE will bear all costs.
Vehicles	Vacillation in the Number of Vehicles	During the life of the agreements the contractor would be entitled to restoration of any vehicles deleted during this period and subsequently needed again.	At no time after October 30th of each Year will the Contractor be entitled to restoration of any additional vehicle(s) previously deleted. DOE will apply this restoration date deadline uniformly to all contracts under this .
Vehicles	Vacillation in the Number of Vehicles	Director shall offer any 'additional' vehicle(s) to contractors in the relevant contractual item as determined by the order of contractors established as of August 24, 2004 (the "Pick Order"),	"Pick Order" for school year contracts updated on an annual basis as of August 24th of each year for 10 month contracts and as of June 1st of each year for summer contracts. DOE will apply the pick order dates uniformly to all contracts under the respective s (i.e., 10 month and summer contracts).
Vehicles	Vintage	Current term allows vehicles to be as old as 19 years	Terms were updated so that no vehicle can be more than 16 years old at the start of the year (e.g., June 30, 2010, no vehicle can be of a model year before 1994).
Vehicles	Air Conditioning	Ninety percent of small vehicles are required to be air conditioned.	By June 30, 2010, all small vehicles are required to be air-conditioned except spare vehicles which

			must all be air-conditioned by May 1, 2011. (Any child with IEP requiring air-conditioning must have air-conditioned small bus.)
Vehicles	Insurance	Contractor's base premiums in place from prior policy year March 1, 2003 are not re-evaluated for adjustment by the DOE's insurance brokerage firm.	No Change
Terms and Conditions	Termination		DOE may terminate for reasonable cause subject to an agreed upon opportunity to cure by Contractor
Payment	Calculation for Escort Cost Reimbursement	NYCDOE currently pays for actual escort costs. (i.e. if an escort is required to work on any DOE holiday contractor is required to pay premium pay such as time and a half or double time).	NYCDOE will not pay for escorts who do not work on Chancellor's Day and will only pay the straight daily escort rate for escorts who work on Chancellor's Day.
Payment	No Payment for Escort on Days Not Operated	Contractors are compensated for escort service on days when contractor was required to provide service and service was cancelled. (e.g. snow day)	Contractor electing traditional escort pay method shall not be paid for escort services for a no service day. (Contractors electing full escort cost reimbursement option are paid if an escort reports to work and school is cancelled, e.g., snow day.)
Payment	Escort Administration Fee	Contractors making the election hereunder shall be paid an administrative fee for providing such escorts, which fee shall equal five percent (5%) of the Contractor's Escort Costs.	Contractor will reduce administration fee by 2% in the first year and 1.5% in years two thru five.
Vehicles	New Laws, Rules, Regulations or Safety Features	Contractor must comply promptly with Federal, State and local changes, *provided*, the BOE shall pay one-half (½) of the cost of compliance with any new or revised State and/or local driver and/or operational procedures and/or for the purchase and installation of new safety features and/or other equipment in compliance with any such State and/or local legal and/or regulatory changes	No change from current language.

New Provisions		
Category	**Item**	**New Specifications**
Payment	Claims for Payment Deadline	Invoices received any more than sixty (60) calendar days after the end of the month in which the service was rendered will be returned unpaid (except for court order, court judgment, DOE audit report, DOE error, or retroactive unemployment insurance rate changes).

Financials	Financial Statements	On an annual basis, upon reasonable request by the OPT Director, the Contractor shall provide full and accurate copies of financial records maintained by Contractor in its ordinary course of business. DOE agrees to treat these documents as trade secrets.
Terms and Conditions	Yearly audit and payment responsibility to pension and welfare funds	On at least an annual basis, the Contractor must submit to the OPT Director written confirmation that its pension fund and health/welfare fund liabilities have been audited and that there are no outstanding balances. If the Contractor is not subject to any requirements for pension fund and/or health/welfare fund contributions, the Contractor must submit to the OPT Director a written certification to that effect not later than September 30th of each Year.
Terms and Conditions	Investigations	Section added to require the Contractor's cooperation with any governmental agency with appropriate jurisdiction in its investigations. It specifies terms under which cooperation and testimony must be given and penalties for any failure to comply.
Terms and Conditions	Conflicts of Interest	Section added to spell out what business and/or ownership interests any current or former Board or City employees may have with a contractor. It also prohibits gifts to Board officials/employees and details potential penalties.

Provisions removed from original contract and/or any s		
Terms and Conditions	Demographics	The NYCDOE shall not reduce the number of 'additional' vehicles held by the Contractor as of June 30th each year during the period of this and Thirteenth Amendment Agreement, ***except*** in instances of decreases of student population affecting the Contractor's geographical service area(s) and/or type(s) of vehicle(s).
Terms and Conditions	Most Favored Nation Clause	The contractor's entitlement to any provisions offered in any s, amendments and/or Request for bids that provide favorable and/or more favorable terms, conditions and/or specifications to the Contractor.

In light of the generally favorable contract terms and with prices that are generally lower than other companies pricing, the DOE has agreed to a four year plus one year extension at the discretion of the DOE. Empire/Allied will be required to submit updated VENDEX forms and a background check will be conducted by DCP's Vendor Research and Price Analysis Unit. Any matters of concern will be brought to the Panel's attention prior to execution of this contract.