Panel for Educational Policy
Contract Agenda
March 1, 2011

Item: 1 **Description:** Public/private partnership to bring together a range of City agencies, a consortium of private funders, and an urban university to create a center that coordinates training and career development services for individuals who work with young children in New York City.

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

Division: Division of Portfolio Planning **Contract Type:** Full Value

Vendor Name	Annual Amount
New York City Early Childhood Professional Development Institute (CUNY PDI)	$50,000

Item: 2 **Description:** Internet-based e-Learning software program that provides online training for substitute teachers and paraprofessionals.

Term: 18 months **Options:** None **Funding:** Reimbursable

Division: Division of Human Resources **Contract Type:** Full Value

Vendor Name	Annual Amount
Sim e-Learning Specialists, Inc.	$74,180

Item: 3 **Description:** Consultants to assist principals in performance management and with the discipline process for poorly performing tenured pedagogues.

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

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

Vendor Name	Estimated Annual Amount
Dorothy Bowser	$27,500
Dr. Linda Carol-Palumbo	$27,500
Elenterio Rolon Jr.	$27,500
Joseph Belesi	$27,500
Joseph D. Cantara	$27,500
Lester McDowell	$27,500
Mark Bronstein	$27,500
Marlene Gonzalez	$27,500
Pamela Latt	$27,500
Rebecca Bravo	$27,500

Item: 4 Withdrawn

Item: 5 **Description:** Improve the search functionality of ShopDOE and FAMIS.

Term: 3 years **Options:** 1 three year option **Funding:** Capital & Tax Levy

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

Vendor Name	Annual Amount
Endeca Technologies, Inc.	$503,824

Item: 6 Withdrawn

Item: 7 **Description:** Professional development in support of a Teaching American History grant for teachers in District 22.

Term: 1 year **Options:** None **Funding:** Federal Grant - Vendor Named

Division: School Support Operations **Contract Type:** Full Value

Vendor Name	Annual Amount
Literary Classics of the US dba/Library of America	$100,000

Item: 8 **Description:** Evaluation services for a pilot program for four middle schools using School of One and another four middle schools serving as a comparison group.

Term: 3 years **Options:** None **Funding:** Federal Grant - Vendor Named

Division: Division of Talent, Labor & Innovation **Contract Type:** Full Value

Vendor Name	Annual Amount
The Trustees of Columbia University on the City of New York	$149,811

Item: 9 **Description:** Published and copyrighted psychological assessments, group-administered educational measurements and therapy products for speech-language pathologists, occupational therapists and physical therapists.

Term: 3 years **Options:** 120 day option **Funding:** Various

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

Vendor Name	Estimated Annual Amount
NCS Pearson	$3,000,000

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

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

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

Vendor Name	Estimated Annual Amount
Otzar Haseforim of Monsey Inc.	$60,000

Item: 1

Description:

Public/private partnership to bring together a range of City agencies, a consortium of private funders, and an urban university to create a center that coordinates training and career development services for individuals who work with young children in New York City.

REQUEST FOR AUTHORIZATION

Estimated Annual/ Total Contract Cost	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$50,000/ $100,000	Tax Levy	07/01/09-06/30/11	None	Negotiated Service	Yes	Fixed Price
Vendor Name & Address	NYC Early Childhood Professional Development Institute, CUNY 101 West 31st Street, 7th Floor, NY, NY 10001					

Service Requestor/Contract Manager:	Division of Contracts and Purchasing Contact
Dominique West, Director of Operations	Angela Edwards
Division of Portfolio Planning	Central Office Procurement

STATEMENT OF PURPOSE

The Division of Portfolio Planning's Office of Early Childhood Education (OECE) is requesting a contract with the New York City Early Childhood Professional Development Institute (CUNY PDI).

DISCUSSION

CUNY PDI, founded in 2001, is a public/private partnership that brings together a range of City agencies, a consortium of private funders, and the nation's largest urban university to create a center that coordinates training and career development services for individuals who work with young children in New York City. The Institute's founding partners are the New York City Child Care and Early Education Fund, the Administration for Children's Services, the Department of Education, the Human Resources Administration, and the City University of New York.

OECE advised that the original agreement, an intracity Memorandum of Understanding (MOU) dating back to 2004, had lapsed, and it employed another CUNY contract through which it was able to pay for these services. However, it wasn't until well into FY 2010 that OECE realized that the contract expired and another payment mechanism was necessary. CUNY PDI's original and ongoing mission is to serve as a common source of research services across multiple city agencies; this supports the basis for continuing its unique role in this institutional framework. Thus, OECE made this request and is simultaneously working to establish another MOU.

PDI offers a diverse range of workshops, research and materials focused on improving information available to teachers on early childhood education. Similar professional development workshops (offered under PQS R0778 for professional development) are priced in a range of $64 to $147 per staff hour, compared to CUNY's price of $38.46 per hour, while publications for professional development range from $12.16 to $29.17, compared to CUNY's price of $0.50 per newsletter to $1.43 per calendar. Therefore, PDI's pricing for these services may be deemed to be fair and reasonable.

CUNY PDI has been deemed exempt from filing VENDEX Questionnaires by the Mayor's Office of Contract Services. DCP has determined CUNY PDI to be responsible as a search of federal debarment list and DOE internal sources found no adverse information.

Item: 2

Description:

Internet-based e-Learning software program that provides online training for substitute teachers and paraprofessionals.

REQUEST FOR AUTHORIZATION TO CONTRACT WITHSPORTS IN MIND, INC., D/B/A SIM eLEARNING SPECIALISTS TO PROVIDE ONLINE TRAINING FOR SUBSTITUTE TEACHERS AND PARAPROFESSIONALS

Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$98,526	Reimbursable	7/1/10-12/30/11	None	Negotiated Service	Yes	Fixed Price
Vendor Name & Address	Sports in Mind, Inc. d/b/a SIM e-Learning Specialists (SIM) 509 N. Tampa Street, Suite 2A Tampa FL, 33602					

Service Requestor/Contract Manager:	Division of Contracts and Purchasing Contact
Peter Ianniello Deputy Executive Director Division of Human Resources	James McBride Chief Administrator Division of Contracts & Purchasing

STATEMENT OF PURPOSE

Authorization is requested to contract with SIM e-Learning Specialists, Inc. (SIM), to provide online training programs for approximately 6,760 substitute teachers and 2,460 paraprofessionals in an amount not to exceed $98,526.

DISCUSSION

SIM's training tool, Sub-Hub™, consists of an entirely internet-based e-Learning software program that provides online training for substitute teachers and paraprofessionals. Sub-Hub™ is a prerequisite for all incoming substitute teachers and paraprofessionals and provides different levels of training depending on the need (entry level, professional development). It also offers remedial courses for those with performance deficiencies.

The cost of training services provided by SIM (as well as some related expenses, such as inoculations and an automated substitute teacher system) are covered by a $30 application fee paid to the DOE by each substitute teacher or paraprofessional.

The Division of Human Resources (DHR) had already approved services for up to $24,346. This negotiated service agreement will cover the balance of $74,180 and serve as a bridge agreement until a competitive process can be completed.

Vendor Research and Price Analysis (VRPA) compared SIM's program cost of $8 per person for paras and $10 per person for subs to similar programs found online. Utah State University's Substitute Teaching Institution offers an online interactive course for $29.95 per person and a refresher paraprofessional course at $19.95. The Wisconsin Education Association Council offers a Substitute Teacher Training course consisting of seven modules offered for non-credit at $150 per person, one credit at $365 per person, and two credits at $600 per person. Not only did these programs and others that DHR identified lack the content necessary to meet DOE's minimum training requirements, but their pricing exceeded SIM's, ranging from $19 to $200 per person. SIM's price may therefore be deemed fair and reasonable.

This contract is retroactive. The Division of Contracts and Purchasing (DCP) approved a negotiated service request with SIM during fiscal year 2009 with the expectation that a competitive process be initiated for future services, but difficulties with the scheduling of this project have prevented a competitive procurement from being initiated in a timely manner. DHR has provided an initial scope of work and is committed to procuring these services through a competitive process should these services be needed beyond this action.

A vendor background review, including VENDEX, the federal debarment list, and VCIP, has revealed no significant adverse information. As a result, SIM e-Learning Specialists, Inc. is deemed responsible with respect to this contract.

Item: 3

Description:

Consultants to assist principals in performance management and with the discipline process for poorly performing tenured pedagogues.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH LABOR SUPPORT UNIT CONSULTANTS

Contract Cost	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$546,000	Tax Levy	7/1/10 - 6/30/11	None	Negotiated Service	No	Requirements
Vendor Name & Address	See table below.					

Service Requestor/Contract Manager:	Division of Contracts and Purchasing Contact
David Brodsky Director of Labor Relations Office of Labor Relations and Collective Bargaining	James McBride Chief Administrator

STATEMENT OF PURPOSE

Authorization is requested to contract with ten professional service consultants to assist principals in the evaluation of and disciplinary process for poorly performing tenured teachers, in an amount not to exceed $546,000.

DISCUSSION

These consultants were initially selected from a pool of applicants using the Division of Human Resources Consultant Nomination Process, and have been providing services since July 2010, all within the $25,000 earnings threshold per consultant. Those selected have particular skills, knowledge and experience handling the disciplinary process for pedagogic and non-pedagogic employees in supporting school-based supervisors with performance management, through proper implementation of various collective bargaining agreements. This negotiated service agreement will cover the balance of each consultant's salaries, or an additional $27,500 to $38,000, serving as a bridge agreement to a competitive process scheduled to be released during the 2011 school year.

The consultants will assist principals in the evaluation of and disciplinary process for poorly performing tenured pedagogues and provide related support. Responsibilities include, but are not limited to, the following: establishing and maintaining a working relationship with school principals to support quality implementation of performance management through the DOE accountability system, including the evaluation of pedagogic staff, counselors, school psychologist, social workers, and other school-based staff; assisting principals in identifying high-performing staff to ensure retention and continual development; and providing support to principals assigned to schools identified by the State as persistently low-performing.

The cost of retaining consultants for these services on a per diem basis allows OLRCB the flexibility to schedule mandated hearings in the most cost effective manner. The Office of Vendor Research and Price Analysis compared the consultants' hourly rate of $50.00 to the equivalent titles of a full-time DOE Associated Staff and Education Analysts, whose hourly rates ranged from $48.77 to $63.16 including fringe benefits. The consultants' rates fall within the salary rage of equivalent titles; the rates can therefore be deemed fair and reasonable.

Vendor Name	Rate	Estimated Days	Estimated Amount	Amount Liquidated	Requested Amount
Dorothy Bowser	$350.00	150	$52,500	$25,000	$27,500
Joseph Belesi	$350.00	150	$52,500	$25,000	$27,500
Rebecca Bravo	$350.00	150	$52,500	$25,000	$27,500
Mark Bronstein	$350.00	150	$52,500	$25,000	$27,500
Marlene Gonzalez	$350.00	150	$52,500	$25,000	$27,500
Pamela Y. Latt	$350.00	150	$52,500	$25,000	$27,500
Dr. Linda Carol Palumbo	$350.00	180	$63,000	$25,000	$38,000
Elenterio Rolon, Jr.	$350.00	180	$63,000	$25,000	$38,000
Lester McDowell	$350.00	150	$52,500	$25,000	$27,500
Joseph D. Cantara	$350.00	150	$52,500	$25,000	$27,500
		Total	$546,000	$250,00	$296,000

Item: 4

Description:

Withdrawn

Item: 5

Description:

Improve the search functionality of ShopDOE and FAMIS.

REQUEST FOR AUTHORIZATION
ENDECA TO PROVIDE SOFTWARE AND IMPLEMENTATION OF SEARCH ENGINE SOFTWARE

Total / Annual Contract Cost	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$588,824 / $503,824 (High Year)	Capital: $445,000 Expense: $143,824	Three Years	One 3-Year Option to Renew; Budget TBD	RFP	No	Fixed Price
Vendor Name & Address	Endeca Technologies, Inc 101 Main Street Cambridge, MA 02142 USA					

Service Requestor/Contract Manager	Division of Contracts & Purchasing Contact
William Goldband Division of Financial Services	James McBride Chief Administrator of Contracts and Purchasing

STATEMENT OF PURPOSE

Authorization is requested to contract with Endeca Technologies, Inc., for the purchase and installation of software that will allow users to easily find items in the ShopDOE electronic catalog. The contract is expected to commence on or about March 1, 2011, at a cost of approximately $588,824.

DISCUSSION

The ShopDOE e-catalog offers over 600,000 items by more than 360 unique vendors. Having schools and other users make purchases through the centralized e-catalog, the DOE is able to assure volume discounts from vendors and avoid the administrative costs associated with numerous small purchases. However, the design of the current e-catalog and software used to search it are no longer adequate for the number and variety of products offered. For example, without detailed knowledge of an item, a search of the e-catalog may not return useful results, even when the item is in fact available. Consequently, users often make "non-contracted" purchases outside the e-catalog, wasting time and losing volume discounts. The additional purchases that we expect to migrate to DOE contracts as a result of this initiative will enable schools to enjoy discounts that more than outweigh its cost.

A Request for Proposals (RFP #R0806) was issued in July 2010 to select a vendor to supply, configure, and help install new search engine software for DOE's internal e-catalog of commodities and services, and to provide support and training. It is necessary to contract for these technical services because the DOE does not possess the necessary personnel and expertise to perform them.

Seven proposals were received. The evaluation committee included representatives from the Division of Contracts & Purchasing and the Division of Financial Systems and Business Operations. The evaluation criteria were: price (30%), program plan (25%), demonstrated effectiveness (25%), and organizational capacity (20%).

Below is a table showing initial prices from all vendors and BAFOs from those who were asked to provide them.

COMPANY	INITIAL PRICE	BAFO
Recommind	$394,900	$490,150
Column Technologies	$439,358	
Microsoft	$620,650	
Endeca	$671,874	$588,824
ePlus Content Services, Inc.	$673,250	
Microlink	$1,085,328	
A-1 Technology, Inc	$1,197,875	

It was the committee's initial determination that Recommind, Microsoft, Endeca, and Microlink offered the best overall proposals because they showed the clearest understanding of what DOE wanted to accomplish and all had significant search engine implementation experience. Accordingly, those four were invited to make oral presentations.

Following the oral presentations, the committee determined that Endeca and Recommind presented the most user-friendly systems and were able to best demonstrate how their products met or could meet DOE's functional requirements. Those two vendors were invited to make second presentations to demonstrate their products with a specific set of DOE's e-catalog data.

Ultimately, Endeca was best able to demonstrate their product with data supplied by DOE. They also showed the clearest understanding of the sources of the DOE catalog's current problems and presented a clear plan for how they would implement their product. Though offering a what appeared to be a lower price, Recommind could not demonstrate that their product would fully meet DOE's needs without costly custom add-ons. Moreover, Endeca's final price is the third-lowest of the proposers. Accordingly, Endeca's price is deemed as fair and reasonable.

Checks conducted on the Federal Debarment list and on VENDEX revealed no significant adverse information. Endeca is therefore deemed responsible.

Item: 6

Description:

Withdrawn

Item: 7

Description:

Professional development in support of a Teaching American History grant for teachers in District 22.

REQUEST FOR AUTHORIZATION FOR PROFESSIONAL DEVELOPMENT IN TEACHING AMERICAN HISTORY

Annual/Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$100,000	USDOE	7/10/10-6/30/11	None	Vendor Named in Grant, Per Section 1-03(b) of DOE Procurement Policy & Procedures	Yes	Full Value
Vendor Name & Address	Literary Classics of the US dba Library of America 14 East 60th Street New York, NY 10022					

Service Requestor/Contract Manager	Division of Contracts & Purchasing Contact
Diane Lacapria TAH Project Director	Maxine Needle Director of Grants

STATEMENT OF PURPOSE

Authorization is requested to contract with Literary Classics of the US dba Library of America to provide professional development in support of a Teaching American History (TAH) grant for teachers in District 22.

DISCUSSION

Library of America (LOA) will conduct ten workshops totaling 50 hours of content presentation. These workshops will consist of three components. The first will be a presentation on one of several themes' subtopics. In the second, teachers will have an opportunity to discuss the presentation and their ongoing readings with the lecturers. The workshops will conclude with a teaching support session. These training workshops will take place at a DOE location in District 22.

The grantor's program is a Teaching American History Grant. A contract for personal services is necessary because the contract is funded by a grant, and 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.

This contract is retroactive because the vendor did not provide the required documentation in time.

DCP reviewed information regarding the vendor's background in the VENDEX system and found no significant adverse information. The contract manager's office has experience with the vendor providing these services and confirms that they performed satisfactorily. The vendor is therefore deemed responsible.

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

Item: 8

Description:

Evaluation services for a pilot program for four middle schools using School of One and another four middle schools serving as a comparison group.

REQUEST FOR AUTHORIZATION FOR EVALUATION SERVICES

Annual/Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$149,811/ $315,077	USDOE Investment in Innovation Fund (i3) Grant Program	1/1/11 - 6/30/13	None	Vendor Named in Grant, per Section 1-03 (b) of DOE Procurement Policy & Procedures	Yes	Full Value
Vendor Name & Address	The Trustees of Columbia University of New York 254 Engineering Terrace, MC 2205 1210 Amsterdam Ave, New York, NY 10027					

Service Requestor/Contract Manager	Division of Contracts & Purchasing Contact
Jonathan Werle Director of Administration, School of One	Maxine Needle Director of Grants

STATEMENT OF PURPOSE

Authorization is requested to contract with the Trustees of Columbia University of New York to evaluate student progress in the mathematics program at the School of One.

DISCUSSION

Columbia University professors will evaluate the impact of the School of One program on academic performance, goals of students, and the attitudes and beliefs of teachers. The School of One uses a combination of teachers, physical space, and technology to personalize learning to the needs of each student, so that the classroom is not a "one-size-fits-all" environment in which every student is expected to learn the same skill at the same time. The School of One is currently used for middle school mathematics in three schools (02M131, 21K228, 09X339), and will expand to include at least four additional public middle schools in New York City for the beginning of the 2011-12 school year. This evaluation will focus on School of One data generated from currently participating schools and a control group.

A competitive sealed bid was impractical and a contract for personal services is necessary because the contract is funded by a grant, and 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.

The contract is retroactive because the vendor did not submit the required documents in a timely manner.

DCP completed a check of the vendor's background, including the VENDEX system, and found no significant adverse information. The contract manager's office has experience with the vendor providing these services and confirms that it performed satisfactorily. The vendor is thus deemed responsible.

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

Item: 9

Description:

Published and copyrighted psychological assessments, group-administered educational measurements and therapy products for speech-language pathologists, occupational therapists and physical therapists.

REQUEST FOR AUTHORIZATION TO PROVIDE PUBLISHED OR COPYRIGHTED INSTRUCTIONAL AND TESTING MATERIALS

Annual/Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$3,000,000 / $9,000,000	Reimbursable, Tax Levy, City Council	Three Years (5/1/11-4/30/14)	120 Days	Listing Application	No	Requirements

Vendor Name & Address	NCS Pearson 600 Jackson Street #415E Hoboken, NJ 07030

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

STATEMENT OF PURPOSE

Authorization is requested to contract with NCS Pearson ("Pearson") to provide published and copyrighted materials for instructional and testing purposes.

DISCUSSION

Pearson provides individually administered psychological assessment; group-administered educational measurement; and therapy products for speech-language pathologists, occupational therapists, and physical therapists. These materials can only be purchased from Pearson and are not available through other channels of distribution. Because these materials cannot be purchased in the open marketplace, a competitive sealed bid process is impractical.

The vendor's "Most Favored Customer" contract clause ensures that no other institution, agency, school district, municipality, or organization will receive better pricing than that being offered to the DOE.

DCP has performed a background check on this vendor using VENDEX and found two self-reported cautions. One involved multiple investigations by the Equal Employment Opportunity Commission (EEOC) during 2000-07; these investigations have been closed, dismissed or settled. The second is related to a review conducted by the Transportation Security Administrations Department of Homeland Security in 2003-04. Pearson settled this matter in November of 2008 with no finding of wrongdoing.

The background check also revealed numerous articles in the Florida press about Pearson's failure to adequately align its technology to that of Florida's Department of Education for work on the Florida Comprehensive Assessments Tests (FCATs).

The DOE has determined that in view of Pearson's satisfactory performance on predecessor contracts and the fact that Pearson has resolved these matters, they should not be precluded an award of contract.

Item: 10

Description:

Instructional textbooks and ancillary materials for use in classrooms.

REQUEST FOR AUTHORIZATION TO PROVIDE TEXTBOOKS AND ANCILLARY MATERIALS

Annual/Total Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$60,000/ $420,000	Reimbursable, Tax Levy, City Council	Seven Years (3/01/11-02/28/18)	None	Listing Application	No	Require-ments

Vendor Name & Address	Otzar Haseforim of Monsey Inc. P.O. Box 1152 Monsey, NY 10952

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

STATEMENT OF PURPOSE

Authorization is requested to enter into a contract with Otzar Haseforim of Monsey to provide textbooks and ancillary materials to all public and participating non-public schools.

DISCUSSION

Otzar Haseforim of Monsey is the exclusive publisher and seller of certain Hebrew and Jewish titles. Because these materials cannot be purchased in the open market, a competitive sealed bid process is impractical.

The vendor's "Most Favored Customer" contract clause ensures that no other institution, agency, school district, municipality, or organization will receive better pricing than that being offered to the DOE.

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