

**Contracts Agenda for the Meeting of the Panel for Educational Policy - Wednesday, December 18, 2024**

<b>Contract Type</b>	<b>PEP Description</b>	<b>Estimated Highest Annual Spending</b>	<b>Estimated Total Spending</b>	<b>Contract Term</b>	<b>Agenda Item</b>
Request for Proposals	Professional Civil Engineering Consultant Services	\$4,579,390	\$22,896,950	5 Years	1
Request for Proposals	Specialized High Schools Admissions Test (SHSAT) and Associated Services	\$3,799,930.64	\$17,063,349.75	5 Years, 11 Months	2
Multiple Task Award Contract	Pilot for Various Related Services at Districts 7,8,9,10,11,12 and 14 (RA8)	\$30,000	\$60,000	2 Years	3
Multiple Task Award Contract	System-Wide Program Evaluation Services RA20	\$30,000	\$150,000	5 Years	4
Amendments and Extensions	Allowance Clause Amendment	\$1,269,829.50	\$1,269,829.50	1 Year	5
Amendments and Extensions	Day Care Council FY25 Extension for Labor & Mediation Services	\$869,999	\$869,999	1 Year	6
Amendments and Extensions	FY25 COL Earlylearn Services	\$3,859,747.79	\$3,859,747.79	1 Year	7
Amendments and Extensions	FY25 UPK Half Day & UPK Items	\$666,839.50	\$666,839.50	1 Year	8
Amendments and Extensions	JOC for Auditorium Curtains & Drapes	\$1,198,862.73	\$1,198,862.73	1 Year	9
Amendments and Extensions	Recording, Reporting, and Transcription Services	\$14,458,608.15	\$14,458,608.15	1 Year	10
MWBE PCM	Energy Engineering Consulting Service	\$780,780	\$1,000,000	2 Years	11
MWBE PCM	Environmental Engineering Consulting Service	\$969,030	\$1,000,000	2 Years	12
MWBE PCM	On-Site Contingent Engineering Service	\$444,995	\$1,000,000	2 Years	13
MWBE PCM	Small Engine Equipment Repair (Gas & Fuel)	\$1,000,200	\$1,500,000	2 Years	14
Listing Application	Educational Software - Perfection Learning	\$666,102	\$1,993,306	3 Years	15
Listing Application	Entire line of EPS Operations LLC Software and digital content	\$638,685	\$1,916,055	3 Years	16

Request for Authorization to Contract with three vendors to Provide Professional  
Civil Engineer Consultant Services -R1449

**Procurement Method:** Request for Proposals per DOE Procurement Policy & Procedures, Section 3-03

**Estimated Highest Annual Amount:** \$4,579,390.00

**Estimated Total Amount:** \$22,896,950.00

**Funding Source:** Tax Levy

**Contract Retroactive?** No

**Contract Term:** 5 Years

**Options:** Two, 1-Year

**Options Amount:** \$4,579,390.00

**Contract Type:** Requirements

**RA Number:** 12006

**Vendor Name:** EME Consulting Engineering and Architecture Group LLC

**Vendor Address:** 550 Seventh Avenue, 10th floor, New York, NY 10018

**Contract Amount:** \$6,241,600

**Awarded Class:** 1

**Vendor Name:** Titan Engineers PC

**Vendor Address:** 1331 Stuyvesant Ave, Union, New Jersey 07083

**Contract Amount:** \$10,186,250

**Awarded Class:** 2

**Vendor Name:** MP Engineers & Architects PC

**Vendor Address:** 40 Rector Street, Suite 1020B, New York, NY 10006

**Contract Amount:** \$6,469,100

**Awarded Class:** 3

**Contract Manager:** Umran Malik, Director, Contract Administration, Division of School Facilities

**Lead Contracting Officer:** Diana Ferrer-Schwartz, Chief Administrative Officer, Division of School Facilities

**Division of Contracts & Purchasing Contact:** Hany Amin, Procurement Analyst, Division of Contracts in Purchasing

### Purpose

The New York City Department of Education ("DOE"), on behalf of the Division of School Facilities ("DSF"), hereby requests authorization to enter into contract with the following vendors: EME Consulting Engineering and Architecture Group LLC, ("EME"), Titan Engineers PC, ("Titan") and MP Engineers & Architects PC, ("MP") to provide professional civil engineering consultant services. This contract will be funded by DSF.

### Discussion

This Request for Proposal ("RFP") was released and advertised in the City Record and on the Division of Contracts and Purchasing ("DCP") website. The RFP consisted of three (3) Aggregate Classes ("ACs"). The AC's include AC 1 - Bronx and Manhattan (Districts 1-12), AC 2 - Queens (Districts 24-30), and AC 3 - Brooklyn and Richmond (Districts 13-23, 31, and 32). The DOE requires the services of civil engineering consultants for the maintenance of building systems, damage analysis of building conditions, repair and alteration of buildings of various ages, design solutions and repair methods for schools and other DOE buildings throughout New York City.

A decision was made to contract for these services because it was determined that the DOE does not currently possess the capacity and/or expertise required to meet the objectives of this program in an efficient manner.

DCP received Five (5) proposals. Evaluations were conducted by a three-person committee of DOE employees with expertise in this work: Borough Contract Manager, Borough Maintenance Planner, and Professional Engineer. Proposals were scored according to the following criteria: Organizational Capacity (35 points), Price (25 points), Demonstrated Effectiveness (25 points) and Program Plan (15 points),

Two (2) evaluation rounds were conducted before the Best and Final Offer (“BAFO”) negotiation stage. In the second round of the evaluation process, the committee requested in-person presentations to clarify elements of their proposals. Upon completion of the second-round evaluation, three (3) vendors were identified to move to the BAFO round.

The evaluation committee recommended that, in the best interest of the DOE, to award one class per vendor. The three vendors demonstrated strong organizational capacity and provided sequential information on pre-and post-actions to be followed, audit plans to ensure high performance, and experience performing work of a similar nature in NYC.

This contract is a five-year requirements contract for civil engineering consulting services in the maintenance of building systems, damage analysis of building conditions, design solutions, and repair methods to maintain schools and other DOE buildings throughout New York City. The RFP consists of three Aggregate Classes covering specific geographic regions and districts.

All three aggregate classes received three bidders per class with EME Consulting Engineering being the lowest bidder in all three aggregate classes. Awards were limited based on vendor capacity to perform and operational efficiency, which was determined by DSF. This resulted in multiple bidders receiving awards.

DOE conducted a Monte Carlo simulation to determine the optimal award combination that would result in the lowest total cost to the DOE. Based on the results of the simulation, the recommended awardees are – EME Consulting Engineering (AC 1), Titan Engineers (AC 2), and MP Engineers and Architects (AC 3).

A comparison was done between the proposed pricing in this RFP and the prior contract:

- After adjusting for inflation, pricing decreased 22% for two aggregate classes awarded to EME and MP respectively, representing 58% of the total estimated contract spend.
- For the remaining aggregate class representing 42% of the total estimated contract spend, after adjusting for inflation, pricing increased 19% when compared to the prior contract. Titan Engineers, the third-lowest bidder, was awarded AC2 as capacity limitations were precluded by awarding the other low bidders.
  - Although higher, Titan’s program plan and demonstrative effectiveness had the highest score.

All three vendors provided price reductions, ranging from 11% to 37% off of the original proposed price. In light of the competitive nature of the RFP, capacity limitations, and the aggregate decrease of 9% after adjusting for inflation, pricing can be determined to be fair and reasonable.

### Final Evaluation Score

No.	Vendor Name	Aggregate Class 1	Aggregate Class 2	Aggregate Class 3	Recommendation for Award
1	EME Consulting Engineering & Architecture Group LLC	<b>96.33</b>	96.33	96.33	<b>Yes</b>
2	Titan Engineers PC	97.86	<b>97.87</b>	97.86	<b>Yes</b>
3	MP Engineers & Architects PC	95.61	96.29	<b>96.29</b>	<b>Yes</b>
4	Famtech Engineering, PLLC	85.8	85.8	85.8	No
5	Jenkins/Gales & Martinez, Inc.	0	73.85	0	No

### Vendor Responsibility

The vendor(s) recommended for award and the principal owners and officers were subject to a background check, and have been determined to be responsible.

## Request for Authorization to Contract With NCS Pearson, Inc. for Specialized High Schools Admissions Tests – R1342

**Procurement Method:** Request for Proposals per DOE Procurement Policy & Procedures, Section 3-03

**Estimated Highest Annual Amount:** \$3,799,930.64

**Estimated Total Amount:** \$17,063,349.75

**Funding Source:** Tax Levy

**Contract Retroactive?** No

**Contract Term:** 11/01/2024 – 09/30/2030; 5 Years, 11 Months

**Options:** Two ,1-Year

**Options Amount:** \$6,449,620.68

**Contract Type:** Requirements

**RA Number:** 11764

**Vendor Name:** NCS Pearson, Inc.

**Vendor Address:** 5601 Green Valley Drive Bloomington, MN 55437

**Contract Manager:** David Fields, Director of Special Projects, Office of Assessment

**Lead Contracting Officer:** Jonathan Winstone, Director of Operations, Office of Policy and Evaluation (OPE)

**Division of Contracts & Purchasing Contact:** Sophia Hargraves, Director of Central Office Procurement

### Purpose

The New York City Department of Education (“DOE”), on behalf of the Office of Assessment, requests authorization to contract with NCS Pearson, Inc. (“Pearson”) to provide a standardized testing program designed to select students for admission to the City’s specialized public high schools.

### Discussion

The New York City Department of Education (“DOE”) complies with New York State’s Hecht-Calandra Act by administering a single exam, the Specialized High School Admissions Test (“SHSAT”), to students in grades 8 and 9 for the purpose of determining admission to NYC’s eight Specialized High Schools (“SHS”). Per the Act, admission to the DOE’s SHS must be determined “solely and exclusively by taking a competitive, objective, and scholastic achievement examination.” Students must be rank ordered based on their performance for each of SHS’s available seats. The students who take this examination are among the highest-achieving students in grades 8 and 9; approximately 30,000 eighth graders and 5,000 ninth graders take the SHSAT annually. The assessment covers mathematics and English Language Arts (“ELA”) skills at the highest level of performance for students who have completed seventh and eighth grades and is aligned with New York State Next Generation Learning Standards. These include critical thinking and problem-solving skills. Students test either during their school day at their home schools or on one of two weekends, both Saturday and Sunday, with separate morning and afternoon testing sessions

The DOE released a Request for Proposals (“RFP”) in the fall of 2023 seeking vendors to provide an admission testing program that enables students to be rank ordered based on their performance on the exam. Historically, few vendors have shown the capacity to offer these services; the predecessor RFP received only three proposals. This most recent RFP yielded two submissions: NCS Pearson and Educational Testing Services. While the exam has been administered and completed on paper to date, the DOE sought proposers to develop and administer a computer-adaptive test (“CAT”). The digital exam will align practice with other high stakes tests (e.g., SAT, PSAT, NYS Grade 3-8 Math & ELA exams) and will also introduce a suite of accessibility features integrated into the testing platform to

improve the experience of students with disabilities. The vendor will also provide translation glossaries in the DOE's standard supported languages to increase access for students who speak home languages other than English.

The evaluation and advisory committee included representatives from the Office of Assessment; Office of Policy and Evaluation; Office of Student Enrollment; Office of Curriculum, Instruction & Professional Learning; and Division of Teaching and Learning. Committee members had expertise in assessment design and evaluation, test administration, psychometrics, enrollment program management, program access and accommodations for students with special needs and English Language Learners, and alignment between test items and the Common Core Curriculum. The voting members included representatives from the Office of Student Enrollment, the Office of Assessment, and the DREAM Specialized High School Institute. In addition to several members of the Office of Assessment, the advisory committee included members of DIIT, NYC Literacy Collaborative, the Division of Curriculum and Instruction, and OPE Operations.

The committee scored proposals based on the following evaluation criteria: organizational capacity (35 points), program plan (35 points), price (15 points), and demonstrated effectiveness (15 points). Both Educational Testing Services and NCS Pearson were invited to present and to address the committee's questions regarding their proposals.

During negotiations with both vendors, and as part of the re-assessment of the SHSAT program, they were asked to include and/or elaborate on the exam content, Test Construction, paper-based exams, translations for bilingual glossaries, platform set-up and computer-adaptive testing.

The evaluation committee determined that Pearson's proposal contained a strong plan for the development and implementation of the computer-based test, including all the evaluation's criteria for test design, scoring and accessibility. Pearson showed a superior organizational capacity and demonstrated a smooth, intuitive, and innovative test platform. Additionally, Pearson offered the lowest price while proposing superior services. Hence, Pearson received the higher overall score based on the evaluation criteria and was recommended for a contract award.

Pearson proposed a contract amount of \$23,021,967.00 to provide five test cycles and \$7,296,381.99 for two optional test cycles, resulting in a total contract amount of \$30,318,348.99. However, the DOE requested that Pearson remove annual escalation factors because the solicitation required pricing to be the same for the base term covering five test cycles and unlike the prior contract, it allows price adjustments at designated timeframes (fourth and optional sixth test cycles). The DOE also requested that Pearson carefully review its program plan for cost reduction opportunities including negotiating lower pricing with its subcontractors. This led Pearson to reduce the contract amount for the five test cycles by \$5,958,617.25 (25.9%) from \$23,021,967.00 to \$17,063,349.75 and by \$846,761.31 (11.6%) for the two optional test cycles from \$7,296,381.99 to \$6,449,620.68. The total contract amount including (seven test cycles was reduced by \$6,805,378.56 (22.4%), resulting in a final amount of \$23,512,970.43.

After allowing for the Employment Cost Index, Pearson's weighted average hourly labor rate is 30% and 16% lower than Educational Testing Services and Pearson's existing contract, respectively. Additionally, Pearson provided documentation to support its subcontractors' overall budget/ MWBE goals. Staff labor accounts for 62% of the total contract amount and subcontracting costs including labor and materials account for 30%.

Pricing for the new computer-adaptive digital assessment couldn't be reasonably compared to the current prices under the existing contract for the paper-based assessment. To compare to Educational

Testing Services, the DOE conducted an analysis that normalized pricing based on the findings from negotiations with Pearson, resulting in Pearson's final contract amount being 19% lower than Educational Testing Services.

In light of the 22.4% reduction in the total contract amount and Pearson attesting it will maintain the quality of its program plan/services, as well as provide all students with an equitable assessment, pricing can be determined to be fair and reasonable.

This contract will cover five test cycles over its six-year term with test development anticipated to commence immediately following contract award and the first test administrations scheduled for the fall of 2025.

Based on the nature of these services, the DOE determined this procurement was not a good candidate for unbundling due to the complexity and multiplicity of services involved and the necessity for each of these services to work in full integration and coordination with each other. Additional contributing factors include the stringent timelines for the test administration window, assessment security needs, and high stakes for students and families associated with the SHSAT program.

Pursuant to the DOE's Procurement Policy and Procedures ("PPP"), Section 3-03(i)(6), this RFP provides for a quantitative preference for proposals submitted by Minority- and/or Women-owned Business Enterprises ("M/WBE") that are New York City certified or New York State certified. The quantitative preference was in the form of a ten percent (10%) preference of the total technical points earned in the evaluation of the submitted proposal.

The MWBE subcontracting goals therewith carried an overall 30% MWBE subcontracting goal, with disaggregated goals of 10% Black, 10% Hispanic, and 10% Unspecified. Based on Pearson's Schedule B form, they have agreed to be bound by those requirements.

A contract for these services is necessary because the DOE does not have the expertise, personnel, and resources to meet the program's objectives. An RFP was the preferred method of procurement because of the need to qualitatively evaluate the proposing organizations and services offered.

### Vendor Responsibility

The vendor(s) recommended for award and the principal owners and officers were subject to a background check, and have been determined to be responsible. Noteworthy information was found for the following vendor(s):

#### NCS Pearson Inc.

A review of NCS Pearson, Inc.'s (NCS Pearson) PASSPort submission revealed the following cautions:

- NCS Pearson has been involved in 19 investigations regarding racial, disability, gender, age, national origin discrimination and retaliation against former and current employees, which occurred during the years 2016 to 2023, and were conducted by multiple agencies, including the Equal Employment Opportunity Commission (EEOC), Texas Workforce Commission, Pennsylvania Human Relations Commission, Iowa Civil Rights Commission, Illinois Department of Human Services, California Department of Fair Employment and Housing, Minnesota Department of Human Rights, AZ Attorney General's Office, Massachusetts Commission Against Discrimination, New Jersey Division on Civil Rights (NJDCR), State of Connecticut Commission on Human Rights and Opportunities (CHRO), and the New York State

Division of Human Rights (NYSDHR). The vendor advises that of the 19 investigations, 16 have been closed or dismissed without the imposition of any penalties, fines or damages, or any further action. The remaining 3 investigations are still pending with NYSDHR, NJDCR, and CHRO.

Additionally, the DOE is aware of the following information:

- A July 2024 news article revealed that a lawsuit was filed against the Kentucky Jefferson County Board of Education and NCS Pearson for misapplying copyright and public-records laws by refusing to provide a parent with copies of a mental health survey administered to students. The case is pending.
- A September 2023 news article reported that a lawsuit was filed against NCS Pearson for negligence. In October 2023, the case was dismissed.
- A June 2023 news article revealed that a class action lawsuit was filed against NCS Pearson for unpaid overtime compensation under the Fair Labor Standards Act. In September 2023, the case was dismissed.
- A January 2023 news article reported that a former employee filed a civil lawsuit against NCS Pearson under the False Claims Act's anti-retaliation provision for wrongful termination. The vendor advised that this matter has been resolved via a confidential settlement agreement.

As the matters reported above have either been resolved or remain pending and in light of the vendors satisfactory performance on prior DOE contracts, the DOE determines the vendor to be responsible.



## Request for Authorization for Multiple Task Award Contract (MTAC) Pilot for Various Related Services for Districts 7, 8, 9, 10, 11, 12, and 14 R1417 (RA #8)

**Procurement Method:** Multiple Task Award Contract per DOE Procurement Policy & Procedures, Section 3-04

**Estimated Highest Annual Amount:** \$30,000

**Estimated Total Amount:** \$60,000

**Funding Source:** Tax Levy

**Contract Retroactive?** No

**Contract Term:** 2 Years

**Options:** One, 2-Year

**Options Amount:** \$60,000

**Contract Type:** Requirements

**RA Number:** 12043

**Vendor Name:** See Chart Below

**Vendor Address:** See Chart Below

**Contract Manager:** Shona Gibson, Executive Director of Operations and Process Management, Office of Related Services

**Lead Contracting Officer:** John Hammer, Chief Executive Officer, Special Education Office

**Division of Contracts & Purchasing Contact:** Joy Gentolia, Director, Instructional Service Procurement

### Purpose

The New York City Department of Education (“DOE”) hereby requests authorization on behalf of the Special Education Office (“SEO”) to contract with the below-named vendor to provide high-quality occupational therapy services and/or speech language therapy services for school-age (ages 5-21) and preschool-age (ages 3-5) students in various Bronx and Brooklyn Districts, as listed below, that are mandated to receive special education-related services pursuant to an approved Individualized Education Program (“IEP”).

### Discussion

The DOE is mandated by federal and state law, as well as by judgments in the federal court case of *Jose P. v. Sobol*, to evaluate students and to provide special education-related services where indicated. In cases where the DOE is unable to provide services as recommended with in-house staff, contracted service providers are utilized pursuant to a set of competitively bid requirements contracts. Where neither DOE nor contract agency providers can be identified to provide related services to school-aged students within required timeframes, the DOE issues Related Services Authorization vouchers (“RSAs”) to families for use with qualified independent providers in accordance with a fixed-rate schedule. Similarly, the DOE issues Independent Agreements (“IAs”) to independent providers for provision of pre-school related services when no DOE or contract agency provider can be identified within required timeframes. RSAs place the burden on families to identify a provider, with support from the DOE, and often do not result in timely or full-service provision. This burden has historically been placed disproportionately and inequitably on families in the hardest to serve communities. Both RSAs and IAs are inherently inefficient, as they are issued individually for each student and service and require considerable time to process and implement.

Identifying a more effective, efficient means of hiring independent providers to provide school-based services through a competitive procurement that attracts and retains a sufficient volume of qualified providers is a DOE priority. The DOE agreed to take steps to pilot the use of an MTAC in the Bronx for

this purpose pursuant to a settlement agreement in connection with the M.G. v. New York City Department of Education (Bronx Services) class action. In addition to satisfying this legal requirement, this solicitation is expected to further strengthen the provision of Occupational Therapy/Speech Language Therapy services in the Bronx, not just for students in DOE-managed schools, but also for students in charter schools, parentally placed private schools, and private pre-school settings. Finally, the solicitation will support the provision of Yiddish Speech Language Therapy services in Brooklyn District 14, which will act as a pilot to further improve timely provision of bilingual services.

Service	Language	Districts
Occupational Therapy	N/A	7, 8, 9, 10, 11, and 12
Speech Therapy Services	English	7, 8, 9, 10, and 11
Speech Therapy Services	Yiddish	14

Vendors proposed for one or more of the above-named services, and then selected the district(s) where those services would be offered.

Proposals were distributed to an Evaluation Committee that included a Manager of Occupational Therapy, Manager of Speech Services, Manager of Budget and Personnel from the Office of Related Services, along with a Related Service Compliance Associate from the Office of Non-Public Schools. To ensure scoring consistency, a training session was conducted for all committee members where they received an overview of the process and scoring rubric. Proposals were scored based on the following criteria: Program Narrative/Statement of Work (10 points); Organizational Capacity (25 points); Pricing (40 points); and Demonstrated Effectiveness (25 points). Successful vendors were required to achieve a minimum score of 80 points.

Nineteen vendors were recommended for contract awards under a previous Request for Authorization, and one is recommended here.

The proposed rates for occupational therapy and mono-lingual (English) speech therapy were compared to rates offered for positions posted on job websites for similar roles and titles. These rates were taken into consideration when establishing a range of rates that would be competitive enough to sustain occupational therapy and English speech therapy services in hard to serve areas.

There were only a limited number of job postings and current market data available for bi-lingual (Yiddish) speech therapy, which the DOE attributes to the highly specialized nature of the service. The maximum rate for English speech therapy established under this procurement was compared to the RSA rate, which the DOE offers parents to obtain this service. The percentage increase was applied to the RSA rate for Yiddish speech, establishing the range for Yiddish-based services under this procurement.

Accordingly, pricing for vendors that proposed rates within the range for occupational therapy, as well as speech therapy including English and Yiddish-based services, can be determined to be fair and reasonable.

The estimated annual contract amount for each recommended vendor is based on the amount for new vendors with a related services requirements MTAC contract of \$30,000 for each awarded service component and district.

The Multiple Task Award Contract 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 the demand for such services and to offer a choice among vendors.

Estimated Contract Amount for Recommended Vendor

Vendor Name & Address	Component(s)	District(s)	Estimated Annual / Total Amount
Rivka Osdoba 723 Crown Street Brooklyn, NY 11213	Bilingual Speech (Yiddish	14	\$30,000 / \$60,000

Vendor Responsibility

The vendor(s) recommended for award and the principal owners and officers were subject to a background check, and have been determined to be responsible.

Request for Authorization for System-wide Program Evaluation Services – R0995  
(RA 20)

**Procurement Method:** Multiple Task Award Contract per DOE Procurement Policy & Procedures, Section 3-04

**Estimated Highest Annual Amount:** \$30,000

**Estimated Total Amount:** \$150,000

**Funding Source:** Tax Levy & City/State Reimbursable

**Contract Retroactive?** No

**Contract Term:** 5 Years

**Options:** One; 3-Year

**Options Amount:** none

**Contract Type:** Requirements

**RA Number:** 11953

**Vendor Name:** Policy Studies Associates, Inc.

**Vendor Address:** 1120 20<sup>th</sup> Street NW, Suite 200N, Washington, DC 20036

**Contract Manager:** Michelle Paladino, Executive Director, Research & Policy Support Group

**Lead Contracting Officer:** Michelle Paladino, Executive Director, Research & Policy Support Group

**Division of Contracts & Purchasing Contact:** Joy Gentolia, Director, Instructional Service Procurement

### Purpose

The New York City Department of Education (“DOE”) hereby requests authorization on behalf of the Office of Policy and Evaluation (“OPE”) to contract with Policy Studies Associates, Inc. (“PSA”) for system-wide program evaluation services. All services will be provided at the discretion of participating schools, central offices operating on behalf of schools, or consortiums of schools.

### Discussion

This is the twentieth Request for Authorization (“RA”) for contracts recommended for award pursuant to a Multiple Task Award Contract (“MTAC”) solicitation seeking vendors to provide comprehensive evaluation services for various instructional programs and professional services, including needs assessments, logic models, surveys, focus groups, implementation evaluations, outcome evaluations, and data analysis summarized in written reports.

Schools, districts, and DOE central and field offices implement various programs for instructional support, staff development, conflict resolution, and other types of pedagogical services. In order to determine the success and effectiveness of these programs, a qualitative evaluation must often be conducted.

A decision was made to contract for these services because it was determined that the DOE does not currently possess the capacity and/or expertise required to meet the objectives of this program in an efficient manner.

Proposals were evaluated by a minimum of three evaluators. The Evaluation Committee included program directors, a former teacher, and research and data manager from OPE. Proposals were scored based on the following criteria: Program Plan (25 points); Pricing (25 points); Organizational Capacity (25 points); and Demonstrated Effectiveness (25 points). Successful vendors were required to achieve a minimum score of 80 points.

Thirty-two vendors were recommended for contract awards in previous Requests for Authorization, and one is named here.

The costs of program evaluation services vary and depend on the scale of the program being evaluated.

PSA offers evaluation of system-wide programs via mixed method designs, analyses, and reports including, but not limited to: social policy research, literature and best practice reviews, quantitative analysis, qualitative research methods, and content analysis. PSA's service engagements begin with a kick-off meeting on the design, including data collection and analysis, access to data, plans for reporting and communications, and goals and audience for dissemination. Based on the nature of the evaluation, PSA will develop an evaluation timeline and set of activities that is customized to meet the needs of the participating office/school.

PSA's pricing was determined to be fair and reasonable based in a comparison with hourly rates for like services by vendors contracted under similar solicitations.

The estimated annual contract amount for PSA is based on the minimum amount for new vendors for system-wide program evaluation services requirements contracts of \$30,000.

The Multiple Task Award Contract 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.

#### [Vendor Responsibility](#)

The vendor(s) recommended for award and the principal owners and officers were subject to a background check, and have been determined to be responsible.

## Request for Authorization to Amend Health and Human Services Contracts to Provide Allowances for Future Budgetary Increases

**Procurement Method:** Contract Extension and Amendment per DOE Procurement Policy & Procedures, Sections 4-07(b) & 4-08

**Estimated Highest Annual Amount:** \$1,269,829.50

**Estimated Total Amount:** \$1,269,829.50

**Funding Source:** Tax Levy Fund

**Contract Retroactive?** Yes

**Contract Term:** See Below

**Options:** None

**Options Amount:** None

**Contract Type:** Full Value

**RA Number:** 11712

**Vendor Name:** See List Below

**Contract Manager:** Monique Scales, Senior Director - Operations, Division of Early Childhood Education

**Lead Contracting Officer:** Jodina Clanton, Senior Director, Research and Special Projects, Division of Early Childhood Education

**Division of Contracts & Purchasing Contact:** Ibrahim Rehawi, Chief Administrator, Early Childhood Procurement

### Purpose

The New York City Department of Education (“DOE”) hereby requests authorization on behalf of the Office of Community Schools (“OCS”), Office of Student Pathways (“OSP”), Office of Related Services (“ORS”), Office of School Health (“OSH”), and Early Childhood Education (“ECE”) to amend health and human services (“HHS”) contracts listed below to include an allowance clause to provide a contingency for future citywide funding initiatives.

This Request for Authorization (“RA”) seeks approval to amend the contracts for the ECE program. RAs for each of the remaining programs will seek separate approvals.

### Discussion

Based on the recommendations of “A Better Contract for New York - A Joint Task Force to Get Nonprofits Paid on Time,” New York City is amending current HHS contracts to include an allowance clause. This allowance clause will eliminate the administrative burden of processing amendments for anticipated budgetary increases such as cost of living increases, changes in indirect cost rates, and other funding increases. By incorporating the allowance clause into HHS contracts, the expectation is that this change will significantly reduce contract delays and create a more efficient contract process.

As a non-mayoral agency, the DOE has opted to align with the City in amending its current eligible HHS contracts, of which the OSP, OCS, ORS, OSH, and ECE programs were among the service areas deemed eligible for the allowance. Adopting the allowance clause to essentially build in contingency amounts eliminates the need to do single transactional amendments (i.e. COLA, ICR, WEI, etc.). Based on analysis, the City determined that 25% contingency is sufficient to provide for budget adjustments

for in-scope changes that normally require amendments. Incorporating this clause is less burdensome for future amendments for in-scope changes resulting from citywide funding initiatives.

Early Childhood programs provide high quality early childhood care and education to children from birth to five years old in a variety of different programs including Pre-K for All, 3-K for All, Early learn, and Family Child Care. These programs provide opportunities to help children develop language, skills, and knowledge of the world. Children will build upon early social and emotional skills, problem solving, imaginative thinking, pre-reading writing, and math skills. Children will also build physical strength and coordination skills through activities such as running and using paint brushes or crayons. Whole group and small group activities, outdoor playtime, naptime, and meals are also included in a typical classroom day. These experiences will help each lay the foundation for a child's future success in school and life.

These amendments include contracts competitively procured and in effect during FY23 and through the term of the contract. The underlying costs were determined to be fair and reasonable at the time of the procurement processes for each underlying contract. The following table details the 25% allowance amendment amount and term per contract, per vendor.

Service Type	Site ID	Provider Name	Contract Term	Contract Number	Contract Amount	25% Allowance	Revised Contract Amount
Head Start	KBRA	BUSHWICK UNITED HOUSING DEVELOPMENT FUND CORPORATION	7/1/2023-6/30/2025	9456595	\$552,544.00	\$138,136.00	\$690,680.00
Head Start	KASR	National Association of Family Development Centers, Inc.	7/1/2023-6/30/2025	9457075	\$2,690,294.00	\$672,573.50	\$3,362,867.50
Head Start	KBWQ	National Association of Family Development Centers, Inc.	7/1/2023-6/30/2025	9457090	\$1,836,480.00	\$459,120.00	\$2,295,600.00

### Vendor Responsibility

The vendor(s) recommended for award and the principal owners and officers were subject to a background check, and have been determined to be responsible.

## Request for Authorization to Extend Contract with Day Care Council of New York to Provide Training & Labor Mediation Services on Behalf of Providers

**Procurement Method:** Contract Extension per DOE Procurement Policy & Procedures, Section 4-07(b)

**Estimated Highest Annual Amount:** \$869,999.00

**Estimated Total Amount:** \$869,999.00

**Funding Source:** City Tax Levy Funds

**Contract Retroactive?** Yes

**Contract Term:** 07/01/2024 - 06/30/2025

**Options:** None

**Options Amount:** None

**Contract Type:** Full Value

**RA Number:** 12061

**Vendor Name:** Day Care Council of New York

**Vendor Address:** 1430 Broadway, Suite 404, New York, NY 10018

**Contract Manager:** Monique Scales, Senior Director - Operations, Division of Early Childhood Education

**Lead Contracting Officer:** Jodina Clanton, Senior Director, Research and Special Projects, Division of Early Childhood Education

**Division of Contracts & Purchasing Contact:** Ibrahim Rehawi, Chief Administrator, Health & Human Services

### Purpose

The New York City Department of Education (“DOE”) hereby requests authorization to extend its contract with the Day Care Council of New York for the provision of labor mediation and negotiation services, on behalf of providers, with unions representing the collective bargaining interests of providers’ employees. This contract also provides for Day Care Council of New York to provide labor mediation services and technical assistance to resolve employee-management disputes.

### Discussion

The DOE currently administers a system of early care and education services called EarlyLearn NYC through contracted service providers, of which the employees have a designated Social Agency Employees Union, District Council 1707, A.F.S.C.M.E., A.F.L.-C.I.O. and the Council of School Supervisor and Administrators of the City of New York Local 1, American Federation of School Administrators, and A.F.L.-C.I.O. as their collective bargaining representative. Additionally, the providers have authorized the Day Care Council to represent them for the purposes of collective bargaining with the unions. In 2019, the EarlyLearn NYC service provider contracts were assigned from the New York City Administration for Children’s Services (“ACS”) to the DOE. The DOE also received the Day Care Councils contract via assignment. The transfer of this contract was effective from July 1, 2019, through June 30, 2021, with all terms and conditions of this contract remaining in effect.

The Assignment/Negotiated services extension contract expired on June 30, 2024, with no further options to renew. DECE requests that a one-year extension via 4-07(B) of the Procurement Policy and Procedures (“PPP”) for school year 2023-2024 be granted to Day Care Council of New York to ensure continuity of high-quality services, which is in the best interests of the DOE.

This contract is retroactive due to a delay in finalizing the full scope of work needed.



The Committee on Contracts recommended this contract award on September 10, 2024.

[Vendor Responsibility](#)

The vendor(s) recommended for award and the principal owners and officers were subject to a background check, and have been determined to be responsible.

## Request for Authorization to Extend Contracts with Early Childhood Providers of EarlyLearn Services

**Procurement Method:** Contract Extension per DOE Procurement Policy & Procedures, Section 4-07(b)

**Estimated Highest Annual Amount:** \$3,859,747.79

**Estimated Total Amount:** \$3,859,747.79

**Funding Source:** Various incl. New York State Education Department (NYSED), Head Start, Child Care Development Block Grant and City Tax Levy Funds

**Contract Retroactive?** Yes

**Contract Term:** 07/01/2024 - 06/30/2025

**Options:** None

**Options Amount:** None

**Contract Type:** Full Value

**RA Number:** 12116

**Vendor Name:** See List Below

**Contract Manager:** Monique Scales, Senior Director - Operations, Division of Early Childhood Education

**Lead Contracting Officer:** Jodina Clanton, Senior Director, Research and Special Projects, Division of Early Childhood Education

**Division of Contracts & Purchasing Contact:** Ibrahim Rehawi, Chief Administrator, Early Childhood Procurement

### Purpose

The New York City Department of Education (“DOE”) hereby requests authorization on behalf of the Division of Early Childhood Education (“DECE”) to extend its contracts to provide high-quality instructional programming as part of the EarlyLearn programs for one additional year with the vendors listed below. The subject contracts will be funded by DECE through various City, State, and Federal funding streams.

### Discussion

In 1997, the New York State Education Department established the Universal Prekindergarten (“UPK”) program, which entitles eligible four-year-olds to receive 2 hours and 30 minutes of instructional programming for 180 days at no charge to families. In March 2014, the State legislature approved a \$300 million grant to expand full-day pre-kindergarten access in New York City. In April 2017, the 3-K for All (“3-K”) program was introduced and announced as part of Mayor de Blasio’s initiative to expand high quality early childhood care and education for New York City (“NYC”) children. Implementation of the 3-K program is targeted to provide three-year-olds with universal, free, and enhanced early childhood education within NYC’s five boroughs. In addition to launching 3-K for All, Mayor de Blasio announced the City’s initiative to transfer into the DOE ACS’s system of contracted early care and education services for children ages 0-5, called EarlyLearn, which transferred from the Administration of Children Services to the DOE in July 2019.

In March 2019, the DOE released Birth-to-Five RFP (R1267) and Head Start/Early Head Start (R1268) RFP, seeking to identify and award eligible high-quality early childhood care and education providers who are willing to collaborate with the DOE’s Division of Early Childhood Education (“DECE”) to implement the Birth-to-Five (“B-5”) program and Head Start/Early Head Start (“HS/EHS”) as part of the

unified Birth-to-Five system. As part of both RFPs, the DOE procured B-5 and HS/EHS services in city owned and leased buildings as separate competition pools. The deadline for proposals was August 5, 2019. The contract start date was moved from July 1, 2020, to July 1, 2021.

The EarlyLearn contracts for vendors that currently operate in city owned or leased spaces, but were not awarded through the B-5 or HS/EHS RFPs (listed below), expired on June 30, 2024. The DOE determined that, in order to ensure continuity of services and avoid disruptions to families and program staff, these vendors were given the option to extend their current Early Learn contracts for school-year 2024-2025 as per section 4-07(b) of the DOE Procurement Policy and Procedures.

The Committee on Contracts approved this NS contract at the meeting held on July 9, 2024.

All provider sites have been evaluated for quality and demand and have otherwise met the DOE's requirements for a contract extension, including a health and safety assessment by the Department of Health and Mental Hygiene.

The pricing under the subject contracts remains consistent with the base ACS contracts, which were assigned from ACS to DOE and registered as Negotiated Services agreements. Since the contracts for these services were originally awarded pursuant to a competitive solicitation, the prices, terms and conditions of the base contracts will remain the same under the proposed extensions. The total amounts of such contracts are reflected in table A below. Therefore, pricing has been determined to be fair and reasonable.

Vendors offering DOE-contracted early childhood education services, including Pre-K and 3-K for all, don't have the ability to restrict who attends as all contracted vendors are required to follow DOE's enrollment policies and participate in the DOE's enrollment system.

Site ID	Vendor Name	FY25 Value
QAOW/QAPB	All My Children Day Care and Nursery School	\$2,164,581.00
KBNT	Shirley Chisholm Day Care Center, Inc.	\$1,695,166.79

### Vendor Responsibility

The vendor(s) recommended for award and the principal owners and officers were subject to a background check, and have been determined to be responsible. Noteworthy information was found for the following vendor(s):

#### All My Children Day Care and Nursery School

A review of All My Children's Day Care and Nursery School's (AMC) PASSPort submission identified the following agency reported caution:

- On September 11, 2019, the City of New York Department of Investigation (DOI) sent the New York City Department of Education a referral with findings regarding All My Children Daycare and Nursery School, Inc. (AMC) and its contract with the New York City Administration for Children's Services (ACS). The contract was for EarlyLearn services and had been assigned to the New York City Department of Education (DOE) in July 2019. DOI's findings raised issues regarding property ownership, rental costs passed through to ACS and the DOE, conflicts of interest, and PASSPort disclosures. After its review, the DOE determined that AMC's ownership

interests in property were acceptable, AMC should reimburse the DOE for an overage exceeding \$800K in rent paid by ACS and approximately \$17K as a result of failing to properly procure a consultant, and that the vendor's PASSPort submission would need to be revised. AMC submitted a corrective action plan (CAP) determined to be satisfactory, in which it agreed to reimburse the DOE for the overage in rent, adjust the rental amounts it passed through to the DOE in the future and revise its PASSPort submission.

In light of the resolution of the matter above and AMC's satisfactory performance on current DOE contracts, the DOE determines the vendor to be responsible.

## Request for Authorization to Extension Agreement for the Provision of Pre-Kindergarten For All and/or 3K For All Services

**Procurement Method:** Contract Extension per DOE Procurement Policy & Procedures, Section 4-07(b)

**Estimated Highest Annual Amount:** \$666,839.50

**Estimated Total Amount:** \$666,839.50

**Funding Source:** Various, including Tax Levy, NYS Education Department

**Contract Retroactive?** Yes

**Contract Term:** 07/01/2024 - 06/30/2025

**Options:** None

**Options Amount:** None

**Contract Type:** Requirements

**RA Number:** 12115

**Vendor Name:** See List Below

**Contract Manager:** Monique Scales, Senior Director - Operations, Division of Early Childhood Education

**Lead Contracting Officer:** Jodina Clanton, Senior Director, Research and Special Projects, Division of Early Childhood Education

**Division of Contracts & Purchasing Contact:** Ibrahim Rehawi, Chief Administrator, Early Childhood Procurement

### Purpose

The New York City Department of Education (“DOE”) hereby requests authorization on behalf of the Division of Early Childhood Education (“DECE”) to extend contracts with the vendors listed below for one additional year to provide high-quality instructional programming as part of the Pre-K for All and 3-K for All programs. These contracts will be funded by DECE.

### Discussion

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

The vendors listed below were awarded contracts through various solicitations in order for these sites to provide Pre-K for All services. These contracts contained set terms and renewal options which were exhausted, then extended for school years 2018-2019, 2019-2020, 2020-2021, 2021-2022, 2022-2023, and 2023-2024 and will reach the end of their current contract term in June 2024. In order to avoid service interruption within areas where there is demand for Pre-K for All and 3-K for All services, existing sites with contracts expiring contracts with no further renewal options and whom have exhausted the 4-07(a) and/or 4-07(b) one year extension, were given the option to extend their contracts for one additional year. These contract extensions include full-day and half-day Pre-K for All, full day 3-K for all, and Pre-K for All in charter schools. These sites have met the Department of Education (“DOE”)’s requirements for a contract extension, but will need to submit a proposal in response to an upcoming RFP for Pre-K and/or 3-K for All services if they want to continue providing services upon the expiration of this extension term.

Since the contracts for these services were awarded pursuant to a competitive solicitation, the prices, terms, and conditions of the base contract will remain the same under the proposed extension. Therefore, pricing has been determined to be fair and reasonable.

The original contract amounts were based on the number of awarded Pre-K and/or 3-K seats and the negotiated costs per child, as determined collaboratively by the DOE and the vendors. Vendors offering DOE-contracted early childhood education services, including Pre-K and 3-K for all, don't have the ability to restrict who attends as all contracted vendors are required to follow DOE's enrollment policies and participate in the DOE's enrollment system.

The Committee on Contracts approved these contract extensions at the meeting held on July 9, 2024.

#### Awards for both Pre-K for All and 3-K for All programs

Site ID	Vendor Name	No. of Awarded 3K seats	No. of Awarded 4K seats	3K Cost Per Child	4K Cost Per Child	Pay Parity Year 1	Pay Parity Year 2	Annual Total Contract Amount
KAIT	Prospect Park Yeshiva Inc.	-	35	-	\$3,901.70	-	-	\$136,559.50
KBGI	Yeled V'Yalda Early Childhood Center Inc.	-	54	-	\$3,820.00	-	-	\$206,280.00
KBOQ	Yeled V'Yalda Early Childhood Center Inc.	-	24	-	\$3,600.00	-	-	\$86,400.00
KBVX	Yeled V'Yalda Early Childhood Center Inc.	-	54	-	\$3,600.00	-	-	\$194,400.00
KBXU	Yeled V'Yalda Early Childhood Center Inc.	-	12	-	\$3,600.00	-	-	\$43,200.00

#### Vendor Responsibility

The vendor(s) recommended for award and the principal owners and officers were subject to a background check, and have been determined to be responsible. Noteworthy information was found for the following vendor(s):

#### Yeled V'Yalda Early Childhood Center Inc.

The following information was identified for Yeled V'Yalda Early Childhood Center Inc. (YvY):

- A December 2022 news article, citing a 2015 New York State Office of the Comptroller (NYS Comptroller) preschool special education services audit, discussed several allegations against YvY, including claims that YvY misallocated program funds to run a community gym, provided donations to religious schools that referred students to its company, and had its special education providers participate in religious instruction. The vendor denied misusing funds and requested a reconsideration of the state auditors' findings. The New York State Education Department (NYSED) determined that YvY met the criteria for reapproval to continue providing services to preschool students with disabilities. YvY informed this office that schools do not refer families to YvY on a quid pro quo basis and that YvY only awards grants to schools that apply and meet YvY's selection criteria. YvY maintained that its providers' services address the unique needs of students as mandated by their IEPs and do not include religious instruction.
- A December 31, 2015 NYS Comptroller financial audit found that YvY claimed approximately \$3 million in ineligible expenses for reimbursement over three years, ending June 30, 2014. The NYS Comptroller recommended that the NYSED review the audit's recommended disallowances and recoup the money through adjustments to YvY's reimbursement rates. NYSED advised that

revised rates have not yet been approved. Once NYSED does so, the DOE will use the revised rate to determine the amount that needs to be recovered from the vendor.

Since the release of the news article, no law enforcement or prosecutorial agencies have substantiated the allegations or arrested or charged YvY or its current owners with a crime. Additionally, as NYSED has not yet approved the revised reimbursement rates to recoup the monies owed, and YvY continues providing satisfactory services under its existing contracts, the DOE determines the vendor to be responsible.

## Request for Authorization to Extend a Job Order Contract with IWeiss Holding LLC for Auditorium Curtains and Drapes – B2926

**Procurement Method:** Contract Extension per DOE Procurement Policy and Procedures, Section 4-07(b)

**Estimated Highest Annual Amount:** \$1,198,862.73

**Estimated Total Amount:** \$1,198,862.73

**Funding Source:** Tax Levy

**Contract Retroactive?** Yes

**Contract Term:** 04/30/2024 – 04/29/2025

**Options:** None

**Options Amount:** None

**Contract Type:** Requirements

**RA Number:** 12058

**Vendor Name:** IWeiss Holding LLC

**Vendor Address:** 815 Fairview Avenue #10, Fairview N.J. 07022

**Awarded Classes:** 1 – City Wide

**Contract Manager:** Umran Malik, Director of Contract Administration, Division of School Facilities

**Lead Contracting Officer:** Diana Ferrer-Schwartz, Chief Administrative Officer, Division of School Facilities

**Division of Contracts and Purchasing Contact:** Ricardo Bellamy, Procurement Analyst, Transportation, Food and Facilities Procurement

**Note:** Any document referenced in this RA will be provided to PEP members upon request.

### Purpose

The New York City Department of Education (“DOE”) hereby requests authorization on behalf of the Division of School Facilities (“DSF”) to extend the contract with IWeiss Holding LLC (“IWeiss”) to provide Auditorium Curtains and Drapes in schools and administrative buildings. Funding for the cost of the extension for which authorization is being requested (“Requested Extension”) will be provided by DSF.

### Discussion

This request for approval is required to prevent a lapse in the provision of auditorium curtains and drapes. Further, section 4-07(b) of the PPP allows for such an extension. A Request for Bids (“RFB”) is under development and this extension will be replaced when the competitive solicitation is finalized.

Aside from the contract term, the Requested Extension requires no changes to the terms of the Current Contract. Prices under the Current Contract were determined to be fair and reasonable because the Current Contract was awarded under a competitive procurement involving eight bids. Hence, the prices under the Requested Extension have been determined to be fair and reasonable.

The extension value is calculated based on historical usage. The estimated cost of the Requested Extension is based on the same unit prices as those set forth in the Current Contract, adjusted according to its terms.



DSF has determined that IWeiss has performed satisfactorily under its prior contract and anticipates that it will continue to do so under this extension.

The Committee on Contracts approved this contract extension with the IWeiss at its meeting on November 7, 2024.

[Vendor Responsibility](#)

The vendor(s) recommended for award and the principal owners and officers were subject to a background check, and have been determined to be responsible.

## Request for Authorization to Extend the Contract with eScribers, LLC to Provide Recording, Reporting and Transcription Services – B2515

**Procurement Method:** Contract Extension per DOE Procurement Policy & Procedures, Section 4-07(b)

**Estimated Highest Annual Amount:** \$14,458,608.15

**Estimated Total Amount:** \$14,458,608.15

**Funding Source:** Tax Levy

**Contract Retroactive?** No

**Contract Term:** 03/01/2025 – 02/28/2026

**Options:** None

**Options Amount:** None

**Contract Type:** Requirements

**RA Number:** 12074

**Vendor Name:** eScribers, LLC

**Vendor Address:** 7227 North 16th Street, Ste. 207, Phoenix, AZ 85020

**Contract Manager:** Sharon Ainspan, Director of Hearing Administration, Impartial Hearing Office

**Lead Contracting Officer:** Farah-Lise Rousseau, Senior Executive Director, Impartial Hearing Office

**Division of Contracts & Purchasing Contact:** Hany Amin, Health and Human Services Procurement, Division of Contracts s Procurement

### Purpose

The New York City Department of Education (“DOE”) hereby requests authorization on behalf of the Impartial Hearing Office (“IHO”) to extend the contract with eScribers, LLC (“eScribers”) to provide recording, reporting, and transcription services for hearings held by the IHO and other DOE offices.

### Discussion

Pursuant to the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act, IHO processes requests for impartial due process hearings regarding disagreements between parents or guardians and the DOE concerning the identification, evaluation, educational placement, or provision of a free, appropriate, public education to students with disabilities (ages 3-21). A parent or guardian of a student with a disability may file an impartial due process complaint, which initiates an impartial hearing process. During this process, an appointed impartial hearing officer adjudicates the complaint (case) and, in doing so, will hold hearings to render a decision. All hearings are recorded, and a transcript of each hearing is produced from the recording and made available to parents/guardians at no charge. State law mandates the provision of this documentation to all parties and that the documentation become part of the official record of the case that IHO must maintain.

In 2015, eScribers was awarded a five-year contract with two, one-year options to extend pursuant to a Request for Bids (“RFB”) – B2515 to provide recording, reporting, transcription, and related services for hearings held by IHO and other DOE offices that convene similar hearings. Upon the expiration of the contract’s base term, the DOE exercised the two contractual options to extend and subsequently exercised two additional one-year non-contractual extensions. A third non-contractual extension is required to provide for continuity of services until the administration of these services is transferred to the New York City Office of Administrative Tribunals and Hearings (“OATH”), in accordance with the December 1, 2021, Memorandum of Agreement between New York State Education Department (“NYSED”), OATH, and the DOE.

This extension will have the same terms and conditions as the original, competitively awarded contract. Unit prices were previously adjusted for each of the two non-contractual extension periods representing a unit price increase as permitted by the original RFB contract. These price adjustments were consistent with the U.S. Department of Labor's Bureau of Labor Statistics Producer Price Index ("PPI") and, as such, determined to be fair and reasonable.

The annual contract amount of \$14,458,608.15 is estimated based on the actual/published BLS index and is in line with the original extension amount that was approved in December 2023. The amount was determined by the amount of Recording, Reporting, Videoconferencing, and Transcription Services needed to comply with court-mandated cases in a fiscal year. Additionally, the current spending is \$12,027,618.49 as of September 2024 and we anticipate using the entire requested amount before 2/28/25.

The program office is currently drafting the scope for a new solicitation, and it is anticipated that the new award(s) will be in place by March 1, 2026.

The Chancellor's Committee on Contracts recommended extending this contract on November 7, 2024.

It is necessary to contract for these services because the DOE does not possess the expertise, personnel, and/or resources necessary to meet the service requirements.

#### [Vendor Responsibility](#)

The vendor(s) recommended for award and the principal owners and officers were subject to a background check, and have been determined to be responsible.

## Request for Authorization to Contract with Energia USA Inc. and Harris Energy Solutions LLC to Provide Energy Engineering Consulting Services - R1700

**Procurement Method:** M/WBE Simplified Procurement per DOE Procurement Policy and Procedures, Section 3-10(c)(2-A)

**Estimated Highest Annual Amount:** \$780,780

**Estimated Total Amount:** \$1,000,000

**Funding Source:** Tax Levy

**Contract Retroactive?** No

**Contract Term:** 2 Years

**Options:** None

**Options Amount:** None

**Contract Type:** Full Value

**RA Number:** 12003

**Vendor Name:** Energia USA Inc

**Vendor Address:** 811 W. Jericho Turnpike, Suite 202W, Smithtown, NY 11787

**Contract Amount:** \$500,000

**Awarded Class:** 2

**Vendor Name:** Harris Energy Solutions LLC

**Vendor Address:** 310 W Main St, Suite # 103, Round Rock, Texas, 78664

**Contract Amount:** \$500,000

**Awarded Class:** 1

**Contract Manager:** Umran Malik, Director of Contract Administration, Division of School Facilities

**Lead Contracting Officer:** Diana Ferrer-Schwartz, Chief Administrative Officer, Division of School Facilities

**Division of Contracts & Purchasing Contact:** Hany Amin, Procurement Analyst, Division of Contracts and Purchasing

### Purpose

The New York City Department of Education ("DOE") hereby requests authorization to enter into a Minority and Women Owned Business Enterprise ("M/WBE") Procurement and Contract Method ("PCM") purchase with Energia USA Inc. ("Energia") and Harris Energy Solutions LLC. ("Harris") Minority and Women-Owned Business Enterprises ("M/WBEs") to provide Energy Engineering Consulting Services to NYCPS. This contract will be funded by DSF.

### Discussion

The DOE released a scope of work to (34) MWBE vendors that were provided by the Office of Supplier Diversity ("OSD"). The procurement consisted of two (2) Aggregate Classes ("AC"), AC 1 included Queens, Manhattan and Bronx., AC 2 included Brooklyn and Richmond.

A decision was made to contract for these services because it was determined that the DOE does not currently possess the capacity and/or expertise required to meet the objectives of this program in an efficient manner.

The Division of Contracts and Purchasing (“DCP”) received four (4) proposals. Evaluations were conducted by a three-person committee of DOE employees with expertise in this work: Borough Contract Manager, Borough Maintenance Planner, and Professional Engineer. Proposals were scored according to the following criteria: Organizational Capacity (25 points), Price (25 points), Demonstrated Effectiveness (20 points), and Program Plan (30 points).

Two (2) evaluation rounds were conducted before the Best and Final Offer (“BAFO”) negotiation stage. In the second round of the evaluation process, the committee requested in-person presentations to clarify elements of the proposals. Upon completion of the second-round evaluation, two (2) vendors were identified to move to the BAFO round.

During negotiations in the BAFO round, the two shortlisted vendors offered price reductions on their hourly rates as follows: Harris 36.52% for AC 1, and Energia 18.94% for AC 2.

The evaluation committee recommended that, in the best interest of the DOE, one class per vendor be awarded. As such, Harris was awarded AC 1 and Energia was awarded AC 2. The two vendors demonstrated strong organizational capacity, provided sequential information on pre-and post-actions to be followed, audit plans to ensure high performance, and experience performing work of a similar nature in NYC.

### Final Evaluation Score

No.	Vendor Name	Aggregate Class 1	Aggregate Class 2	Recommendation for Award
1	SETTY & ASSOCIATES LTD PC	47.67	0	No
2	NY BUILDING SYSTEMS CONSULTANT INC	65.67	65.67	No
3	<b>HARRIS ENERGY SOLUTIONS LLC</b>	<b>88.67</b>	88.67	<b>Yes</b>
4	<b>ENERGIA USA INC</b>	81.59	<b>82.25</b>	<b>Yes</b>

### Vendor Responsibility

The vendor(s) recommended for award and the principal owners and officers were subject to a background check, and have been determined to be responsible.

## Request for Authorization to Contract with EnTech Engineering, P.C and M&J Engineering, D.P.C to Provide Environmental Engineering Consulting Service- R1701

**Procurement Method:** M/WBE Simplified Procurement per DOE Procurement Policy and Procedures, Section 3-10(c)(2-A)

**Estimated Highest Annual Amount:** \$969,030

**Estimated Total Amount:** \$1,000,000

**Funding Source:** Tax Levy

**Contract Retroactive?** No

**Contract Term:** 2 Years

**Options:** None

**Options Amount:** None

**Contract Type:** Full Value

**RA Number:** 12004

**Vendor Name:** EnTech Engineering, PC

**Vendor Address:** 17 State St, Fl 36, New York, NY 10004

**Contract Amount:** \$500,000

**Awarded Class:** 1

**Vendor Name:** M&J Engineering, D.P.C

**Vendor Address:** 2003 Jericho Tpke, New Hyde Park, NY 11040

**Contract Amount:** \$500,000

**Awarded Class:** 2

**Contract Manager:** Umran Malik, Director of Contract Administration, Division of School Facilities

**Lead Contracting Officer:** Diana Ferrer-Schwartz, Chief Administrative Officer, Division of School Facilities

**Division of Contracts & Purchasing Contact:** Hany Amin, Procurement Analyst, Division of Contracts and Purchasing

### Purpose

The New York City Department of Education ("DOE") hereby requests authorization to enter into a Minority and Women Owned Business Enterprise ("M/WBE") Procurement and Contract Method ("PCM") purchase with EnTech Engineering, PC ("EnTech") and M&J Engineering, D.P.C. ("M&J") Minority and Women-Owned Business Enterprises ("M/WBE") to provide Environmental Engineering Consulting Service to NYCPS. This contract will be funded by DSF.

### Discussion

The DOE released a scope of work to 34 MWBE vendors that were provided by the Office of Supplier Diversity ("OSD"). The procurement consisted of two (2) Aggregate Classes ("AC"), AC 1 included Queens, Manhattan and Bronx, and AC 2 included Brooklyn and Richmond.

A decision was made to contract for these services because it was determined that the DOE does not currently possess the capacity and/or expertise required to meet the objectives of this program in an efficient manner.

The Division of Contracts and Purchasing ("DCP") received two (2) proposals. Evaluations were conducted by a three-person committee of DOE employees with expertise in this work: Borough

Contract Manager, Borough Maintenance Planner, and Professional Engineer. Proposals were scored according to the following criteria: Organizational Capacity (25 points), Price (25 points), Demonstrated Effectiveness (20 points), and Program Plan (30 points).

Two (2) evaluation rounds were conducted before the Best and Final Offer (“BAFO”) negotiation stage. In the second round of the evaluation process, the committee requested in-person presentations to clarify elements of the proposals. Upon completion of the second-round evaluation, both vendors were identified to move to the BAFO round.

During negotiations in the BAFO round, the two vendors offered price reductions on their hourly rates as follows: EnTech 34.81% for AC 1, and M&J 19.19 % for AC 2.

The evaluation committee recommended that, in the best interest of the DOE, one class be awarded per vendor. As such, EnTech was awarded AC 1 and M&J was awarded AC 2. The two vendors demonstrated strong organizational capacity, provided sequential information on pre-and post-actions to be followed, audit plans to ensure high performance, and experience performing work of a similar nature in NYC.

### Final Evaluation Score

No.	Vendor Name	Aggregate Class 1	Aggregate Class 2	Recommendation for Award
1	ENTECH ENGINEERING PC	85.33	89.27	Yes
2	M&J ENGINEERING, D.P.C.	84.67	88.27	Yes

### Vendor Responsibility

The vendor(s) recommended for award and the principal owners and officers were subject to a background check, and have been determined to be responsible.

## Request for Authorization to Contract with Energia USA Inc. to Provide On-Site Contingent Engineering Consulting Service- RFP-R1702

**Procurement Method:** M/WBE Simplified Procurement per DOE Procurement Policy and Procedures, Section 3-10(c)(2-A)

**Estimated Highest Annual Amount:** \$444,995.00

**Estimated Total Amount:** \$1,000,000

**Funding Source:** Tax Levy

**Contract Retroactive?** No

**Contract Term:** 2 Years

**Options:** None

**Options Amount:** None

**Contract Type:** Full Value

**RA Number:** 12005

**Vendor Name:** Energia USA Inc

**Vendor Address:** 811 W. Jericho Turnpike, Suite 202W, Smithtown, NY 11787

**Contract Manager:** Umran Malik, Director of Contract Administration, Division of School Facilities

**Lead Contracting Officer:** Diana Ferrer-Schwartz, Chief Administrative Officer, Division of School Facilities

**Division of Contracts & Purchasing Contact:** Hany Amin, Procurement Analyst, Division of Contracts and Purchasing

### Purpose

The New York City Department of Education (“DOE”) hereby requests authorization to enter into a Minority and Women Owned Business Enterprise (“M/WBE”) Procurement and Contract Method (“PCM”) purchase with Energia USA Inc. (“Energia”) Minority and Women-Owned Business Enterprises (“M/WBE”) to provide On-Site Contingent Engineering Consulting Service to NYCPS. This contract will be funded by DSF.

### Discussion

The DOE released a scope of work to (34) MWBE vendors that were provided by the Office of Supplier Diversity (“OSD”). The procurement consisted of two (2) Aggregate Classes (“AC”), AC 1 included Queens, Manhattan and Bronx., AC 2 included Brooklyn and Richmond.

A decision was made to contract for these services because it was determined that the DOE does not currently possess the capacity and/or expertise required to meet the objectives of this program in an efficient manner.

The Division of Contracts and Purchasing (“DCP”) received four (4) proposals. Evaluations were conducted by a three-person committee of DOE employees with expertise in this work: Borough Contract Manager, Borough Maintenance Planner, and Professional Engineer. Proposals were scored according to the following criteria: Organizational Capacity (25 points), Price (25 points), Demonstrated Effectiveness (20 points), and Program Plan (30 points).

Two (2) evaluation rounds were conducted before the Best and Final Offer (“BAFO”) negotiation stage. In the second round of the evaluation process, the committee requested in-person presentations to



clarify elements of their proposals. Upon completion of the second-round evaluation, two (2) vendors were identified to move to the BAFO round. However, during the sound round evaluation process, Bradford Construction Corp. withdrew their submission and thus from any further consideration for award. As a result, the evaluation committee decided to award one vendor both aggregate classes.

During negotiations in the BAFO round, Energia offered price reductions on their hourly rates as follows: 14.45% for AC 1 and 10.80% for AC 2.

Energia demonstrated strong organizational capacity, provided sequential information on pre-and post-actions to be followed, audit plans to ensure high performance, and experience performing work of a similar nature in NYC.

### Final Evaluation Score

No.	Vendor Name	Aggregate Class 1	Aggregate Class 2	Recommendation for Award
1	ENERGIA	88.35	89.99	Yes
2	EJZ ENGINEERING PLLC	80.00	79.67	No
3	BRADFORD CONSTRUCTION CORP OF NEW YORK	Withdrawn	Withdrawn	No
4	M&J ENGINEERING D.P.C.	81.84	83.48	No

### Vendor Responsibility

The vendor(s) recommended for award and the principal owners and officers were subject to a background check, and have been determined to be responsible.

## Request for Authorization to Contract with VentBike Tech LLC for Small Engine Equipment Repair (Gas, Fuel)

**Procurement Method:** M/WBE Simplified Procurement per DOE Procurement Policy and Procedures, Section 3-10(c)(2-A)

**Estimated Highest Annual Amount:** \$1,000,200

**Estimated Total Amount:** \$1,500,000

**Funding Source:** Tax Levy

**Contract Retroactive?** No

**Contract Term:** 2 Years

**Options:** None

**Options Amount:** None

**Contract Type:** Full Value

**RA Number:** 12047

**Vendor Name:** VentBike Tech LLC

**Vendor Address:** 1685 Jerome Ave, Bronx, New York, 10453

**Contract Manager:** Umran Malik, Director of Contract Administration, Division of School Facilities

**Lead Contracting Officer:** Diana Ferrer-Schwartz, Chief Administrative Officer, Division of School Facilities

**Division of Contracts & Purchasing Contact:** Beverly Newman, Procurement Analyst, Transportation, Food & Facilities Procurement

### Purpose

The New York City Department of Education ("DOE") hereby requests authorization on behalf of the Division of School Facilities ("DSF") to contract with VentBike Tech LLC. ("VentBike"), a Minority-Owned Business Enterprise ("MBE"), for small engine equipment repair (gas and fuel). The contract will be funded by DSF.

### Discussion

This simplified procurement was released as an MWBE discretionary solicitation solely to NYC MWBE-Certified vendors and advertised on the DCP MWBE website. The DOE solicited ten (10) MWBE vendors that were provided by the Office of Supplier Diversity ("OSD"). The simplified procurement consisted of one Aggregate Class ("AC") covering Citywide geographical Districts 1-32.

A decision was made to contract for these services because it was determined that the DOE does not currently possess the capacity and/or expertise required to meet the objectives of this program efficiently.

Vendors were required to quote prices for four items. The pricing included all costs to perform the requested work such as overhead costs, profits, removal and disposal, tools and equipment, travel time, and insurance. The contract requires the contractor to pick up the specified equipment at a DOE site, deliver it to the Contractor's premises, provide a technician to perform the evaluation of the equipment, and noting any repair work required to the DOE site before the approval and commencement of repairs.

Only one (1) response was received.

### Aggregate Class 1 – City Wide

Bidder Name	Original Annual Value	Annual Value after VPR
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VentBike Tech LLC	\$1,003,350.00	<b>\$1,000,200.00</b>
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DSF held a Qualification meeting with VentBike, and it was determined that they had the organizational capacity to perform the services as required under this simplified procurement. As such for this procurement, VentBike was recommended for the award.

The DOE requested a voluntary price reduction (“VPR”), and VentBike offered a discount of \$3,150. After including the VPR, prices under this proposed contract are 0.31% below the original price. Accordingly, pricing can be determined to be fair and reasonable.

#### Vendor Responsibility

The vendor(s) recommended for award and the principal owners and officers were subject to a background check, and have been determined to be responsible.

## Request for Authorization to Contract with Perfection Learning Corporation to Provide the Entire line of Perfection Learning Software & Digital Content

**Procurement Method:** Listing Application per DOE Procurement Policy & Procedures, Section 3-06

**Estimated Highest Annual Amount:** \$666,102

**Estimated Total Amount:** \$1,993,306

**Funding Source:** Various, including Tax Levy and Reimbursable

**Contract Retroactive?** No

**Contract Term:** 3 Years

**Options:** One, 2-Year

**Options Amount:** \$1,332,204

**Contract Type:** Requirements

**RA Number:** 10282

**Vendor Name:** Perfection Learning Corporation

**Vendor Address:** 1000 N 2<sup>nd</sup> Ave, P.O. Box 500, Logan, IA, 51546

**Contract Manager:** Kimberly De Vine, Director, Division of Enterprise Purchasing

**Lead Contracting Officer:** Kimberly De Vine, Director, Division of Enterprise Purchasing

**Division of Contracts & Purchasing Contact:** Kay Robbins, Procurement Analyst, Technology and Instructional Material Procurement

### Purpose

The New York City Department of Education (“DOE”) hereby requests authorization on behalf of the Division of Enterprise Purchasing (“DEP”) to contract with Perfection Learning Corporation (“Perfection Learning”) to provide the entire line of Perfection Learning Educational Software and Digital content.

### Discussion

Perfection Learning provides interactive eBooks for grades 6–12. The interactive eBooks can be accessed through their online platform, Perfection Next. The interactive eBooks have features such as auto-scoring of exercises and assessments, digital grade book, real-time data and reporting features, videos, integration of Immersive Reader technology so students can translate a reading passage to read and hear it in their native language, interactive text capabilities including the ability to annotate the text, labeling and commenting on textual evidence, and automatically transferring that information to a digital notebook for future use, the ability for teachers to customize lessons importing favorite resources from their own lesson plans and integrating their own collaborative questions and eBooks are embedded in the Interactive Edition for offline use with the Perfection Next On the Go app. Perfection Learning textbooks for Advanced Placement and secondary ELA are available in interactive editions too.

Perfection Learning provides eBooks as an alternative to the traditional format of a hard-covered textbook. The eBooks can be accessed online through the Perfection Next platform and offline through the Perfection Next On-the-Go app. The eBooks allow students and teachers to add bookmarks, change the page orientation and layout, increase the viewing size, and annotate the text by adding notes, highlighting, underlining, or marking the text. All printed materials are available in eBook format.

Perfection Learning is the sole producer and exclusive distributor of the Perfection Learning digital content and cannot be purchased by open competitive means. Accordingly, competitive procurement is impractical, and the DOE will utilize a listing application as its solicitation method pursuant to Section 3-06 of the DOE’s Procurement Policy and Procedures (“PPP”).

Perfection Learning initially offered New York City Public Schools (“NYCPS”) a 0% discount off list price. After negotiations, Perfection Learning offered NYCPS discounts in the range of 29%-33% off list price and waived its 6% digital access fee. A review of its submitted price list and website showed that it accurately reflected its national list price and its discount off list price offered to NYCPS.

In addition, the vendor has agreed to the inclusion of a “Most Favored Customer” price certification in its contract, which ensures that the DOE will receive pricing as favorable as any Municipal, County, or State Government Agency, Board of Education, School, or School System in the United States for the same or a substantially similar quantity of items.

Accordingly, pricing is determined to be fair and reasonable.

#### Vendor Responsibility

The vendor(s) recommended for award and the principal owners and officers were subject to a background check, and have been determined to be responsible.

## Request for Authorization to Contract with EPS Operations LLC, to Provide the Entire Line of EPS Operations LLC Software and Digital Content

**Procurement Method:** Listing Application per DOE Procurement Policy & Procedures, Section 3-06

**Estimated Highest Annual Amount:** \$638,685

**Estimated Total Amount:** \$1,916,055

**Funding Source:** Various, including Tax Levy & Reimbursable

**Contract Retroactive?** No

**Contract Term:** 3 Years

**Options:** One, 2-Year

**Options Amount:** \$1,277,370

**Contract Type:** Requirements

**RA Number:** 12060

**Vendor Name:** EPS Operations LLC

**Vendor Address:** 4800 Hampden Ln, Bethesda, Maryland, 20814-2930

**Contract Manager:** Kimberly De Vine, Director, Division of Enterprise Purchasing

**Lead Contracting Officer:** Kimberly De Vine, Director, Division of Enterprise Purchasing

**Division of Contracts & Purchasing Contact:** Sydney Mojica, Procurement Analyst, Technology, and Instructional Materials Procurement

### Purpose

The New York City Department of Education (“DOE”) hereby requests authorization on behalf of the Division of Enterprise Purchasing (“DEP”) to contract with EPS Operations LLC to provide the entire line of EPS Operations LLC Software and Digital Content.

### Discussion

EPS Operations LLC offers a suite of products designed to improve literacy in students. These products are aligned to state standards, based on the Science of Reading principles, and use reading intervention strategies to help students reach grade-level reading proficiency. EPS Operations LLC will be providing their product EPS Reading Assistant.

EPS Reading Assistant is an AI-powered reading tutor for students in grades K-12. The program provides one-on-one reading tutoring, oral reading fluency assessment, and dyslexia risk screening in both English and Spanish<sup>10</sup>. The program “listens” to students read aloud and provides real-time, personalized feedback and micro-interventions in an interactive learning environment. The program also generates reports that provide insights into students' reading progress. EPS Reading Assistant will also feature the following:

- **EPS Reading Assistant for SPIRE**
  - EPS Reading Assistant for SPIRE uses voice recognition technology to listen as students read aloud to an avatar named Amira. The program assesses mastery and delivers personalized tutoring to help students accelerate their reading gains. When a student struggles, EPS Reading Assistant for SPIRE delivers real-time feedback and micro-interventions to immediately address the issue.
  - The program includes a robust suite of reports and dashboards that are aligned to the SPIRE scope and sequence

- **ESP Reading Assistant for Accelerator**

- EPS Reading Accelerator is an evidence-based reading intervention program for middle school students, grounded in the science of reading, designed to help students master foundational reading skills in whole-class and Tier 2 intervention group settings.
- EPS Reading Assistant for Accelerator provides students with a private way to practice the same skills they are learning in teacher-led lessons.

The awarded vendor will be required to meet applicable DOE Minority and Women Owned Business Enterprise Subcontracting Goals.

EPS Operations LLC proposed a 16.67% discount off list price for their entire software product line. In addition, the vendor has agreed to the inclusion of a “Most Favored Customer” price certification in its contract, which ensures that the DOE will receive pricing as favorable as any Municipal, County, or State Government Agency, Board of Education, School, or School System in the United States for the same or a substantially similar quantity of items.

Accordingly, pricing is determined to be fair and reasonable.

[Vendor Responsibility](#)

The vendor(s) recommended for award and the principal owners and officers were subject to a background check, and have been determined to be responsible.