



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ITEM No.:
EE-10.

MEETING DATE	2018-05-08 10:05 - School Board Operational Meeting
AGENDA ITEM	ITEMS
CATEGORY	EE. OFFICE OF STRATEGY & OPERATIONS
DEPARTMENT	Procurement & Warehousing Services

Special Order Request
<input type="radio"/> Yes <input checked="" type="radio"/> No
Time
Open Agenda
<input checked="" type="radio"/> Yes <input type="radio"/> No

TITLE:
Recommendation to Approve First Amendment and Additional Spending Authority - 56-007V - Apex Learning Digital Curriculum & Professional Development

REQUESTED ACTION:
Approve the first amendment to the Agreement. Contract Term: July 29, 2015 through December 31, 2018; 3 Years; 5 Months; User Department: Office of School Performance & Accountability; Additional Requested Amount: \$57,375; New Award Amount: \$657,375; Awarded Vendor(s): Apex Learning, Inc.; Small/Minority/Women Business Enterprise Vendor(s): None.

SUMMARY EXPLANATION AND BACKGROUND:
Approval of the first amendment to the Agreement will allow the District to have licenses available after the expiration of the current agreement on June 30, 2018. The amendment to the agreement has been reviewed and approved as to form and legal content by the Office of the General Counsel.

SCHOOL BOARD GOALS:
 Goal 1: High Quality Instruction
 Goal 2: Continuous Improvement
 Goal 3: Effective Communication

FINANCIAL IMPACT:
The estimated financial impact to the District will be \$57,375. The contract award amount was for \$600,000. The request is to increase the spending authority by \$57,375, bringing the new contract value to \$657,375. The funding source will come from Workforce Education District Reserve Budget. The financial impact amount represents an estimated contract value; however, the amount authorized will not exceed the estimated contract award amount.

EXHIBITS: (List)
(1) Executive Summary (2) First Amendment Agreement (3) Financial Analysis Worksheet

BOARD ACTION:
APPROVED
(For Official School Board Records Office Only)

SOURCE OF ADDITIONAL INFORMATION:	
Name: Carletha Shaw-Rolle	Phone: 754-321-3818
Name: Mary C. Coker	Phone: 754-321-0501

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
Senior Leader & Title
Maurice L. Woods - Chief Strategy & Operations Officer

Signature
Maurice Woods
4/27/2018, 12:08:04 PM

Approved In Open Board Meeting On: **MAY 08 2018**

By: *Nora Rupert*
School Board Chair

EXECUTIVE SUMMARY

Recommendation to Approve First Amendment and Additional Spending Authority 56-007V Apex Learning Digital Curriculum and Professional Development

This request is to approve the First Amendment to the Agreement between Apex Learning, Inc. and The School Board of Broward County, Florida, with a spending authority of \$57,375. The basis of the amendment is a six-month renewal, which will allow the District to purchase licenses through to December 31, 2018. RFP 18-153V was released to replace the current agreement that expires on June 30, 2018, however in the best interest of the District; it is being recommended that all bids be rejected. Item E-4, High School Co-enrolled Credit Recovery is being presented at this meeting for the rejection of all bids.

The agreement was approved on July 28, 2015, RSBM item EE-5 with an approved spending authority of \$395,400. On June 27, 2017, RSBM item EE-8, an additional spending authority was approved, bringing the total to \$600,000.

Financial Impact

The spending authority being requested is \$57,375 as detailed below:

Digital Curriculum	Unit	BCPS Price	Quantity	Extended Price
Comprehensive Courses <i>Access Period:</i> <i>7/1/2018 – 12/31/2018</i>	Unlimited Enrollment Subscription	\$31.875	1,800	\$57,375.00
Total Price				\$57,375.00

The total new spending authority will be \$57,375.

The approval of this recommendation does not mean the authorized amount will be spent.

The credit recovery program in the workforce schools is designed to provide an alternative education to students who are not meeting success in the traditional school setting. The curriculum, instructional delivery, course pacing, and teaching methodology must be different than the students' previous school experiences. Therefore, these schools must utilize a different academic platform from the traditional schools that allows for a customized approach to credit recovery.

FIRST AMENDMENT TO AGREEMENT

8th day of May, 2018, by and between

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
(hereinafter referred to as "SBBC"),
a body corporate and political subdivision of the State of Florida,
whose principal place of business is
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301

and

APEX LEARNING, INC.
(hereinafter referred to as "VENDOR"),
having its principal place of business at
1215 4th Avenue, Suite 1500
Seattle, Washington 98161

WHEREAS, SBBC and VENDOR entered into an Agreement dated July 29, 2015 (hereafter "Agreement"); and

WHEREAS, VENDOR provides digital curriculum solutions for secondary education and related services; and

WHEREAS, The program provides high school credit recovery courses and is designed to provide an alternate educational tool to students who are not meeting success in the traditional school setting; and

WHEREAS, the parties mutually desire to amend certain provisions of the Agreement on through this First Amendment to Agreement (hereafter "Amendment").

NOW, THEREFORE, in consideration of the premises and of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1.01 **Recitals**. The Parties agree that the foregoing recitals are true and correct and that such recitals are incorporated herein by reference.

1.02 **Term of Agreement**. Pursuant to Article 2.01 of the Agreement, the term of the Agreement may be extended for an additional one-year renewal. SBBC and VENDOR have mutually consented to extending the term for a period of six (6) months beginning July 1, 2018

(Corporate Seal)

FOR SBBC:

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

By Nora Rupert
Nora Rupert, Chair

ATTEST:

Robert W. Runcie
Robert W. Runcie, Superintendent of Schools

Approved as to Form and Legal Content:

**Janette M.
Smith**

Digitally signed by Janette M.
Smith
Date: 2018.04.26 15:07:37
-04'00'

Office of the General Counsel

[THIS SPACE INTENTIONALLY LEFT BLANK; SIGNATURE PAGE FOLLOWS]

FOR VENDOR

(Corporate Seal)

ATTEST:

APEX LEARNING, INC.

By *[Signature]*
Signature

Printed Name: Cheryl Vedoe

Title: CEO

, Secretary

-or-

[Signature]
Witness

[Signature]
Witness

STATE OF Washington

COUNTY OF King

The foregoing instrument was acknowledged before me this 25th day of April, 2018 by Cheryl Vedoe of

Name of Person

Apex Learning Inc. on behalf of the corporation/agency. He/She is personally known to me or produced N/A as identification and did/did not first take an oath. Type of Identification

My Commission Expires: 2-28-21

[Signature]
Signature - Notary Public

(SEAL)



Tacy A. Reading
Printed Name of Notary

190372
Notary's Commission No.



PROCUREMENT & WAREHOUSING SERVICES

FINANCIAL ANALYSIS WORKSHEET

BID INFORMATION			
New Bid # (Ex: 10-004R):	N/A	Preparation Date:	April 20, 2018
Previous Bid # (Ex: 10-004R):	56-007V	Buyer/PA:	KARLENE GRANT
New Bid Award Total:	\$657,357	Bid Title:	APEX LEARNING DIGITAL CURRICULUM & PROFESSIONAL DE
Previous Award Total:	\$600,000		
Bid Type:	EXTENSION OF BID		
Previous Bid Term (Start Date):	7/29/2015	New Bid Term (In Months):	6
Previous Bid Term (End Date):	6/30/2018	# of Months Into Bid:	32

SPEND REPORTING	
Purchase Order(s) Spend:	\$554,775
P Card Purchases:	\$0
Total Invoiced-to-Date Amount (PO + Pcard Purchases):	\$554,775
Average Monthly Expenditure:	\$17,337
Unused Authorized Spending:	\$45,225
Est. Forecasted Spend (For Entire Bid Term):	\$104,020

VENDOR INFORMATION		
Awarded Vendors:	M/WBE Status (If applicable):	Spend:
101302 APEX LEARNING		\$ 554,775
	PO VENDOR SPEND:	\$ 554,775
	P-CARD SPEND:	\$ -
	TOTAL SPEND:	\$ 554,775

NOTES (Type Below):

All information included in this summary is based on the preparation date listed above and may change at any time beyond that date.