



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

MEETING DATE	2019-03-05 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

ITEM No.:
EE-10.

TITLE:
Recommendation for Renewal and Additional Spending Authority - 58-126E - iObservation Professional Development

REQUESTED ACTION:
Approve the request for renewal with additional spending authority. Contract Term: July 1, 2018 through June 30, 2020, 2 Years; User Department: Employee Evaluations; Additional Requested Amount: \$373,000; New Award Amount: \$746,000; Awarded Vendor(s): Learning Sciences International LLC.; Small/Minority/Women Business Enterprise Vendor(s): None.

SUMMARY EXPLANATION AND BACKGROUND:
This request is to renew the Agreement and increase the spending authority to allow continued use of Learning Sciences International LLC's iObservation Professional Development software for teachers.
This 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 \$373,000. The contract award was for \$373,000 bringing the new contract value to \$746,000. The funding source is the Teacher Incentive Fund and the Title IIA Grant. 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: Heather Parente	Phone: 754-321-5067
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

Approved In Open Board Meeting On:

MAR 05 2019

Signature
Maurice Woods
2/25/2019, 11:05:33 AM

By: *Heather P. Burkwood*
School Board Chair

EXECUTIVE SUMMARY

Recommendation for Renewal and Additional Spending Authority 58-126E – iObservation Professional Development

Introduction

Responsible: Procurement & Warehousing Services (PWS)

This request is to approve the First Amendment to renew the Agreement between Learning Sciences International, LLC (LSI) and The School Board of Broward County, Florida (SBBC), for one (1) year, starting July 1, 2019 through June 30, 2020. LSI provides the software system used for teacher evaluations called iObservation.

The Agreement (Bid 18-126E) was approved by the School Board on May 8, 2018, (item EE-7) for a term of one (1) year commencing on July 1, 2018 through June 30, 2019.

Goods/Services Description

Responsible: Human Resources/Employee Evaluations Department (HRSS)

This contract provides for the use of the electronic system, iObservation, to be used District-wide. Over six hundred and fifty (650) administrators (principals, assistant principals, and District supervisors) observe our 15,000 plus classroom and non-classroom teachers. All evaluative observations, meetings, ratings, and comments are housed within this system. Teachers have access to pull real-time observation data and can review feedback and recommendations for teaching practices.

The system captures three (3) evaluation scores; the Instructional Practice, Deliberate Practice, and Student Performance Scores. Overall evaluation scores are pulled electronically for raises, Pay for Performance, Florida Department of Education (FLDOE) reporting requirements, FLDOE Best & Brightest awards and provided to The Human Resources and Employee Evaluation Department for individual personnel files.

The District has used iObservation since 2011 when the FLDOE implemented the new evaluation requirements and therefore has access to years of evaluations and observation data. iObservation reports are generated regularly to inform building and District administrators of performance trends to continually support teachers with instructional strategies. The BRIDGES Evaluation System is based on Dr. Marzano's Evaluation Model, which may only be digitized within iObservation.

Procurement Method

Responsible: PWS and HRSS

The direct negotiation was performed in accordance with Purchasing Policy 3320, VI (C)(5)(c), and Section 6A-1.012(14), F.A.C., permit the acquisitions of Information & Technology as defined in Section 282.0041(14), Florida Statutes.

iObservation is the only system where you can find Dr. Robert Marzano's official research-based strategies for teacher effectiveness. Although there are other employee evaluation systems available, none have resources geared towards helping teachers grow and develop professionally by learning new strategies. Therefore, direct negotiation was utilized as the procurement method in the best interest of the District.

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Financial Impact
Responsible: PWS and HRSS

The additional spending authority requested is \$373,000 which represents the cost of iObservation and the latest tools from Dr. Marzano. Pricing is identical to last year. The original spending authority was \$373,000, combined with the additional spending authority will bring the new contract value to \$746,000 as demonstrated below:

Original Agreement spending authority	\$ 373,000
<u>First Amendment spending authority</u>	<u>\$ 373,000</u>
<u>Total spend authority</u>	<u>\$ 746,000</u>

This item is funded by two (2) sources: The Coaching & Induction Teacher Incentive Fund (TIF) Grant (\$323,000) and Title II, Part A – Supporting Effective Instruction (\$50,000) budgets.

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

FIRST AMENDMENT TO AGREEMENT

THIS FIRST AMENDMENT TO AGREEMENT is made and entered into as of this ^{5th}~~6th~~ day of ^{March}~~February~~, 2019, 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

LEARNING SCIENCES INTERNATIONAL LLC
(hereinafter referred to as "VENDOR"),
having its principal place of business at
175 Cornell Road, Suite 18; Blairsville, Pennsylvania 15717

WHEREAS, SBBC and VENDOR entered into an Agreement dated May 8, 2018 (hereafter "Agreement"); and

WHEREAS, the Agreement is for District-wide software licensing for teacher evaluation; and

WHEREAS, the term of the Agreement commenced on July 1, 2018 and concludes on June 30, 2019; and

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

WHEREAS, the VENDOR shall provide the same products for the same cost as stated in the Agreement under the term of this First Amendment; and

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 **Amended Provisions**. The parties hereby agree to the following amended provisions to the Agreement:

The following provision – Article 2.01 - shall replace the respective provisions in the Agreement, by interlineation, as follows:

2.01 **Term of Agreement.** Unless Terminated earlier pursuant to Section 3.06 of this Agreement, the term of this Agreement shall commence on July 1, 2018 and conclude on June 30, 2019. This Agreement may be extended for one additional one-year period upon written amendment to this Agreement.

1.03 **Term of Agreement.** Pursuant to Article 2.01 of the Agreement, as amended by this First Amendment, the term of the Agreement is hereby extended from July 1, 2019 through June 30, 2020, unless terminated earlier pursuant to Article 3.06 Termination of the Agreement.

1.04 **Cost of Services.** SBBC shall pay VENDOR Three Hundred Seventy-Three Thousand Dollars and 00/100 Cents (\$373,000.00) for services rendered pursuant to **Attachment A** of the Agreement for the term stated under this First Amendment.

1.05 **Order of Precedence among Agreement Documents.** In the event of conflict between the provisions of the Agreement and the provisions contained herein, the provisions of the following documents shall take precedence in this order:

- a) this First Amendment to Agreement; **then**
- b) the Agreement.

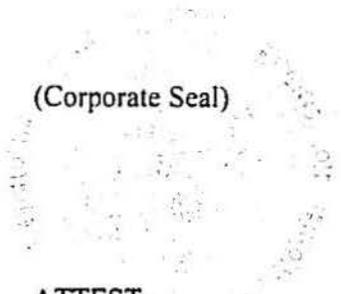
1.06 **Other Provisions Remain in Force.** Except as expressly provided herein, all other portions of the Agreement remain in full force and effect.

1.07 **Authority.** Each person signing this First Amendment to Agreement on behalf of either party individually warrants that he or she has full legal power to execute this First Amendment to Agreement on behalf of the party for whom he or she is signing, and to bind and obligate such party with respect to all provisions contained in this First Amendment to Agreement.

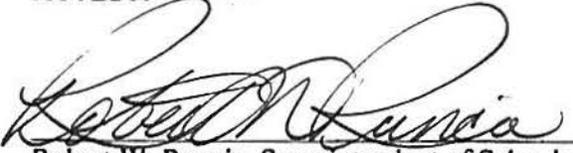
IN WITNESS WHEREOF, the Parties hereto have made and executed this First Amendment to Agreement on the date first above written.

[THIS SPACE INTENTIONALLY LEFT BLANK; SIGNATURE PAGES FOLLOW]

(Corporate Seal)

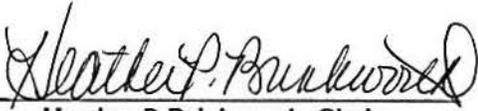


ATTEST:

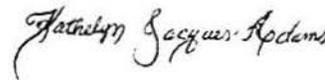

Robert W. Runcie, Superintendent of Schools

FOR SBBC:

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

By 
Heather P Brinkworth, Chair

Approved as to Form and Legal Content:



Digitally signed by Kathelyn Jacques-Adams,
Esq. - kathelyn.jacques-
adams@browardschools.com
Reason: Learning Sciences International LLC
Date: 2019.02.06 14:17:46 -05'00'

Office of the General Counsel

[THIS SPACE INTENTIONALLY LEFT BLANK; SIGNATURE PAGE FOLLOWS]

FOR VENDOR:

(Corporate Seal)

LEARNING SCIENCES INTERNATIONAL
LLC

ATTEST:

By Diane Perley
Diane Perley, Fulfillment Operations Mgr

, Secretary

-or-

Melissa Bloom
Witness

Witness

**The Following Notarization is Required for Every Agreement Without Regard to
Whether the Party Chose to Use a Secretary's Attestation or Two (2) Witnesses.**

STATE OF Pennsylvania

COUNTY OF Indiana

The foregoing instrument was acknowledged before me this 6th day of
February, 2019 by Diane Perley of
Name of Person

Learning Sciences International, LLC on behalf of the corporation/agency. He/She is personally
known to me or produced personal acquaintance as identification and did/
did not first take an oath. Type of Identification

My Commission Expires:

Jennifer Clayton
Signature - Notary Public

Jennifer Clayton
Printed Name of Notary

(SEAL)

1273731

Notary's Commission No.

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Jennifer Clayton, Notary Public
Burrell Twp., Indiana County
My Commission Expires Dec. 20, 2020
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

