



Legislation Text

File #: 22-0489, Version: 1

MOTION TO APPROVE THE PURCHASE OF ACALETICS PRODUCTS, SERVICES AND INSTRUCTIONAL MATERIALS FROM THE SOLE SOURCE VENDOR, EDUCATIONAL DEVELOPMENT ASSOCIATES, IN THE AMOUNT OF \$105,297.44 FOR THE 2022-23 SCHOOL YEAR, PURSUANT TO SECTIONS 35.18(C)(3), 35.18(C)(7)(H), AND 35.18(C)(7)(J) OF THE CITY'S CODE OF ORDINANCES.

PROCUREMENT PROCESS TAKEN:

- *Chapter 35 of the City's Code of Ordinances is titled "PROCUREMENT PROCEDURES, PUBLIC FUNDS."*
- *Section 35.18 of the City's Code of Ordinances is regarding "COMPETITIVE BIDDING OR COMPETITIVE PROPOSALS REQUIRED; EXCEPTIONS."*
- *Section 35.18(C) states that "Only the following situations are exempt from the competitive bid and competitive proposal requirements of this section:"*
- *Section 35.18(C)(3) states that "City standard, single-source and sole- source commodities or services. City standard, single- source and sole-source commodities or services are exempt from this section."*
- *Section 35.18(C)(7) states that "The following contractual services are not subject to the competitive procurement requirement:"*
- *Section 35.18(C)(7)(h) states that "Copyrighted materials, including computer software;"*
- *Section 35.18(C)(7)(j) states that "Educational books, technical publications or other type trade journals;"*
- *Section 35.21 of the City's Code of Ordinances is titled "AWARD OF CONTRACT."*
- *Section 35.21(A) of the City's Code of Ordinances is titled "City Commission approval."*
- *Section 35.21(A)(1) states, "An initial purchase of, or contract for, commodities or services, in excess of \$25,000, shall require the approval of the City Commission, regardless of whether the competitive bidding or competitive proposal procedures were followed."*

SUMMARY EXPLANATION AND BACKGROUND:

1. Educational Development Associates, Inc. (EDA) specializes in math, science, reading and test

preparation. EDA offers several research-based, results-based supplemental products and services to our Charter Schools to boost student performance and achievement. EDA is the sole producer and distributor of ACALETICS Math program software and licenses which has helped students improve test scores by providing invaluable resources and direct support to our elementary schools.

2. Prior to purchasing the program in 2006, the Curriculum team created by the Charter Schools researched several software programs and determined that the package provided by EDA had proven to be successfully aligned with the school's curriculum. The program allows teachers to test and monitor student math levels. It serves as a supplemental resource to the textbooks provided.

3. For the 2022-23 school year, the Charter Schools would like to utilize EDA supplemental Science resources, also aligned with the schools' curriculum.

4. As per Section 38.18 (C)(3) of our Procurement Code: City standard, single-source and sole-source commodities or services are exempt from the Competitive Bidding process. Attached is a sole-source letter from the vendor as the sole creator and provider of ACALETICS (See Exhibit 1. Acaletics Sole Source letter).

5. The program has been renewed annually and the cost history is provided (See Exhibit 2. Acaletics Cost History).

6. The 2022-23 renewal of the Acaletics products for all four elementary charter schools is \$105,297.44 (See Exhibits 3-6. FY2022-23 Elementary School Acaletics Quotes).

7. Request Commission to approve the purchase of Acaletics products, services and instructional materials from sole source vendor, Educational Development Associates, Inc., in the amount of \$105,297.44 for the 2022-23 School Year.

Reviewed by Commission Auditor.

FINANCIAL IMPACT DETAIL:

a) Initial Cost: \$105,297.44

b) Amount budgeted for this item in Account No: The following amounts are budgeted in the Charter School's 2022-23 Proposed Budget:

Charter School Site	Account Description	Account Coding	Cost per Site
East Elementary	(K-3) Textbooks	170-569-5051-552013-5101-520-0000-00550	\$ 13,665.00
East Elementary	(4-8) Textbooks	170-569-5051-552013-5102-520-0000-00550	\$ 13,635.38
West Elementary	(K-3) Textbooks	170-569-5051-552013-5101-520-0000-00551	\$ 13,665.00
West Elementary	(4-8) Textbooks	170-569-5051-552013-5102-520-0000-00551	\$ 12,859.82

Central Elementary (K-3) Textbooks	170-569-5051-552013-5101-520-0000-00552	\$	13,665.00
Central Elementary (4-8) Textbooks	170-569-5051-552013-5102-520-0000-00552	\$	12,807.24
FSU Elementary (K-3) Textbooks	173-569-5061-552013-5101-520-0000-	\$	13,665.00
FSU Elementary (4-8) Textbooks	173-569-5061-552013-5102-520-0000-	\$	11,335.00
Total		\$	105,297.44

- c) **Source of funding for difference, if not fully budgeted:** Not Applicable.
d) **5 year projection of the operational cost of the project:** Not Applicable.
e) **Detail of additional staff requirements:** None.

FEASIBILITY REVIEW:

A feasibility review is required for the award, renewal and/or expiration of all function sourcing contracts. This analysis is to determine the financial effectiveness of function sourcing services.

- a) **Was a Feasibility Review/Cost Analysis of Out-Sourcing vs. In-House Labor Conducted for this service?** Not Applicable.
- b) **If Yes, what is the total cost or total savings of utilizing Out-Sourcing vs. In-House Labor for this service?** Not Applicable.