



MURIEL BOWSER
MAYOR

January 9, 2023

Honorable Phil Mendelson
Chairman
Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue, NW, Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

Pursuant to section 451 of the District of Columbia Home Rule Act (D.C. Official Code § 1-204.51) and the Procurement Practices Reform Act (D.C. Official Code §§ 2-351.01 et seq.), enclosed for consideration and approval by the Council of the District of Columbia is proposed Modification Nos. 2 and 3 to Contract No. GAGA-2021-C-0074 with Curriculum Associates, LLC. Approval and Payment Authorization Emergency Act of 2023, and the accompanying emergency declaration resolution.

Under the proposed modification, Curriculum Associates LLC. shall continue to provide access to i-Ready platform for K-8th grades DCPS students, school personnel and designated Central Services personnel.

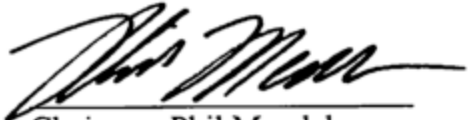
I am available to discuss any questions you have regarding the proposed contract. In order to facilitate a response to any questions you may have, please have your staff contact LaVeta Hilton, Chief Procurement Officer of the District of Columbia Public Schools, at (202) 442-5136.

I look forward to the Council's favorable consideration of this contract.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser".

Muriel Bowser


Chairman Phil Mendelson
at the request of the Mayor

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve, on an emergency basis, Modification Nos. 2 & 3 to Contract No. GAGA-2021-C-0074 with Curriculum Associates, LLC to continue providing a K-8th Grades ELA and Math Diagnostic Assessments Platform, and to authorize payment for the goods and services received and to be received under that contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the “Modification Nos. 2 & 3 to Contract No. GAGA-2021-C-0074 with Curriculum Associates, LLC Approval and Payment Authorization Emergency Act of 2023”

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Modification Nos. 2 & 3 to Contract No. GAGA-2021-C-0074 with Curriculum Associates, LLC to continue providing a K-8th Grades ELA and Math Diagnostic Assessments Platform, increase the option period amount from \$996,253.55 by \$186,746.00 to \$1,182,999.55, and authorizes payment in the total not-

35 to-exceed amount of \$1,182,999.55 for goods and services received and to be received
36 under the contract.

37 Sec. 3. Fiscal impact statement.

38 The Council adopts the fiscal impact statement of the Chief Financial Officer as
39 the fiscal impact statement required by section 4a of the General Legislative Procedures
40 Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-
41 301.47a).

42 Sec. 4. Effective date.

43 This act shall take effect following approval by the Mayor (or in the event of veto
44 by the Mayor, action by the Council to override the veto), and shall remain in effect for
45 no longer than 90 days, as provided for emergency acts of the Council of the District of
46 Columbia in section 412(a) of the District of Columbia Home Rule Act, approved
47 December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Contracting and Procurement



Pursuant to section 202(c-1) of the Procurement Practices Reform Act of 2010, as amended, D.C. Official Code § 2-352.02(c-1), the following contract summary is provided:

COUNCIL CONTRACT SUMMARY

(Retroactive)

(A) **Contract Number:** GAGA-2021-C-0074

Proposed Contractor: Curriculum Associates, LLC

Contract Amount: \$1,182,999.55

Unit and Method of Compensation: Fixed Unit Prices

Term of Contract: September 1, 2022 – August 31, 2023

Type of Contract: Firm Fixed Price

Source Selection Method: Exempt From Competition

(B) **For a contract containing option periods, the contract amount for the base period and for each option period. If the contract amount for one or more of the option periods differs from the amount for the base period, provide an explanation of the reason for the difference:**

Base Period Amount: \$1,071,727.50 (CA24-0228)

Option Period One Amount: \$1,182,999.55

Explanation of difference from base period (if applicable): The amount for option period one exceeds the price for the base period due to inflationary factors related to the cost of operating a business and because of consumer price index (CPI) inflation that measures the average change over time in the prices paid by urban consumers for a market basket of consumer goods and services.

Option Period Two Amount: TBD

Explanation of difference from base period (if applicable):

Option Period Three Amount: TBD

Explanation of difference from base period (if applicable):

Option Period Four Amount: TBD

Explanation of difference from base period (if applicable):

- (C) The goods or services to be provided, the methods of delivering goods or services, and any significant program changes reflected in the proposed contract:**

The District of Columbia Public Schools (“DCPS”) will purchase an online, Reading and Math Diagnostic Assessment and Instruction system that provides real-time information to teachers and allows for adjustments in teaching and learning as well as aggregated data at the district level in specified formats. The contractor will be providing access to the i-Ready® platform to K-8th grades DCPS students, school personnel, and designated Central Services personnel. Platform access includes the ability to administer i-Ready® Reading and i-Ready® Math assessments, analyze assessment data using reporting features, respond to student learning needs by implementing i-Ready Instruction in both Reading and Math, and deliver student intervention instruction using i-Ready Math Teacher Toolbox, as well as a suite of resources, supports, and services.

- (D) The selection process, including the number of offerors, the evaluation criteria, and the evaluation results, including price, technical or quality, and past performance components:**

This procurement is exempt from competition in accordance with D.C. Official Code 2-354.13 (4,8), Section 413, 27 DCMR, Section 1703; number (4) Copyrighted or patented materials, including technical pamphlets, published books, maps, and testing or instructional materials; provided, that the materials are purchased directly from the owner of the copyright or patent; and (8) Maintenance and support of existing software and technology to the extent that the creator of the intellectual property is still protected and is the only source of the maintenance and support of the existing software and technology.

- (E) A description of any bid protest related to the award of the contract, including whether the protest was resolved through litigation, withdrawal of the protest by the protestor, or voluntary corrective action by the District. Include the identity of the protestor, the grounds alleged in the protest, and any deficiencies identified by the District as a result of the protest:**

None

- (F) The background and qualifications of the proposed contractor, including its organization, financial stability, personnel, and performance on past or current government or private sector contracts with requirements similar to those of the proposed contract:**

For 50 years Curriculum Associates, LLC has been united around one common purpose – to make classrooms better places for teachers and students. Curriculum Associates assessment and instruction programs are backed by the industry’s most practical and applicable research. Every program they provide starts with an extensive research base, and they then engage in a constant cycle of research, review, and improvement. The result is a suite of programs proven to help DCPS students succeed. Curriculum Associates, in partnership with the Educational Research Institute of America (ERIA), collected data across the country to study the relationship between the i-Ready

Diagnostic and leading national and state assessments for both English Language Arts (ELA) and Mathematics. Correlations between i-Ready and consortium and state assessments consistently exceed established benchmarks in education. 3 According to Dunn and Bradstreet Comprehensive Report, the Contractor is financially sound and has met all of its business obligations and there is no record of open suit(s), lien(s) or judgement(s).

(G) The period of performance associated with the proposed change, including date as of which the proposed change is to be made effective:

On September 1, 2022, contract modification no. 1 exercised partial option period one, in the amount of \$996,253.55, to prevent service lapse during the Council summer recess.

DCPS proposes Modification No. 2, to exercise the full option period, through August 31, 2023, for the full option period value of \$1,182,999.55, upon obtaining approval from the Council of the District of Columbia.

(H) The value of any work or services performed pursuant to a proposed change for which the Council has not provided approval, disaggregated by each proposed change if more than one proposed change has been aggregated for Council review:

On September 1, 2022, contract modification no. 1 exercised partial option period one, in the amount of \$996,253.55

Proposed modification no. 2 will be issued upon approval by the Council of the District of Columbia and increase the option period value to \$1,182,999.55.

(I) The aggregate dollar value of the proposed changes as compared with the amount of the contract as awarded:

The partial option period was awarded in the amount of \$996,253.55.

The proposed change through Modification No. 2 will increase that value by \$186,746.00 to \$1,182,999.55.

(J) The date on which the contracting officer was notified of the proposed change:

September 1, 2022

(K) The reason why the proposed change was sent to Council for approval after it is intended to take effect:

The option period was set to begin during Council summer recess. The agency did not have sufficient time to prepare the Council package, and receive timely passive approval from the Council of the District of Columbia, before its recess beginning in July 2022.

(L) The reason for the proposed change:

The District has a continuing need for a K-8 English Language Arts and Math Diagnostic Assessments Platform.

(M) The legal, regulatory, or contractual authority for the proposed change:

The proposed option exercise is authorized in accordance with 27 DCMR 36.

(N) A summary of the subcontracting plan required under section 2346 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, as amended, D.C. Official Code § 2-218.01 *et seq.* (“Act”), including a certification that the subcontracting plan meets the minimum requirements of the Act and the dollar volume of the portion of the contract to be subcontracted, expressed both in total dollars and as a percentage of the total contract amount:

A waiver of DC Code 2-218.46 Subcontracting Requirement was granted by the Department of Small and Local Business Development on May 4, 2022.

(O) Performance standards and the expected outcome of the proposed contract:

Performance will be measured quarterly and in accordance with the deliverables set forth in Section F.3 of the contract for period September 1, 2022 through August 31, 2023. The Contract Administrator will monitor the contract to ensure deliverables are met by due dates to ensure DCPS meet the needs of students.

(P) The amount and date of any expenditure of funds by the District pursuant to the contract prior to its submission to the Council for approval:

\$996,253.55

(Q) A certification that the proposed contract is within the appropriated budget authority for the agency for the fiscal year and is consistent with the financial plan and budget adopted in accordance with D.C. Official Code §§ 47-392.01 and 47-392.02:

The agency Budget Officer certified that the required contract funds are available in the approved financial plan and budget for the District of Columbia Public Schools for Fiscal Year 2023, subject to Congressional approval.

(R) A certification that the contract is legally sufficient, including whether the proposed contractor has any pending legal claims against the District:

The Office of the Attorney General has reviewed and approved the proposed contract for legal sufficiency. The proposed contractor has no pending legal claims against the District.

- (S) A certification that Citywide Clean Hands database indicates that the proposed contractor is current with its District taxes. If the Citywide Clean Hands Database indicates that the proposed contractor is not current with its District taxes, either: (1) a certification that the contractor has worked out and is current with a payment schedule approved by the District; or (2) a certification that the contractor will be current with its District taxes after the District recovers any outstanding debt as provided under D.C. Official Code § 2-353.01(b):**

The Contractor is in compliance with District taxes per Clean Hands Certificate dated October 13, 2022.

- (T) A certification from the proposed contractor that it is current with its federal taxes, or has worked out and is current with a payment schedule approved by the federal government:**

The contractor certified in the Bidder/Offeror form that it is in compliance with federal taxes.

- (U) The status of the proposed contractor as a certified local, small, or disadvantaged business enterprise as defined in the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, as amended, D.C. Official Code § 2-218.01 *et seq.*:**

The contractor is not a Certified Business Enterprise.

- (V) Other aspects of the proposed contract that the Chief Procurement Officer considers significant:**

None

- (W) A statement indicating whether the proposed contractor is currently debarred from providing services or goods to the District or federal government, the dates of the debarment, and the reasons for debarment:**

The contractor is not on the Federal Excluded Parties List or the Office of Contracts and Procurement's Excluded Parties List.

- (X) Any determination and findings issues relating to the contract's formation, including any determination and findings made under D.C. Official Code § 2-352.05 (privatization contracts):**

D&F for Contractor Responsibility, dated October 12, 2022.

D&F for Price Reasonableness, dated October 19, 2022.

D&F for Competition Exemption, dated October 12, 2022.

- (Y) Where the contract, and any amendments or modifications, if executed, will be made available online:**

<https://dcps.dc.gov/node/974022>

(Z) Where the original solicitation, and any amendments or modifications, will be made available online:

<https://dcps.dc.gov/node/974022>



Date of Notice: January 6, 2023

Notice Number: L0008522294

CURRICULUM ASSOCIATES, LLC
153 RANGWAY ROAD
NORTH BILLERICA MA 01862

FEIN: **-***4988
Case ID: 1380973



CERTIFICATE OF CLEAN HANDS

As reported in the Clean Hands system, the above referenced individual/entity has no outstanding liability with the District of Columbia Office of Tax and Revenue or the Department of Employment Services. As of the date above, the individual/entity has complied with DC Code § 47-2862, therefore this Certificate of Clean Hands is issued.

TITLE 47. TAXATION, LICENSING, PERMITS, ASSESSMENTS, AND FEES
CHAPTER 28 GENERAL LICENSE
SUBCHAPTER II. CLEAN HANDS BEFORE RECEIVING A LICENSE OR PERMIT
D.C. CODE § 47-2862 (2006)
§ 47-2862 PROHIBITION AGAINST ISSUANCE OF LICENSE OR PERMIT

Authorized By Marc Aronin
Chief, Collection Division

To validate this certificate, please visit MyTax.DC.gov. On the MyTax DC homepage, click the "Validate a Certificate of Clean Hands" hyperlink under the Clean Hands section.



Statement of Appropriated Authority

Division of Contracts and Acquisitions
1200 First Street NE, 9th Floor, Washington, DC 20002
(202) 442-5112/Fax (202) 442-5634

1. **Prepared by:** Breana Pitts, Content & Curriculum, OTL
2. **FY23 Funding Certification Date(s):**
 - 10/1/2022 – 8/31/2023
3. **Summary of Proposed Procurement:** i-Ready Reading and Math educational licenses, assessments and professional development
4. **If contract has been awarded:**
 - **Contractor:** Curriculum Associates
 - **Contract Number:** GAGA-2021-C-0074
 - **RK Number:** RK209039, RK224557
 - **FY22 Contract Dates:** 9/1/22 - 9/30/22

Funding Information:

AGENCY	FISCAL YEAR	AGENCY OBJECT	DCPS ATTRIBUTES <i>(Complete for all lines)</i>				INTER-AGENCY ATTRIBUTES <i>(Leave blank; OCFO, BST, or Core Team will complete when Buyer Agency BFA becomes available)</i>					AMOUNT
			FUND	INDEX <i>(include prefix letter)</i>	PCA <i>(include suffix letter)</i>	PROJ/PH Or GRANT/PH <i>(if applicable)</i>	FUND	INDEX <i>(include prefix letter)</i>	PCA <i>(include suffix letter)</i>	Grant Phase	PROJ / PH	
GA0	23	418	101	1380L	SY80L							\$60,779.90
GA0	23	409	7547	1551a	SY51i	ESSER3/21	8200	GE600		U3SERF/21	1551GD/23	\$126,966.10
GA0	23A	418	101	1380L	SY80L							\$996,253.55
												\$1,182,999.55

*"A" denotes where funds will be an FY23 Advance.

** Awaiting confirmation of inter-agency funding attributes

I hereby certify that the above referenced **Curriculum Associates** contract is consistent with the applicable approved financial plan and budget for the District of Columbia Public Schools for Fiscal Year 2023. This funding obligation is subject to the availability of appropriations and Congressional approval.

Philip Speidel
Philip Speidel
Budget Officer

10/05/2022
Date

Stephen Regis
Stephen Regis
OSSE Budget Officer

10/05/2022
Date

*Program staff must create and get a "Funds Committed" requisition for the remainder of this contract in the first week of October to cover the certified amount above. All requests for funding will be held until the encumbrance is created.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General



ATTORNEY GENERAL
KARL A. RACINE



Commercial Division

MEMORANDUM

TO: Beverly Perry
Interim Director
Office of Policy and Legislative Affairs

FROM: Robert Schildkraut
Section Chief
Government Contracts Section

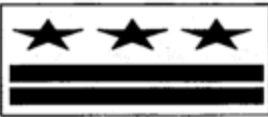
DATE: December 6, 2022

SUBJECT: Approval of Modification Nos. 2 & 3 for K-8th Grades ELA and Math
Diagnostic Assessments Platform
Contract Number: GAGA-2021-C-0074
Contractor: Curriculum Associates, LLC
Proposed Option Amount: \$1,182,999.55

This is to Certify that this Office has reviewed the above-referenced Contract action to approve Modifications No. 2 & 3, which exercise the contract's option period one, and that we have found it to be legally sufficient. If you have any questions in this regard, please do not hesitate to call me at (202) 724-4018.

Robert Schildkraut

Robert Schildkraut



**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BILATERAL MODIFICATION**

1. CONTRACT NO: GAGA-2021-C-0074	2. CONTRACT DATE: September 1, 2021	3. MODIFICATION NO: 2	4. MODIFICATION DATE: See block 12
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5. CAPTION: i-Ready (K-8th Grades ELA and Math Diagnostic Assessments Platform)

6. ISSUED TO: (Contractor) Curriculum Associates, LLC. 153 Rangeway Road North Billerica, MA 01862 Tele: (800) 225-0248 Fax: (800) 336-1158	7. ISSUING OFFICE: District of Columbia Public Schools (DCPS) Office of Contracts and Acquisitions 1200 First Street, NE, 9 th Floor Washington, DC 20002 Tele: (202) 442-5112
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8. PROGRAM OFFICE: Office of Teaching and Learning

ACTION: Change Exercise of Option Economic Price Adjustment Other

Pursuant to Section 15 of the Government of the District of Columbia Standard Contract Provisions for use with the District of Columbia Supply and Services Contract dated July 2010, and 27 DCMR Section 3600, the subject contract is hereby modified as follows:

- The contract option year one amount will increase from \$996,253.55 by \$186,746.00 to \$1,182,999.55. Curriculum Associates shall provide additional i-Ready services to schools in accordance with the Contractor's Price Quotes Nos: 269278.2, pages 1-6, 269428.15, pages 1-6, and 270868.4, pages 1-8, dated August 22, 2022 and attached hereto as Attachment A.
- The total amount for the contract option year one period 9/1/2022 – 8/31/2023 is \$1,182,999.55.
- Section B.3.2 Option Year One (September 1, 2022 through August 31, 2023), add to the price table the following:

Contract Line Item No. (CLIN)	Item Description	Total Price
1001	i-Ready - Professional Development - i-Ready Partners Services - Toolbox	\$186,746.00
Total for B.3.2		\$186,746.00

10. AMOUNT OF MODIFICATION: \$186,746.00 CURRENT VALUE OF CONTRACT: \$1,182,999.55
CURRENT COMPLETION DATE: August 31, 2023

11 CONTRACTOR
By: _____ Name: _____
Signature of Authorized Representative Title: _____ Date _____

12. ACCEPTANCE BY THE GOVERNMENT OF THE DISTRICT OF COLUMBIA
Name: LaVeta Hilton Date _____
Signature _____ Title: Deputy Chief Procurement Officer



**GOVERNMENT OF THE DISTRICT OF COLUMBIA
CHANGE ORDER/UNILATERAL MODIFICATION**

Page No. 1 of 1 Page(s)

CONTRACT NO: GAGA-2021-C-0074	EFFECTIVE DATE: September 1, 2022	MODIFICATION NO: 3	MODIFICATION DATE:
ISSUING OFFICE: OFFICE OF CONTRACTS AND ACQUISITIONS 1200 First Street, NE, 11 th Floor, Suite 1137 Washington, DC 20002 (202) 442-5112 – Office		ISSUED TO: (Contractor) Curriculum Associates, LLC. 153 Rangeway Road North Billerica, MA 01862 Tele: (800) 225-0248 Fax: (800) 336-1158	
USING AGENCY OR AGENCIES: Office of Teaching and Learning		TITLE: i-Ready (K-8 th Grades ELA and Math Diagnostic Assessments Platform)	
ACTION: <input type="checkbox"/> Change <input checked="" type="checkbox"/> Exercise of Option <input type="checkbox"/> Economic Price Adjustment <input type="checkbox"/> Other			
<p>Pursuant to Section 15 of the Government of the District of Columbia Standard Contract Provisions for use with the District of Columbia Government Supply and Services contracts, dated July 2010, and 27 DCMR Section 3600 the contract is hereby modified as follows:</p> <ol style="list-style-type: none">1. In accordance with the provisions of the contract in Section F.2, entitled "Option to Extend the Term of the Contract", the District hereby exercises the remaining option year one.2. The District of Columbia Public Schools (DCPS) is exercising the remaining option year one of the subject contract in the amount of one hundred eighty-six thousand seven hundred forty-six dollars and zero cents (\$186,746.00) pursuant to the Statement of Appropriated Authority approved by the Budget Officer, Office of the Chief Financial Officer on 10/5/2022 and City Council approval.			
ALL OTHER CONTRACT TERMS AND CONDITIONS REMAIN UNCHANGED			
_____	_____	_____	_____
DATE	LaVeta Hilton CONTRACTING OFFICER	SIGNATURE	