



PUBLIC SCHOOLS OF NORTH CAROLINA

DEPARTMENT OF PUBLIC INSTRUCTION | Mark Johnson, Superintendent of Public Instruction

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January 17, 2017



Memorandum

To: Mark Johnson, Superintendent

From: *Lou Fabrizio*
Lou Fabrizio, Director

Subject: Intent to Contract, eScholar LLC (RQ 20138413)
(Required for Service Contracts Greater Than \$5,000)

Important Information: Approval of this Memorandum of Intent to Contract is required prior to initiating the contract process. It does not constitute a contract, nor does it imply that a contract will be approved. In that regard, please note that no contractor work can begin until a contract has been approved and signed by both parties. Signed contracts will be returned to the listed DPI Contract Contact Person by the DPI Purchasing and Contracts Section.

Instructions: The questions/information in this memorandum must be completed, and the appropriate approvals obtained prior to initiating a Request for Proposal (RFP) or any contract paperwork, including amendments. All appropriate requested questions and information must be answered and completed, or the form will be returned. If approved, the original memorandum will be forwarded to the Purchase and Contracts Section, and a copy will be returned to the division. If not approved, the original memorandum will be returned to the division.

1. **Please complete the following information (If you will use competitive bidding, please insert a short name for the RFP or other bid instrument in the place for Contractor Name; for example: RFP for Parking Services, and do not complete the contract amount or contract dates.)**

Contractor Name: eScholar LLC
Contract Amount: Total: \$139,100.00
Contract Dates: January 1, 2017 thru December 31, 2017
DPI Contract Contact Person: Karl Pond, 919-807-3241

2. **Is this a contract amendment? If so, please explain fully why you are amending it. (Note: If the amendment is for a date extension only, do not answer questions #3 through #12)**

This is not a contract amendment.

DIVISION OF DATA, RESEARCH AND FEDERAL POLICY

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AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

3. Why are you initiating a contract? What services will you require?

The current eScholar maintenance and support agreement for the CEDARS complete data warehouse (CDW) software will expire on December 31, 2016. NCDPI is requesting the renewal of the maintenance and support agreement.

4. How does the contract add value to the teaching/learning process?

The CEDARS Complete Data Warehouse CDW is a secure, quality controlled, centralized State Longitudinal Data System (SLDS) that increases quality and accessibility of PK-12 educational information (e.g. student, teacher, curriculum, program, financial). The CEDARS CDW supports the data needs of DPI, teachers, principals and other local administrators, State and Federal policy and decision makers, researchers, and other consumers of educational data. The CEDARS CDW, along with analytical tools and reports, increases the ability to analyze educational trends and support data-driven decision making.

5. Is the service unique and not repetitive with agency activity or other contracts? Please state why this service cannot be performed within the resources of the agency.

Yes, the license, support and maintenance of the CEDARS CDW are unique and not repetitive with another agency activity or contract. The license, support and maintenance of the CEDARS CDW are dependent upon a commercial-off-the-shelf (COTS) product. The COTS product is a proprietary eScholar product. NCDPI did not exercise its option to purchase the product's source code. NCDPI doesn't have the skill sets internally, nor do we have a replacement for the COTS product to assume product support efforts once the current maintenance agreement expires.

6. What is the impact, if you do not contract for these services?

The continued success of the CEDARS CDW is dependent upon the continued license, maintenance and support that are only available through the existence of a maintenance agreement. The State Exchange of Education Data (SEED) and P20 are dependent upon the CEDARS CDW and cannot be successful otherwise.

7. If this contract is being paid with grant money, does the grant require the contracted services? Please describe the grant references to these contracted services, and give a synopsis of the grant.

It is not being paid with grant money.

8. Will you use competitive bidding (e.g., RFP?) If yes, skip the remaining questions # 9 through # 12.

No

9. Are you using an IT Supplemental Staffing Convenience Contract or other type of convenience contract? If yes, please skip question # 10 and complete questions # 11 and # 12.

No

10. Do you plan to request sole sourcing for this contract? If yes, please complete and attach the required sole source justification memorandum. Sole sourcing is warranted whenever only one acceptable source can be found; sole sourcing should never be the first consideration. (Important: The approval of the DPI Section Chief for Purchasing and Contracts, and approval by the Division of Purchasing and Contracts or ITS Procurement Services is required for sole sourced contracts.)

Yes, sole source justification memorandum is attached.

11. Have you contracted with this vendor previously for related services? If yes, please list all contracts with this vendor during the last twelve months.

Yes, PO#NC10037709, PO# NC10103708, PO# 10195967 and PO#10270443.

12. How did you calculate the cost (e.g., what is the cost per hour and number of hours?) If the cost per hour is above the DPI maximum for that type of service per the New Service Contract Policies, please attach the required written permission granted by the Deputy Superintendent.

The cost for this contract is based on the level of effort for the new deliverable as provided by the current vendor eScholar. A Request-for-Quote from eScholar is included in this Intent to Contract.

13. Is this contract for information technology services? Yes

14. If this is a personal service contract request, is the vendor/contractor a retiree?

_____ Yes No

If answer is yes, is individual a member of:

_____ TSERS (Teachers & State Employees Retirement System)

_____ Other (Please Explain) _____

Requisition No. RQ20138413

Budget Code: 0801-532449-180810200836

Signed: Sherrin Hain Date: 1-23-17
Budget Representative

Requisition No. RQ20138413

Approved: Yes No

Signed: [Signature] Date: 2-7-17
Supt./Deputy Supt./Appropriate CFO/CAO/CIO

For Technology Contracts Only:

Approved: Yes No

Signed: [Signature] Date: 2-7-17
Chief Information Officer