



PUBLIC SCHOOLS OF NORTH CAROLINA

DEPARTMENT OF PUBLIC INSTRUCTION | June St. Clair Atkinson, Ed.D., State Superintendent

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March 14, 2017

Memorandum

To: Maria Pitre-Martin, Chief Academic & Digital Learning Officer

From: William J. Hussey, Director 

Subject: Intent to Contract
Requisition No. **RQ20292665**
(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: Learning Ally, Inc.

Contract Amount (if this request amends the amount, please enter the amended amount): \$185,500.00

Contract Dates: July 1, 2017 – June 30, 2018

DPI Contract Contact Person and Telephone Number: Lynne Loeser 807-3980

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) **Yes. The purpose of this amendment is to exercise the first 1 year renewal option with Learning Ally, Inc (NC10306095-v2) to purchase seat licenses for individual students with print disabilities (i.e students with visual impairments, specific learning disabilities, dyslexia and physical impairments). Learning Ally will continue to provide access to human-narrated textbooks and other print material to students with print disabilities in NC Public Schools as required by the Individuals with Disabilities Education Act. These seat licenses will serve up to 2500 students with print disabilities and will be administered at the individual student level by the LEAs and charter**

EXCEPTIONAL CHILDREN DIVISION

6356 Mail Service Center, Raleigh, North Carolina 27699-6356 | (919) 807-3969 | Fax (919) 807-3243

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schools. Seat Licenses will allow for unlimited book downloads for these students. On-site and virtual training on awareness and use of the product are included. North Carolina has a dedicated staff member from Learning Ally that supports implementation at the school, district and state level.

3. **Why are you initiating a contract? What services will you require?
We are continuing the current purchase agreement with Learning Ally to provide audiobooks for students with print disabilities.**
 - **Accessible versions of NC state-adopted texts providing students with access to grade level materials and content.**
 - **Human narration**
 - **Picture image description and audio playback**
 - **Access through multiple devices**
 - **Downloadable application for each enrolled student**
 - **Web-based student management and tracking tool for teachers**
 - **An account manager assigned to support NC teachers and DPI staff**
 - **Highlighted text synced with audio**

4. **How does the contract add value to the teaching/learning process? The Exceptional Children Division provides a subscription for digitally recorded audiobooks, including state-adopted textbooks to NC Public School students who are blind, visually impaired or learning disabled or have other print disabilities which impedes their ability to read standard print. This determination of the need for assistive technology is determined by the IEP team. These seats will provide immediate and timely access to audiobooks when an IEP or 504 team makes the determination of need.**

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. The service provided is unique and not provided elsewhere within the agency. The agency does not have the resources to record and provide audiobooks to the 1,810 students currently using this service in a timely and efficient manner. We do not have the capacity nor resources to develop a library of over 85,000 titles that Learning Ally provides.**

6. **What is the impact, if you do not contract for these services? Per NC Policies Governing Services for Children with Disabilities NC 1501-2.3: Each public agency must ensure that assistive technology devices or assistive technology services, or both, are made available to a child with a disability if required as a part of the child's (1) special education; (2) related services; (3) supplementary aids and services.**

If students do not have fair and equitable access to the NC Standard Course of Study due to a print disability which prevents them from reading standard print materials, schools are in violation of the requirements of IDEA and NC Policies Governing Services for Children with Disabilities and are subject to a violation of the provision of a Free Appropriate Public Education (FAPE).

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. NO.**

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.) NO.**
11. Have you contracted with this vendor previously for related services? If yes, please provide the contract number of all contracts with this vendor during the last twelve months.
NC10306095-v2, NC10306095-v3
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 EC Division will purchase 2500 seat licenses at \$75 per license for the first 1500 licenses and \$73 per license for the remaining 1000 licenses.**
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 X No

If answer is yes, is individual a member of:

_____ TSERS (Teachers & State Employees Retirement System)

_____ Other (Please Explain) _____

Requisition No. RQ20292665

Budget Code: 0802-535830-710478115

Signed: Rene B. Page Date: 3/17/17
Budget Representative

Requisition No. RQ20292665

Approved: Yes No

Signed: White-Martin Date: 3-17-17
Supt./Deputy Supt./Appropriate CFO/CAO/CIO

For Technology Contracts Only:

^{Dr} Approved: Yes No

Signed: [Signature] Date: 3/17/17
Chief Information Officer