



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Scott P. Johnson

**SUBJECT:** SEE BELOW

**DATE:** October 27, 2008

Approved

Date

10-29-08

**SUBJECT: REPORT ON RFP FOR LIVE ONLINE HOMEWORK HELP SERVICES**

## RECOMMENDATION

Report on Request for Proposal (RFP) for the purchase of Live Online Homework Help Services and adoption of a resolution authorizing the Director of Finance to:

1. Execute an agreement with Tutor.com (New York, NY) for a web based live homework help services solution with a first year not-to-exceed compensation of \$125,000; and
2. Execute six additional one-year options to renew the Agreement subject to appropriation of funds.

## OUTCOME

To provide a web based homework tool for library and remote access with a live tutor in real-time assisting K-12 students with homework during the after school hours in multiple languages (English, Spanish, Vietnamese) and subjects.

## BACKGROUND

In 2002, the Library piloted the use of a Live Homework Help Online Program (Program) hosted by Tutor.com in select library branches. In September 2005, the Program was made available at all of the City's library branches, including remote access, in which students access the Program through a link on each participating library's website. In June 2006, the California State Library awarded the City grant funds from the Library Services and Technology Act (LSTA) to continue with after-school homework assistance to students in grades K-12.

The Program allows students to connect with tutors online to review homework, ask questions, and discuss concepts, using features such as controlled chat, shared web browsing, and an interactive

white board. The response to the Program has been overwhelmingly positive. During the past two years, 95% of students surveyed reported that they are “glad the Library offers this service.”

The usage of this Program has increased steadily since the 2002 introduction. During the last fiscal year, students logged 19,110 online sessions with tutors through the Library’s website connection to the Program. Usage of the Live Homework Help Online Program by San Jose Public Library customers was higher than any of the other participating libraries funded through the California State Library.

Funding for the LSTA grant expired on June 30, 2008. In order to continue offering the Live Homework Help Online Program, libraries are now responsible for funding 100% of cost.

### **ANALYSIS**

On June 6, 2008 a Request for Proposal (RFP) was released and advertised using the City’s e-procurement system. Two companies responded to the RFP and submitted proposals by the July 21, 2008 deadline: Tutor.com (New York, NY) and Brainfuse (New York, NY).

***Evaluation Team:*** The evaluation team consisted of five representatives from the Library.

***Minimum Qualifications (Pass/Fail):*** The initial evaluation was a pass/fail assessment of each proposal to ensure that all required forms and documentation were complete and minimum qualifications were met. Purchasing staff determined that all proposals were responsive.

***Written Proposal (65%):*** The evaluation team evaluated and scored the written proposals against the criteria and weights as specified in the RFP.

***Cost (25%):*** Cost proposals were not disclosed to the evaluation team prior to the completion of the technical evaluation so as not to inadvertently influence technical scores.

***Local and Small Business Preference (10%):*** In accordance with City policy, ten percent of the total evaluation points were reserved for local and small business preference. Neither of the two Proposers requested consideration for the City’s Local and Small Business preference. Therefore, the preference was not a factor in the final scoring/ranking of the proposals.

The evaluation results are summarized in the table below:

| <b><i>Evaluation Criteria</i></b> | <b><i>Max Points</i></b> | <b><i>Tutor.com<br/>(New York, NY)</i></b> | <b><i>Brainfuse<br/>(New York, NY)</i></b> |
|-----------------------------------|--------------------------|--|--|
| Experience                        | 20                       | 16.8                                       | 16.8                                       |
| Functionality                     | 45                       | 26.7                                       | 26.5                                       |
| Cost                              | 25                       | 25.0                                       | 18.9                                       |
| Local/Small Preference            | 10                       | 0.0  | 0.0  |
| <b>TOTAL</b>                      | <b>100</b>               | <b>68.5</b>                                | <b>62.3</b>                                |

**Recommendation Summary:** The scoring for experience and functionality was very close for both proposals. However, Tutor.com offered lower pricing than Brainfuse. Therefore, staff recommends award of contract to Tutor.com because their proposed solution received the highest overall score and was the most advantageous proposal.

**Protest Process:** The City's RFP process provides for unsuccessful Proposers to protest the award recommendation. The protest period ended September 22, 2008. The City did not receive any protests.

**Summary of Agreement and Implementation Plan:** The agreement with Tutor.com will include the purchase of a web-based system and live online tutoring service for a one-year term with six additional annual renewal options. The annual subscription is paid as a lump sum at the beginning of the term in accordance with proposal pricing. Pricing for the base year and all option years is summarized in the Cost Summary Implications section below.

## **EVALUATION AND FOLLOW-UP**

This memorandum will not require any further follow-up from staff.

## **POLICY ALTERNATIVES**

Not applicable.

## **PUBLIC OUTREACH/INTEREST**



**Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater; **(Required: Website Posting)**



**Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**



**Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

While this item does not meet any of the criteria above, this memorandum will be posted on the City's website for the November 18, 2008 Council Agenda. To provide outreach to potential vendors, the RFP was advertised through the City's e-procurement system.

**COORDINATION**

This memorandum has been coordinated with the Library Department, the City Manager’s Budget Office, and the City Attorney’s Office.

**FISCAL/POLICY ALIGNMENT**

This action is consistent with the following General Budget Principles “We must focus on protecting our vital core city services for both the short- and long-term” and “We must continue to streamline, innovate, and simplify our operations so that we can deliver services at a higher quality level, with better flexibility, at a lower cost” and the Strategic Initiative “Make San Jose a Tech-Savvy City; lead the way in using technology to improve daily life.”

**COST SUMMARY/IMPLICATIONS**

The total cost of the project is \$993,876 for a total of seven years. The table below identifies the annual costs for the initial contract period and the six optional contract periods of the seven year contract.

| <b><u>Online Homework Help Services</u></b> | <b><u>Annual Cost</u></b> |
|---|---------------------------|
| Year 1 (2008-2009)                          | \$125,000                 |
| Option 1 (2009-2010)                        | \$131,250                 |
| Option 2 (2010-2011)                        | \$131,250                 |
| Option 3 (2011-2012)                        | \$144,375                 |
| Option 4 (2012-2013)                        | \$144,375                 |
| Option 5 (2013-2014)                        | \$158,813                 |
| Option 6 (2014-2015)                        | \$158,813                 |
| <b>Grand Total</b>                          | <b>\$993,876</b>          |

**BUDGET REFERENCE**

The table below identifies the fund and appropriations proposed to fund the agreement recommended as part of this memorandum.

| Fund #                           | Appn # | Appn. Name                                 | Total Appn.        | Amt. of Agreement | 2008-2009 Adopted Capital Budget (Page) | Last Budget Action (Date, Ord. No.) |
|----------------------------------|--------|--|--------------------|-------------------|---|-------------------------------------|
| <b>Current Available Funding</b> |        |  |                    |                   |   |                                     |
| 418                              | 4083   | Automation Projects and System Maintenance | \$1,100,000        | \$125,000         | V-275                                   |                                     |
| <b>Total Funding for Project</b> |        |  | <b>\$1,100,000</b> |                   |   |                                     |

HONORABLE MAYOR AND CITY COUNCIL

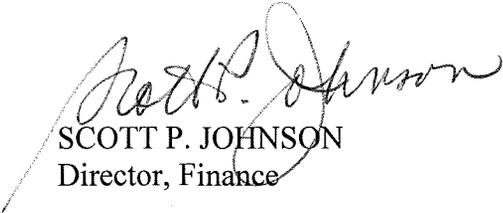
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**CEQA**

Not a project.



SCOTT P. JOHNSON

Director, Finance

For questions please contact Walter C. Rossmann, Chief Purchasing Officer, at (408) 535-7051.



