



Board Agenda Item #	IV B- Action Item
Date:	September 12, 2019
To:	Magnolia Board of Directors
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	Erdinc Acar, Chief Academic Officer
RE:	Approval of College Board as Approved Vendor

Proposed Board Motion

I move that the board approve College Board as a sole Service Provider.

Introduction and Background

College Board is a not-for-profit organization that connects students to college success. Magnolia Public Schools has been using College Board’s AP, Pre-SAT and SAT programs since its inception. College Board’s AP, Pre-SAT and SAT programs are unique services and programs that higher education institutions require for admission to their programs and issue college credits for. Below are the list of programs that our schools use. Please accept this statement per Magnolia Policy to classify College Board as a sole service provider.

**SAT and SAT Subject Tests**

The SAT is a fee-based standardized test for college admissions in the United States first administered in 1926. Tests begin at \$46 and go up to \$60 for an additional essay. In addition, there are various fees that can accumulate. The SAT is administered by College Board in the United States and is developed, published, and scored by the Educational Testing Service (ETS). The SAT covers writing, reading, and mathematics. SAT scores range from 400 to 1600, with each of the two sections worth up to 800 points. Most students take the test during their junior or senior year of high school. The SAT Subject Tests are intended to measure student performance in specific areas, such as mathematics, science, and history. On March 5, 2014. The exam reverted to the 1600-point scale, the essay is now optional, and students have three hours to take the exam plus 50 additional minutes to complete the essay. College Board partners with Khan Academy to make available free test preparation materials for the redesigned SAT. The preparation application will help students practice and help them identify their areas of improvement at no cost. Hundreds of unreleased practice problems, with videos demonstrating their step-by-step solutions are available immediately

**PSAT/NMSQT**

The PSAT/NMSQT is a fee-based standardized test that provides firsthand practice for the SAT for a cost of \$16. It also functions as a qualifying test for the National Merit Scholarship Corporation's scholarship programs.

**Advanced Placement Program**

The College Board's Advanced Placement Program is an extensive program that offers high school students the chance to participate in what College Board describes as college-level classes for a fee (\$94 in 2019), reportedly broadening students' intellectual horizons and preparing them for college work. It also plays a large part in the college admissions process, showing students' intellectual capacity and genuine interest in learning. The program allows many students to gain college credit for high performance on the AP exams. Granting credit, however, is at the discretion of the college. There are 2,900 colleges that grant credit and/or advanced standing Critics of the Advanced Placement Program charge that courses and exams emphasize breadth of content coverage instead of depth.

**Fee waiver programs**

All high schools accredited by the U.S. Department of Education are automatically eligible to receive fee waivers for the SAT and SAT Subject Tests.

Sole Service Provider Criteria: At the August 8, 2019 Board meeting, the board requested further explanation on what criteria must be met for a vendor to be considered a sole service provider. See attached PUR 107 Sec. 2.0 in the board approved MPS Accounting Policies and Procedures Manual.

Budget Implications

Following are estimated amounts per school based on last year's actual expenses and will be paid out of 2019-20 budgets.

Actual Amount Paid  2018-19	
MSA 1	\$13,140
MSA 2	\$6,565
MSA 3	\$3,579
MSA 4	\$5,763
MSA 5	\$1,789
MSA SA	\$6,023
Estimated Total	\$36,859

Exhibits (attachments):

- Sole Service Provider Letter, PUR 107, and CollegeBoard Invoices



Wednesday, July 31, 2019

To: Magnolia Finance Department

From: Alfredo Rubalcava, Chief Executive Officer and Erdinc Acar, Chief Academic Officer

Re: College Board as Sole Service Provider

Dear Team,

College Board is a not-for-profit organization that connects students to college success. Magnolia Public Schools has been using College Board's AP, Pre-SAT and SAT programs since its inception.

College Board's AP, Pre-SAT and SAT programs are unique services and programs that higher education institutions require for admission to their programs and issue college credits for.

Please accept this statement per Magnolia Policy to classify College Board as a sole service provider.

Sincerely,

Alfredo Rubalcava - CEO & Superintendent

**Title:** PUR107 BIDDING REQUIREMENTS

**Policy:** To ensure the establishment of bidding requirements relating to multi-year service contracts, and to maintain the internal controls of the selection process.

**Purpose:** To provide the methods for determining a bidding process, documentation requirements, and award of contracts.

**Scope:** This procedure applies to all vendors of services.

**Responsibilities:**

Purchasing Agent or School Principal is responsible for providing a summary and justification related to the potential proposal.

Selection Committee is responsible for the review and recommendation of all contracts over \$25,000.

Chief Executive Officer and/or Chief Financial Officer is/are responsible for the examination of the bidding and selection process of all contracts above \$25,000.

Board of Directors are responsible for the approval of all bidding contracts above \$25,000.

**Procedure:**

**1.0 BIDDING REQUIREMENTS AND PROCESS**

**1.1** New service contracts in excess of \$25,000 shall be formally bid in accordance with the following:

- Request for Proposals (RFP): RFP requirements should include contract purpose, background, description of service, general information, time requirements, proposal requirements, and evaluation process.
- Public Notice: RFP will be posted in the Organization's website.
- Prospective Vendors: Selection Committee shall maintain a list of prospective vendors for the various categories of products and services purchased by the organization. All schools or departments should refer prospective vendors to the purchasing department for inclusion in the bidder file.
- Pending Bid File: A file shall be maintained by the selection committee of all invitations to bid currently pending.
- Evaluation: Evaluation of services and vendors will be in accordance with the RFP specifications and policy PUR101 vendor selection.

- Bidder Files: Bidder files shall be maintained retaining the bids, bid comparison sheets, other submittals, and rationale in award. These bids shall

be made available for the public upon request for a period of ninety (90) days after which time they will be archived for two (2) years.

- Bidding of contracts shall not be made in small quantities (split bidding) for the purpose of circumventing the authorized approval limits assigned by the Board of Directors, or to avoid public bidding based on the policies and procedures.

<b>Vendor Selection Requirements</b>			
	<b>Less than \$5,000</b>	<b>Between \$5,000 and \$25,000</b>	<b>Greater than \$25,000</b>
Bid process required?	No	Quotes or estimates	RFP
Acceptable forms of price comparison	<b>NIA</b>	Email, published catalogs, written	Written only
Minimum number of bids required	0	3	3
Submit bid documentation to the Procurement Office?	No	Yes	Yes

## **2.0 NONCOMPETITIVE NEGOTIATIONS**

**2.1** Noncompetitive negotiations may be used for procurements in excess of \$25,000 when bidding or competitive negotiations are not feasible. MPS may purchase goods and services through non-competitive negotiations when it is determined in writing by the Chief Executive Officer that competitive negotiation or bidding is not feasible and that:

- An emergency exists which will cause public harm as a result of the delay caused by following competitive purchasing procedures, or
- The product or service can be obtained only from one source, or
- The contract is for the purchase of perishable items purchased on a weekly or more frequent basis, or
- Only one satisfactory proposal is received through RFP, or
- The charter authorizer has authorized the particular type of noncompetitive negotiation.

## **3.0 STANDARDS OF CONDUCT**

The following Standards of Conduct shall govern the performance, behavior and actions of MPS including, employees, officers, directors, volunteers and agents, who are engaged in any aspect of procurement, including - but not limited to - purchasing goods and services; awarding contracts and grants; or the administration and supervision of contracts.

integrity and the use of good judgment. Employees are expected to be principled in their business interactions and act in good faith with individuals both inside and outside MPS.

### 3.3 Conflict of Interest

- 3.3.1 No employee, officer, director, volunteer or agent of the MPS shall participate in the selection, award or administration of a bid or contract supported by federal funds if a conflict of interest is real or apparent to a reasonable person.
- 3.3.2 Conflicts of interest may arise when any employee, officer, director, volunteer or agent of the MPS has a financial, family or any other beneficial interest in the vendor firm selected or considered for an award.
- 3.3.3 No employee, officer, director, volunteer or agent of the MPS shall do business with, award contracts to, or show favoritism toward a member of his/her immediate family, spouse's family or to any company, vendor or concern who either employs or has any relationship to a family member; or award a contract or bid which violates the spirit or intent of Federal, State and local procurement laws and policies established to maximize free and open competition among qualified vendors.
- 3.3.4 MPS's employees, officers, directors, volunteers or agents shall neither solicit nor accept gratuities, gifts, consulting fees, trips, favors or anything having a monetary value in excess of twenty-five dollars (\$25) from a vendor, potential vendor, or from the family or employees of a vendor, potential vendor or bidder; or from any party to a sub-agreement or ancillary contract.

### 4.0 ACCEPTANCE OF GRATUITIES

MPS's employees, officers, directors, volunteers or agents shall neither solicit nor accept gratuities, gifts, consulting fees, trips, favors or anything having a monetary value from a vendor, potential vendor, or from the family or employees of a vendor, potential vendor or bidder; or from any party to a sub-agreement or ancillary contract.

### 5.0 DISCIPLINARY ACTIONS

Any MPS member, employee or designated agent of MPS who knowingly and deliberately violates the provisions of this code will be open to civil suit without the legal protection of MPS. Furthermore, such a violation of these procurement standards is grounds for dismissal by MPS as an employee, officer, director, volunteer or agent; or other such sanctions as available under the law.

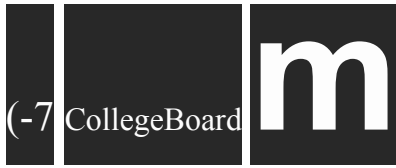
Any contractor or potential contractor who knowingly and deliberately violates the provisions of these procurement standards will be barred from future transactions with MPS.

**Revision History:**

<b>Revision</b>	<b>Date</b>	<b>Description of changes</b>	<b>Requested By</b>
0	2/16/15	Initial Release	Oswaldo Diaz, CFO
1	3/10/16	Policy Revision	Oswaldo Diaz, CFO
2	6/06/16	Policy Revision	Oswaldo Diaz, CFO

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**BILL FOR SERVICES**

Keep this stub for your records.

P.O. Box 21535, New York, NY 10087-1535

PAYMENT FOR THIS BILL IS 1 DAYS OVERDUE

054474

MAGNOLIA SCI ACADEMY-SANTA ANA  
BUSINESS OFFICE  
2840 W 1ST ST

SANTA ANA CA 927034102

ACCOUNT NUMBER	BILLING DATE
054474	07/01/19

AMOUNT DUE	DATE PAID
\$5240,00	

PAYMENT IS DUE UPON RECEIPT.  
Questions regarding this statement should be directed to AP Services for Educators.  
Phone: 212-632-1781 or toll free 877-274-6474  
Fax: 609-538-6210  
Email: apexams@info.collegeboard.org

CHARGES LISTED ARE FOR THE 2019 ADMINISTRATION.

Quantity	Type of Service	Fee	Amount
75	USED EXAMINATIONS	85.00	6375.00
4	UNUSED <b>EXAMINATIONS</b>	15.00	<b>60,00</b>
1	LATE <b>PAYMENT</b> CHARGE	225,00	225.00
3	LATE USED <b>EXAMS</b>	85.00	255.00
3	UNUSED <b>EXAM</b> CREDIT-LATE TAKEN	15.00	-45.00
50	EXAMINATION FEE REDUCTION	32,00	-1600.00
2	UNUSED <b>EXAM</b> CREDIT	15.00	-30.00
1	<b>WAIVE</b> LATE ORDER CHARGE	55.00	-55.00
1	LATE ORDER SHIPPING CHARGE	55.00	55.00
<b>FEE PAID</b>		<b>DUE</b>	

Detach, complete, and enclose this bottom portion with your payment.

For billing inquiries call 212-632-1781 or toll free: 877-274-6474 **BILL FOR SERVICES**

054474  
MAGNOLIA SCI ACADEMY-SANTA ANA  
BUSINESS OFFICE  
2840 W 1ST ST  
SANTA ANA CA 927034102

ACCOUNT NUMBER	P/J	AMOUNT DUE	AMOUNT ENCLOSED
054474	18132	◆5240.00	
Send check or money order, made payable to: AP Exams. Do not send cash.			

Billing Date: 07/01/19

The College Board  
P.O. Box 21535  
New York, NY 10087-1535



Customer Number 47633  
 Invoice # EA87688319  
 Date 06/10/2019  
 Terms NET30  
 Order Number 121005157  
 PO Number

Bill To
Magnolia Science Acad 1 Reseda 18238 Sherman Way Reseda, CA 91335 United States  ATTN: Omar Polat

Ship To
Magnolia Science Acad 1 Reseda 18238 Sherman Way Reseda, CA 91335 United States  ATTN: Omar Polat

ITEM	DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
<b>Products - Examination &amp; Fees</b>				
160011819	SAT School Day - 11th Grade (April #2)	2	47.50	95.00
160012492	SAT School Day with Essay - 11th Grade (April #2)	61	64.50	3,934.50
<b>PRODUCT SUB-TOTAL</b>				<b>4,029.50</b>
<b>ADJUSTMENTS</b>				<b>0.00</b>
<b>SHIPPING &amp; HANDLING</b>				<b>0.00</b>
<b>SALES TAX</b>				<b>0.00</b>
<b>NET TOTAL</b>				<b>\$4,029.50</b>
<b>CREDITS</b>				<b>0.00</b>
<b>PAYMENTS</b>				<b>0.00</b>
<b>CURRENT NET BALANCE</b>				<b>\$4,029.50</b>

**Comments :**  
 AI Code: 053014

Customer Number: 47633 Invoice#EA87688319 Invoice Total : \$4,029.50  
 Please detach this portion and return with payment to: **Balance :** **4,029.50**  
 The College Board  
 P.O. Box 30171  
 New York, NY 10087-0171  
 Federal Tax ID: 13-1623965

Questions about this invoice, please contact our Customer Service at: 855-373-6387, option 6 for Billing **Amount Enclosed : \$ \_\_\_\_\_**

**To pay online visit us at :** <<https://store.collegeboard.org/sto/ipn.do>>  
 If you encounter issues while processing the payment, please send an email to [electronicpayments@collegeboard.org](mailto:electronicpayments@collegeboard.org)