



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 9/27/2022

ALL

Item Creation Date: 9/7/2022

E32438 - Online Homework Services (Brainfuse, Inc.) - ORDINANCE

Agenda Item#: 84.

Background:

Sole Source (S36-E32438)- Approve an ordinance awarding an Agreement to Brainfuse, Inc. in the maximum contract amount of \$822,000.00 for Online Homework Services for the Houston Public Library Department.

Specific Explanation:

The Director of the Houston Public Library and the Interim Chief Procurement Officer recommend that City Council approve an ordinance awarding a **three-year agreement, with two one-year options**, to **Brainfuse, Inc.** in the maximum contract amount of **\$822,000.00** for online homework services for the Houston Public Library Department. The Houston Public Library Department Director may terminate this contract at any time upon 30-days written notice to the contractor, with a copy of the notice to the Chief Procurement Officer.

The scope of work requires the Contractor to provide online tutorial assistance in English and Spanish for students Kindergarten through 12th grade and college introductory level in a variety of subjects, which include, but are not limited to Math, Science, Social Studies, English, English as a Second Language (ESL), and English/Language Arts. Additional services will include foreign language assistance, test preparation, digital literacy, career services, and writing labs. The contractor shall provide online homework services twenty-four (24) hours a day, seven (7) days a week, three-hundred sixty (360) days per year.

This recommendation is made pursuant to subsection 252.022(a)(7) of the Texas Local Government Code, which provides that "a procurement of items that are available from only one source..." is exempt from the competitive requirements for purchases.

MWBE Participation:

Zero-percentage Goal document approved by the Office of Business Opportunity.

Pay or Play:

The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

Hire Houston First:

This procurement is exempt from the City's Hire Houston First Ordinance that promotes economic opportunity for Houston businesses and supports job creation. Bids/proposals were not solicited because the department is utilizing a sole source contractor for this purchase.

Fiscal Note:

Funding for this item is included in the FY2023 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policies.

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9/15/2022

9/15/2022

Jedediah Greenfield
Interim Chief Procurement Officer

Department Approval Authority

Estimated Spending Authority			
Department	FY2023	Out-Years	Award Amount
Houston Public Library	\$164,400.00	\$657,600.00	\$822,000.00

Amount and Source of Funding:

\$822,000.00
General Fund
Fund No. 1000

Contact Information:

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ATTACHMENTS:

Description	Type
Form B	Backup Material
Sole Source Justification	Backup Material
MWBE Goal Waiver Approval	Backup Material
City of Houston Ownership Form	Backup Material
Secretary of State	Backup Material
Certificate of Insurance	Backup Material
Drug Forms	Backup Material
Pay or Play Forms	Backup Material
Certification of Funds	Financial Information