



# Good Faith Effort Contract Renewal Waiver Request Form

No vendor shall be eligible for renewal of a contract when that vendor has failed to meet the goals agreed to in the vendor's utilization plan unless the State agency has determined that the vendor made good faith efforts toward meeting the contract goals and has issued a waiver or that vendor is not otherwise excused from compliance by the chief procurement officer in consultation with the purchasing State Agency. 30 ILCS 500/20-60(f).

Requesting Agency

Original Contract BidBuy PO Number  Renewal Contract BidBuy REQ Number

### Section I - General Information

Project Title

Vendor

### Section II - BEP Commitment

Contract commitment means that the contractor will make a good faith effort to use the BEP subcontractors as described in the Utilization Plan.

**Provide the current term notice of award dollar amount, the current term contract actual spend, and the proposed renewal notice of award dollar amount.**

Current Term Notice of Award Amount (\$)	<input type="text" value="522,709.00"/>	Current Term Contract Actual Spend (\$)	<input type="text" value="252,295.00"/>	Proposed Renewal Notice of Award Amount (\$)	<input type="text" value="180,333.00"/>
--	---	---	---	--	---

**Provide current term BEP contract commitment percentage, the actual achieved current term BEP contract commitment percentage, and the proposed renewal BEP contract commitment percentage. The actual achieved current term BEP contract commitment percentage is based on the current term actual spend.**

Current Term BEP Contract Commitment (%)	<input type="text" value="21"/>	Current Term BEP Contract Commitment Actual (%)	<input type="text" value="7"/>	Proposed Renewal BEP Contract Commitment (%)	<input type="text" value="21"/>
--	---------------------------------	---	--------------------------------	--	---------------------------------

**List the names of all BEP subcontractors identified on the Utilization Plan. For each BEP subcontractor listed, provide the commitment percentage, the actual achieved commitment percentage, and the actual achieved commitment dollar value.**

BEP Subcontractor Name	Commitment Percentage	Commitment Percentage Actual	Commitment Value Actual (\$)
Censeo Group	21	7	33750



# Good Faith Effort Contract Renewal Waiver Request Form

No vendor shall be eligible for renewal of a contract when that vendor has failed to meet the goals agreed to in the vendor's utilization plan unless the State agency has determined that the vendor made good faith efforts toward meeting the contract goals and has issued a waiver or that vendor is not otherwise excused from compliance by the chief procurement officer in consultation with the purchasing State Agency. 30 ILCS 500/20-60(f).

Requesting Agency

Original Contract BidBuy PO Number  Renewal Contract BidBuy REQ Number

### Section III - Contract Description

Provide a brief description of the current term contract supplies or services:

Vendor will evaluate ISBEs statewide system of support; IL-EMPOWER. Vendor will collect, analyze and report to ISBE annually on implementation progress, impact on school continuous improvement and effectiveness for improving opportunity and outcomes for students.

### Section IV - Good Faith Effort

Describe the actions that the vendor took which constitute a good faith effort in performance of the current term of the contract, to meet the BEP commitment described in the Utilization Plan:

Measurement Inc (MI) activities for their BEP contractor ceased due to COVID. Additionally, ISBE moved around deliverables and due dates due to COVID. Finally, Measurement Inc (MI) and ISBE acknowledge the discrepancy when originally calculating the BEP goal and mistakenly used Year 1 budget total of \$170,674 instead of the entire initial term of \$522,709. MI inadvertently mis-calculated the BEP cost for the initial term of the contract when they submitted their proposal. Instead of using the 3-year total as the denominator (\$522,709) to calculate the 21% required BEP target (or \$109,769), MI used the Year 1 total (\$170,674) and inserted \$36,365 into the BEP section of the proposal. ISBE regrets it did not catch the error.

ISBE requested changes to the scope of work that directly impacted Censeo.

Censeo (most of their work is site based and then they take the data back to the office and analyze for MI) was contracted to complete case studies, designed to be site-based and would include travel around the state to the schools in the study. This task was required each year of the 3-year project of Censeo:

- Year 1 (FY19): No qualitative data collection work was scheduled nor expected to be conducted by Censeo
- Year 2 (FY20): All data collection activities, including site-based case study collection was canceled by ISBE.
- Year 3 (FY21): The focus of the case studies for shifted in February 2021 to accommodate the needs of ISBE's Research Department. (RD). RD was interested in conducting a different set of qualitative data collection activities, but did not have the personnel to conduct the visits. Initially, MI was asked to focus on 10 schools, but delays in selecting the schools on the part of the Department and the lateness of the school year to begin this work, reduced the number of schools to 5.

Furthermore, the amount of data collection MI was asked to do at each school was reduced, at ISBE's behest, from focus groups with members of the School Leadership Teams and interviews with school administrators to interviews with school administrators only. This work is currently being completed as Censeo has some interviews scheduled over the next 10-days.

MI's Year 3 evaluation work is not completed due to COVID and the shifting of ISBE priorities. The most important task is the retrieval of multiple ISBE data sets (e.g., the School Improvement Reports and the Learning Partner Reports), data analysis, and (Final) report writing. This data do not become available until July 2021. Thus the analysis and report writing will not be completed until mid-September. This situation occurred previously for the Year 1 and Year 2 reports.

MI has had multiple discussions with the RD regarding the next phase, and is currently constructing a detailed plan for the evaluation



## Good Faith Effort Contract Renewal Waiver Request Form

No vendor shall be eligible for renewal of a contract when that vendor has failed to meet the goals agreed to in the vendor's utilization plan unless the State agency has determined that the vendor made good faith efforts toward meeting the contract goals and has issued a waiver or that vendor is not otherwise excused from compliance by the chief procurement officer in consultation with the purchasing State Agency. 30 ILCS 500/20-60(f).

Requesting Agency

Original Contract BidBuy PO Number

Renewal Contract BidBuy REQ Number

of the IL-EMPOWER Initiative based on these discussions. The plan lays-out specific actions steps to complete the data collection, data analysis, report writing and report presentation requirements. The budget for this additional year's work is \$180,333.

As part of this plan, MI will sub-contract to Censeo to complete multiple data collection tasks. MI has committed to a BEP goal of 21%, or \$37,870.

ISBE takes its commitment to achieving BEP goals seriously in this contract and in extending opportunity to the BEP community whenever and wherever possible. To that end, it is important to note that this contract is fully funded with federal dollars. ISBE's dedication to BEP is such that, when feasible, goals are placed on federally funded contracts, even though it is not a requirement of the Program.

Describe in detail the impact to the State if this renewal is not approved?

The impact of a disrupted contract with Measurement, Incorporated would be a disruption in the longitudinal study of IL-EMPOWER's effect on schools designated for comprehensive and targeted supports. IL-EMPOWER is the federal grant program, funded by the U.S. Department of Education, that supports the State's lowest performing (comprehensive) and underperforming (targeted) schools. In the absence of complete statewide assessment data due to the pandemic, this program evaluation is critical to alternatively monitor the progress of grantees using other metrics.

### Section V - State Agency Head Signature

A vendor's failure to meet the BEP contract commitment in its contract is a breach of contract. A vendor's BEP contract commitment is a material term of the contract. It is the State's public policy to promote and encourage the economic development of firms certified by the Business Enterprise Program and that these firms participate in the State's procurement process as both prime and subcontractors. The vendor's actions to meet the BEP contract commitment constitute a good faith effort. Despite the failure to satisfy State policy to meet contract goals with BEP subcontractors, I believe that the agency's need for the contract renewal outweighs the State policy.

The State Agency Head's signature cannot be delegated or signed by a designee.

State Agency Head Signature

Printed Name

Title

Date