

STATE OF TEXAS §  
 COUNTY OF TRAVIS §

Division Number: <u>900</u>	Program Name: <u>Special Programs-Micro-Credentialing Pilot Program</u>
Org. Code: <u>711P</u>	Legal/Funding Authority: <u>GAA, Article III, Rider 41, Authority: 85<sup>th</sup> Legislature, 2017</u>
Speed Chart: <u>8P058</u>	
Payee Name: <u>Bloomboard, Inc.</u>	Payee ID: <u>12721382310</u>
ISAS Contract #: <u>3697</u>	PO #: <u>36755</u>

Amendment No. 01

**AMENDMENT TO  
 STANDARD CONTRACT  
 BETWEEN  
 TEXAS EDUCATION AGENCY  
 AND**

Bloomboard, Inc.  
 NAME OF CONTRACTOR

It is mutually understood and agreed by and between the undersigned contracting parties of the above numbered contract to amend said Contract effective September 1, 2017 as follows:

**ARTICLE II. PERIOD OF CONTRACT**

TEA is exercising first (1 of 2) option to renew the contract as allowed in the Contract term beginning September 1, 2017 ending August 31, 2018.

**ARTICLE III. PURPOSE OF CONTRACT**

Reason for amendment: Expanding micro-credential opportunities for teachers in targeted district aligned with TEA's initiatives; Providing opportunities for continuing education for teachers for re-certification purposes.

**ARTICLE IV. PAYMENT UNDER CONTRACT**

A detailed FY2018 Budget and Task Activity Plan, labeled Exhibit A, is attached,

Contract Amount	\$550,900.00
Amendment Amount	<u>\$194,200.00</u>
Contract Total	\$745,100.00

Texas Government Code §2252.901 prohibits the agency into entering into an employment contract, a professional services contract, or a consulting services contract with a former or retired TEA employee before the first anniversary of their last date of regular employment. If TEA enters into a "professional services" contract with a corporation, firm, or other business entity that employs a former or retired employee during the first year of the past employee's departure from the agency, the former or retired employee is restricted from performing services on projects that the employee worked on while employed at TEA.

Texas Government Code §572.069. CERTAIN EMPLOYMENT FOR FORMER STATE OFFICER OR EMPLOYEE RESTRICTED. A former state officer or employee of a state agency who during the period of state service or employment participated on behalf of a state agency in a procurement or contract negotiation involving a person may not accept employment from that person before the second anniversary of the date the officer's or employee's service or employment with the state agency ceased.

Effective 01/01/17, the mileage reimbursement rate is 53.5¢ and the previous rate 1/1/16- 12/31/16 was .54¢. The Comptroller's website for travel rules and regulations – textravel: <https://fmxcpa.state.tx.us/fmx/travel/textravel/index.php>. Receipts must be made available for programmatic or financial audit, by TEA and by others authorized by law or regulation to make such an audit, for a period of not less than seven years.

Updated Contract Terms and Conditions dated May 22, 2017 are attached and incorporated herein.

All other terms and conditions of the original contract and amendments remain the same and are incorporated herein as if specifically written.

It is agreed and accepted by a person authorized to bind Contractor that all Terms and Conditions of this Amendment are effective commencing on the above date.



DocuSigned by:

*Jason Lange*

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Authorized Signature

Typed Name: Jason C. Lange  
Typed Title: Chief Executive Officer

**This section reserved for Agency use.**

I, an authorized official of Agency, hereby certify that this contract is in compliance with the authorizing program statute and applicable regulations and authorize the services to be performed as written above.

AGREED and accepted on behalf of Agency this 22<sup>nd</sup> day of August, 2017 (month/year) by a person authorized to bind Agency.

Return electronic copy to:  
[TEAContracts@tea.texas.gov](mailto:TEAContracts@tea.texas.gov)

*Kara Belew*  
Kara Belew, Deputy Commissioner Finance  
Administration





**Exhibit A-  
BUDGET AND TASK  
ACTIVITY PLAN- FY2018**

**Appendix: Financial Activity Table**

Deliverable Number	Task/Subtask/Subtask Items	Deliverable Type	Responsible Party	Timeline	Cost
<b>Kickoff and Project / Implementation Management</b>					
	Project kickoff meeting w/TEA and partners to determine project plan, number of pilot districts, and implementation timeline	Meeting	BloomBoard	9.17	5,000
1.5.7	Project kickoff meeting attendance	Meeting	Digital Promise	9.17	5,000
<b>Micro-credential (MC) Development</b>					
1.5.7.4	Development of Teacher Effectiveness MCs	5 MCs	Relay	9.17	35,000
1.5.7.4	Development of Collections	5 Collections	Relay	9.17	35,000
1.5.7.4	MC development support: Teacher Effectiveness MC's	5 MCs	Digital Promise	9.17	6,750
<b>ESC Implementation Training and Ongoing Year-One Support</b>					
1.6.6	Train the trainer materials development (facilitators guide, tools/protocols, other resources, plus revisions)	Training	BloomBoard	9.17	15,000
1.5.9	Ongoing facilitation, coaching, communication with and among pilot participants and project partners	Project Management	BloomBoard	9.17-8.18	7,700
1.5.9	Ongoing facilitation, communication with and among pilot participants and project partners	Project Management	Digital Promise	9.17-8.18	2,000
<b>ESC Reviewer Certification Training for TLac MCs</b>					
1.5.10	Review of pilot responses by developer for 11 MCs to select training papers and calibration sets for each MC	Consulting	Relay	9.17	10,000
1.5.10	Project Management	Consulting	BloomBoard	9.17	6,500
1.5.10	Recruit, vet reviewers from ESCs	Consulting	Relay	9.17	5,000
<b>Facilitator Training and Certification for all MCs</b>					
1.5.10	Management of facilitator MC cohorts and review of Facitator MCs	Consulting	BloomBoard	9.17-8.18	10,000
<b>MC Reviews</b>					
1.5.10	Reviews management and certification	Consulting	BloomBoard	9.17-8.18	2,500
<b>Technology Licenses and Maintenance Fee Agreement</b>					
1.6.10	BloomBoard Platform Licenses (1 MC Program, incl. approx. 250 participants in each)	Licenses	BloomBoard	9.17	18,750
1.6.10	Content and MC Licensing	Licenses	Relay	9.17	5,000
1.6.10	MC Program Setup, Configuration, and data analytics (6 districts)	Licenses	BloomBoard	9.17	25,000
<b>Total</b>					<b>\$194,200</b>



**TEA Standard Contract Terms and Conditions**  
**Revised Contract Terms and Conditions, dated 5/22/16, that are different from the Terms and Conditions**  
**of the original Contract dated 9/22/16 are attached and incorporated herein.**

**P. Point of Contact and Escalation:** All notices, reports and correspondence required by this Contract shall be in writing and delivered to TEA Project Manager listed below or their successors in office. Within 30 days of execution of this Contract, the respective Parties will designate the next level of personnel within each organization to address conflicts or ambiguity that cannot be resolved at the Project Manager level.

TEA	CONTRACTOR
Viviana Lopez	Bloomboard, Inc.
Director	Jason C. Lange, CEO
Texas Education Agency	227 Forest Avenue
1701 N. Congress Ave	Palo Alto, California 94301
Austin, Texas 78701	Email: jclange@bloomboard.com
Email: Viviana.lopez@tea.texas.gov	

**PP. Contractor Performance and Past Performance:** TEA is required to submit Contractor Performance reports under Texas Government Code, §2262.055, and 34 Texas Administrative Code (TAC), §20.509 and §20.115. Govt. Code §2155.089 requires agencies to report contractor performance for purchases over \$25,000. Agencies are also encouraged to report contractor performance on purchases under \$25,000 and associated with contracts and purchase orders issued throughout the life of a contract or purchase order, not just at its conclusion. The Comptroller's Vendor Performance Tracking System (VPTS) provides the state procurement community with a comprehensive tool for evaluating vendor performance to reduce risk in the contract awarding process. Historic reports submitted prior to February 10th, 2017 were graded on a satisfactory or unsatisfactory scale. The score will be displayed as "Legacy Satisfactory" or "Legacy Unsatisfactory." The Contractor must have a score of "Legacy Satisfactory" or, for scores submitted after February 10, 2017, a Contractor must reflect a letter grade of 'A.' TEA may conduct reference checks with other entities regarding past performance of Respondent or its subcontractors. In addition to evaluating performance through the VPTS, TEA may examine other sources of contractor performance, including, but not limited to, notices of termination, cure notices, assessments of liquidated damages, litigation, audit reports, and non-renewals of contracts. Such sources of contractor performance may include any governmental entity, whether an agency or political subdivision of the State of Texas, another state, or the Federal government. Further, TEA may initiate such examinations of contractor performance based upon media reports. Any such investigations shall be at the sole discretion of TEA, and any negative findings, as determined by TEA, may result in a non-award to Respondent. The VPTS is located on Comptroller's website at: <https://www.comptroller.texas.gov/purchasing/programs/vendor-performance-tracking/>.

