

**(ATTACHMENT 1) ACTION ON THE AWARD OF EXCEPTION-TO-BID REQUESTS**

*This item initiated by the Administration.*

**ADMINISTRATION’S RECOMMENDATION**

The Administration recommends that the Board approve the following exception-to-bid requests:

**Exception    Authorization to Issue a Purchase Order to Emerys Cycling Triathlon and Fitness for Bicycles Modified for Students in Special Education to Participate in PE Class**

The Administration is requesting authorization to issue a purchase order to Emerys Cycling Triathlon and Fitness for 20 bikes for students in special education to be able to participate in physical education classes.

The primary purpose of physical education is to teach students lifelong physical activities. In 2015 Children’s Wisconsin donated 28 Trek Bikes for MPS to use in third and fourth grade physical education classes. In 2019 MPS received grants from Wisconsin Health and Physical Education and the American Cancer Society to purchase a second fleet of 30 Trek Bikes to expand the bike program in PE classes. None of the bikes were able to be used for students who had physical disabilities. With funding from the referendum, the district has added two more fleets of bikes. This request for a purchase order will add bikes to the MPS bike fleet that can be used for students with special needs.

Emerys Cycling Triathlon and Fitness focus on *everyone can ride*. They have created proprietary modifications to tricycles that are designed for individuals with disabilities. These additional modifications will allow teachers to adjust the bikes to individual student needs and allow them to ride with their classmates in physical education class. This will allow five bikes to be in each of the four fleets of bikes that are shared with the schools every fall and spring. In addition, this purchase order includes stands that allow the bikes to be used as stationary bikes. During the winter months these bikes will be sent to schools to be used by physical therapists and adapted physical education.

The exception from the requirement of a competitive procurement process for this contract has been granted on the basis that the services under this purchase are considered one-of-a-kind and competitive vendors do not exist (Administrative Policy 3.09(7)(e)(1)(b)(i)).

The total cost will not to exceed \$69,698.60.

**Budget Code:**

HPE-0-I-LAM-DW-ENCQ....(Curriculum & Instruction-Purchases).... \$69,698.60

**Emery’s Milwaukee**  
**HUB PARTICIPATION**

Required .....0%  
Proposed .....0%

\$ Value .....N/A  
**STUDENT ENGAGEMENT (hours per 12-month contract)**  
 Paid Student Employment Hour Commitment: 0 HOURS  
 Student Career Awareness Commitment: 0 HOURS

**Exception Authorization to Issue a Contract to Smekens Educational Solutions, Inc. for Writer’s Workshops**

The Administration is requesting authorization to issue a contract to Smekens Educational Solutions, Inc. for writer’s workshops.

Smekens Educational Solutions, Inc. will be used to assist a maximum of 600 MPS teachers with on-demand workshops that focus on standards-aligned strategies that can be implemented during the Writer’s Workshop, which is the instructional framework that Milwaukee Public Schools uses for explicit writing instruction. Each participant will receive kits that contain the tools to move forward with their training.

In addition to the on-demand training, Smekens Educational Solutions will provide 10 sessions to the literacy instructional coaches and writing teacher champions that focus on facilitating effective writing instructional strategies in the classroom.

The exception from the requirement of a competitive procurement process for this contract has been granted on the basis that the services under this purchase are considered one-of-a-kind and competitive vendors do not exist (Administrative Policy 3.09(7)(e)(1)(b)(i)).

The term of the contract shall run from June 1, 2022 through May 31, 2023.

The total cost of the goods purchased will not exceed \$79,463.00.

**Budget Code: ITS-0-0-8F2-CI-ECTS.....\$79,463.00**

**Smekens Educational Solutions, Inc.**  
**HUB PARTICIPATION**  
 Required .....0%  
 Proposed .....0%  
 \$ Value .....N/A  
**STUDENT ENGAGEMENT (hours per 12-month contract)**  
 Paid Student Employment Hour Commitment: 0 Hours  
 Student Career Awareness Commitment: 0 Hours

**Exception Authorization to Issue a Purchase Order to SolidProfessor for Pre-Engineering Education Software.**

The Administration is requesting authorization to issue a purchase order to SolidProfessor for pre-engineering education software.

SolidProfessor will be used within our Project Lead The Way (PLTW) Engineering curriculum. As students tackle different PLTW projects, they often need extra instruction to learn how to best navigate their CAD, CAM, or BIM software. SolidProfessor provides videos for our students to watch at home. In addition, our students would be able to get industry-standard certifications in SolidWorks, Onshape, and Autodesk products (Inventor, Revit, Fusion 360, and AutoCAD). For the Onshape Associate Certification, they will provide a complimentary voucher to sit for the exam to any student who completes the in-platform prep course.

This service would last until 3/1/2025 for 6 schools: Barack Obama School of Career and Technical Education; Bay View High School; Bradley Tech; Golda Meir; Marshall High School; and Milwaukee High School of the Arts.

The exception from the requirement of a competitive procurement process for this contract has been granted on the basis that the services under this purchase are considered one-of-a-kind and competitive vendors do not exist (Administrative Policy 3.09(7)(e)(1)(b)(i)).

The total cost of the goods purchased will not exceed \$62,100.00.

**Budget Code:**

DTI-0-0-8F2-EO-ESUP....(Technology equipment.)..... \$62,100.00

**SolidProfessor  
HUB PARTICIPATION**

Required .....0%  
Proposed .....0%  
\$ Value .....N/A

**STUDENT ENGAGEMENT (hours per 12-month contract)**

Paid Student Employment Hour Commitment: 0  
Student Career Awareness Commitment: 0

**Exception Authorization to Contract with von Briesen & Roper, s.c., for Legal Services**

The Administration is requesting authorization to enter into a contract with von Briesen & Roper, S.C.. (von Briesen) for legal representation on various employment matters.

The City Attorney’s Office for the City of Milwaukee serves as legal counsel for the Milwaukee Board of School Directors. On March 18, 2022, the City Attorney

notified the district that it would be beneficial to seek outside legal counsel with regard to certain ongoing cases. Being a large law firm with the capacity and expertise to provide excellent representation, von Briesen will be able to respond on short notice. Many school districts across the state of Wisconsin are represented by von Briesen.

The exception from the requirement of a competitive procurement process for this contract has been granted on an emergency basis as the ongoing cases identified need immediate legal representation (Administrative Policy 3.09(7)(e)(1)(c)).

The contract will run April 22, 2022 through April 21, 2023, (the “Initial Term”), with two additional one-year options to extend upon mutual consent. The total cost of the Initial Term will not exceed \$100,000.

**Budget Code:**

OGA-0-0-HRO-HR-ECTS.....(Contract Services)..... \$100,000

**von Briesen & Roper, S.C.**

**HUB PARTICIPATION**

Required .....0%

Proposed .....N/A

\$ Value.....N/A

**STUDENT ENGAGEMENT (hours per 12-month contract)**

Paid Student Employment Hour Commitment: 0 HOURS

Student Career Awareness Commitment: 0 HOURS