



careers  
businesses  
neighborhoods

**Gregg Bishop, Commissioner**

March 15, 2016

Kevin Schneiders  
Educational Data Systems, Inc. (EDSI)  
15300 Commerce Drive North  
Dearborn, MI 48120

Re: Upper Manhattan Workforce1 Career Center Contract  
Third Renewal - Contract PIN **20161424273**

Dear Mr. Schneiders:

The New York City Department of Small Business Services (“DSBS”) hereby exercises its option, pursuant to Section 3.02 of the above-referenced contract (the “Contract”), to renew the Contract for an additional one year period (the “Third Renewal”) for the period April 1, 2016 through March 31, 2017, subject to earlier termination as provided in the Contract.

The cost for the services during the Third Renewal shall be a total not to exceed maximum amount of **\$3,821,500.00**. Consistent with Article 2 of the Contract, payments shall be made in accordance with the revised Project Budget set forth in Exhibit C, revised Performance Milestones set forth in Exhibits B1 and B2 of the Contract and annexed hereto and incorporated herein.

Additionally, the cost reimbursement maximum amount set forth in Section 2.04(A)(1) is revised to **\$3,000,000.00** and the Maximum Performance Payment amount set forth in Section 2.04(A)(2) is revised to **\$750,000.00**

All other relevant terms and provisions of the Contract shall remain in full force and effect.

Please indicate your acceptance below and return three (3) originals to Patrick Combs, DSBS Center Operations Manager, at 110 William Street, 8<sup>th</sup> Floor, New York, NY 10038.

Please feel free to contact Patrick at 212-618-8924 should you have any questions.

Sincerely,

Andrew Schwartz

Deputy Commissioner Legal and Regulatory Affairs

Agreed and Accepted by:

On behalf of EDSI

Date: May 23, 2016

cc: X. Walcott  
D. Williams

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF NEW YORK )

On this 7<sup>th</sup> Day of June, 2016, before me personally came Anthony DeSoto, to me known, and known to me to be the Deputy Criminal Counsel of the New York City Department of Small Business Services, who executed the foregoing agreement; and who acknowledged to me the execution thereof for the purposes therein mentioned.

Darryl Williams  
Notary Public

DARRYL WILLIAMS  
Commissioner of Deeds  
City of New York No. 4-5304  
Certificate Filed in New York County  
Commission Expires Nov 29, 20

(Stamp)

April 1, 2018

STATE OF Michigan )  
 ) ss.:  
COUNTY OF Wayne )

On this 23<sup>rd</sup> Day of May, 2016, before me personally came Kevin Schnieders, to me known, and known to me to be the CEO, of Educational Data Systems, Inc., who executed the forgoing agreement and who acknowledged to me the execution thereof for the purposes therein mentioned.

Joel Sarkisian  
Notary Public

(Stamp)

JENNIFER SARKISIAN  
Notary Public, State of Michigan  
County of Wayne  
My Commission Expires 03-27-2018  
Acting In the County of Wayne



## PROJECT BUDGET PROJECT BUDGET SUMMARY

CONTRACTOR: EDUCATIONAL DATA SYSTEMS INC.  
 PROJECT NAME: ROCKAWAY EXPANSION  
 ANNUAL BUDGET: \$630,000  
 CONTRACT TERM: 04/01/16 to 03/31/17  
 INDIRECT RATE: 10%  
 FEE FOR PROFIT: 10%

TOTAL PROJECT BUDGET			% of Total Budget
	<b>\$630,000</b>		
<b>A</b>	<b>Personnel Services</b>	<b>\$525,000</b>	83.3%
	1 Wages	\$423,118	67.2%
	2 Fringe Benefits	\$109,200	17.3%
<b>B</b>	<b>Other Than Personnel Services</b>	<b>\$105,000</b>	16.7%
	1 Indirect Cost	\$52,500	8.3%
	2 Fee For Profit	\$52,500	8.3%
	3 Contracted Cost	\$0	0.0%
	4 OJT Reimbursement	\$0	0.0%
	5 Tuition Purchase	\$0	0.0%
	6 Facility Rental	\$0	0.0%
	7 Bonding/Liability Insurance	\$0	0.0%
	8 Audit Costs	\$0	0.0%
	9 Other OTPS	\$0	0.0%



## PROJECT BUDGET PROJECT BUDGET SUMMARY

CONTRACTOR: EDUCATIONAL DATA SYSTEMS INC.  
 PROJECT NAME: ROCKAWAY EXPANSION  
 FY 16 BUDGET: \$150,000  
 CONTRACT TERM: 04/01/16 to 06/30/16  
 MAX INDIRECT RATE: 10%  
 MAX FEE FOR PROFIT: 10%

TOTAL PROJECT BUDGET			\$150,000	% of Total Budget
<b>A</b>	<b>Personnel Services</b>		<b>\$125,000</b>	83.3%
	1 Wages		\$99,000	66.0%
	2 Fringe Benefits		\$26,000	17.3%
<b>B</b>	<b>Other Than Personnel Services</b>		<b>\$25,000</b>	16.7%
	1 Indirect Cost		\$12,500	8.3%
	2 Fee For Profit		\$12,500	8.3%
	3 Contracted Cost		\$0	0.0%
	4 OJT Reimbursement		\$0	0.0%
	5 Tuition Purchase		\$0	0.0%
	6 Facility Rental		\$0	0.0%
	7 Bonding/Liability Insurance		\$0	0.0%
	8 Audit Costs		\$0	0.0%
	9 Other OTPS		\$0	0.0%



## PROJECT BUDGET PROJECT BUDGET SUMMARY

CONTRACTOR:	EDUCATIONAL DATA SYSTEMS INC.
PROJECT NAME:	ROCKAWAY EXPANSION
FY 17 BUDGET:	\$480,000
CONTRACT TERM:	07/01/16 to 03/31/17
MAX INDIRECT RATE:	10%
MAX FEE FOR PROFIT:	10%

			% of Total Budget
<b>TOTAL PROJECT BUDGET</b>			<b>\$480,000</b>
<b>A</b>	<b>Personnel Services</b>	<b>\$400,000</b>	83.3%
	1 Wages	\$316,800	66.0%
	2 Fringe Benefits	\$83,200	17.3%
<b>B</b>	<b>Other Than Personnel Services</b>	<b>\$80,000</b>	16.7%
	1 Indirect Cost	\$40,000	8.3%
	2 Fee For Profit	\$40,000	8.3%
	3 Contracted Cost	\$0	0.0%
	4 OJT Reimbursement	\$0	0.0%
	5 Tuition Purchase	\$0	0.0%
	6 Facility Rental	\$0	0.0%
	7 Bonding/Liability Insurance	\$0	0.0%
	8 Audit Costs	\$0	0.0%
	9 Other OTPS	\$0	0.0%

**EXHIBIT B**  
**ANNUAL OPERATING PLAN**

**UPPER MANHATTAN WORKFORCE1 CAREER CENTER**

**Year 6 Contract Goals: April 1, 2016 – March 31, 2017**

Center	Direct Managed Placements: Total Placements (Entry + Midlevel)	Direct Managed Placements: Mid-Level	Veterans Placements
Upper Manhattan WF1CC	2,600	468	125
Far Rockaway Expansion	325	0	0

**Year 6 Performance Calculation: April 1, 2016 – March 31, 2017**

	Metric	(A) Annual Target	(B) Maximum Points Available
<b>Upper Manhattan WF1CC</b>	(1) Direct Managed Placements: Total Placements (Entry + Midlevel)	2,600	70
	(2) Direct Managed Placements: Mid-Level	468	20
	(3) Veteran Placements	125	10
	<b>Total Points</b>		<b>100</b>

	Metric	(A) Annual Target	(B) Maximum Points Available
<b>Far Rockaway Expansion</b>	(1) Direct Managed Placements:	325	100
	<b>Total Points</b>		<b>100</b>

**IRAN DIVESTMENT ACT COMPLIANCE RIDER FOR  
NEW YORK CITY CONTRACTORS**

The Iran Divestment Act of 2012, effective as of April 12, 2012, is codified at State Finance Law (“SFL”) §165-a and General Municipal Law (“GML”) §103-g. The Iran Divestment Act, with certain exceptions, prohibits municipalities, including the City, from entering into contracts with persons engaged in investment activities in the energy sector of Iran. Pursuant to the terms set forth in SFL §165-a and GML §103-g, a person engages in investment activities in the energy sector of Iran if:

(a) the person provides goods or services of twenty million dollars or more in the energy sector of Iran, including a person that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran; or

(b) The person is a financial institution that extends twenty million dollars or more in credit to another person, for forty-five days or more, if that person will use the credit to provide goods or services in the energy sector in Iran and is identified on a list created pursuant to paragraph (b) of subdivision three of Section 165-a of the State Finance Law and maintained by the Commissioner of the Office of General Services.

A bid or proposal shall not be considered for award nor shall any award be made where the bidder or proposer fails to submit a signed and verified bidder’s certification.

**Each bidder or proposer must certify that it is not on the list of entities engaged in investment activities in Iran created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law. In any case where the bidder or proposer cannot certify that they are not on such list, the bidder or proposer shall so state and shall furnish with the bid or proposal a signed statement which sets forth in detail the reasons why such statement cannot be made. The City of New York may award a bid to a bidder who cannot make the certification on a case by case basis if:**

**(1) The investment activities in Iran were made before the effective date of this section (i.e., April 12, 2012), the investment activities in Iran have not been expanded or renewed after the effective date of this section and the person has adopted, publicized and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran: or**

**(2) The City makes a determination that the goods or services are necessary for the City to perform its functions and that, absent such an exemption, the City would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.**

**BIDDER'S CERTIFICATION OF COMPLIANCE WITH  
IRAN DIVESTMENT ACT**

Pursuant to General Municipal Law §103-g, which generally prohibits the City from entering into contracts with persons engaged in investment activities in the energy sector of Iran, the bidder/proposer submits the following certification:

[Please Check One]

**BIDDER'S CERTIFICATION**

- By submission of this bid or proposal, each bidder/proposer and each person signing on behalf of any bidder/proposer certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief, that each bidder/proposer is not on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law.
- I am unable to certify that my name and the name of the bidder/proposer does not appear on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law. I have attached a signed statement setting forth in detail why I cannot so certify.

Dated: Dearborn, Michigan  
May 23, 20 16

  
\_\_\_\_\_  
SIGNATURE

Kevin Schnieders

\_\_\_\_\_  
PRINTED NAME

CEO

\_\_\_\_\_  
TITLE

Sworn to before me this  
23<sup>rd</sup> day of May, 20 16

  
\_\_\_\_\_  
Notary Public

Dated: May 23, 2016

**JENNIFER SARKISIAN**  
Notary Public, State of Michigan  
County of Wayne  
My Commission Expires 03-27-2018  
Acting In the County of Wayne