

CONTRACT AMENDMENT NUMBER 2

I. PARTIES

This Amendment to the above-referenced Original Contract (hereinafter called the "Contract") is entered into by and between R & A, Solutions, Inc., dba Randa Solutions, (hereinafter referred to as "Contractor"), 5000 Meridian Blvd. Suite 400, Franklin, Tennessee 37067, and the STATE OF COLORADO, acting by and through the Colorado Department of Education, 201 East Colfax, Denver, Colorado 80203 (hereinafter called "CDE" or "State").

II. EFFECTIVE DATE AND ENFORCEABILITY

This Amendment shall not be effective or enforceable until it is approved and signed by the Colorado State Controller or designee (hereinafter called the "Effective Date"). The State shall not be liable to pay or reimburse Contractor for any performance hereunder, including, but not limited to, costs or expenses incurred, or be bound by any provision hereof prior to the Effective Date.

III. FACTUAL RECITALS

The Parties entered into the Contract to create an online performance management system to be used for the entry of principal and teacher education evaluation data pursuant to Senate Bill 10-191 and State Board of Education educator effectiveness rules and policy. The purpose of this amendment is to extend for an additional State Fiscal Year (SFY), add additional funding for the SFY's hosting and for enhancements to the online performance management system, and to specify the additional enhancements in the Statement of Work.

IV. CONSIDERATION-COLORADO SPECIAL PROVISIONS

The Parties acknowledge that the mutual promises and covenants contained herein and other good and valuable consideration are sufficient and adequate to support this Amendment.

V. LIMITS OF EFFECT

This Amendment is incorporated by reference into the Contract, and the Contract and all prior amendments thereto, if any, remain in full force and effect except as specifically modified herein.

VI. MODIFICATIONS

The Amendment and all prior amendments thereto, if any, are modified as follows:

- A. Paragraph V.A. shall be amended by extending the performance period through June 30, 2017.
- B. Paragraph IV.H. shall be amended by deleting the deliverable table and replacing it with the following new deliverable table:

CONTRACTOR DELIVERABLES	TIMELINE	COST
<p>3. Complete the design and development for the web-based Colorado State Model Performance Management System. Modifications to deliverable item 3 are for purposes of adding specificity to the required design and development of the performance management system and revising the timeline for delivery. There is no change to the cost for this deliverable.</p> <ul style="list-style-type: none"> a. Gather report to display bar charts of aggregate rubric ratings by standard and element (compare all) b. Gather report to show matrix data c. Gather report to show matrix data by selected school d. Allow charter school principals to set their own evaluator(s) e. Major system revisions to allow editing of MSL/MSO worksheet and Final Effectiveness Rating after the academic year has already closed f. System revisions to allow principals and other administrators to view historical evaluation data per security requirements g. Goal-setting and Performance Planning PDF report (export from webpage) 	<p>Estimated release on or before May 20, 2015 for 3.a through 3.g.</p>	<p>\$0</p>
<p>4. Create video and written training materials for CDE personnel and Stakeholders to use the Colorado State Model Performance Management System. The modifications to deliverable item 4 are for the purpose of revising the timeline for delivery. There is no change to the cost for this deliverable.</p>	<p>February 1, 2015 through December 15, 2016</p>	<p>\$0</p>

CONTRACTOR DELIVERABLES	TIMELINE	COST
7. Produce a detailed scope of work for the amendment items identified in deliverable 8 with timeline/schedule for each requested enhancement to be approved by CDE staff.	April 27, 2015	Paid
ENHANCEMENTS THAT WERE ALREADY COMPLETED PURSUANT TO AMENDMENT 1		
<p>8. Design and develop the following enhancements to the web-based Educator Performance Management System:</p> <ul style="list-style-type: none"> a. Add a "formal/informal" column on the observations table. Randa item number 16835. Required item. b. Add capability to select one or more templates to be released/finalized. Randa item number 17346. Required item. c. Add Observation Standard comments to appear in the Evaluator Assessment evidence list. Randa item number 22144. Required item. d. Provide capability to copy previous academic years' Measures of Student Learning (MSL) templates for quick editing. Randa item number 13874. e. Provide capability to create a copy of a MSL template for a different group than the group defined on the original template. Randa item number 15783. f. Provide capability to view professional practice ratings from current year and last year while completing goal setting for the next academic year. Randa item number 12722. g. Provide capability for educator goals/growth plan for current year to be pre-entered from last year's data. Randa item number 2545. h. Provide capability for educator end-of-year review remaining goals/actions to be pushed into Goal-Setting and Performance Planning form. Randa item number 22187. i. Add an LEA-specific announcement/documents to all of my users on the dashboard page. Randa item number 15786. j. Provide capability for LEA settings to roll to the next 		<p>These tasks were completed and paid pursuant to Amendment 1. Total Paid Under Amendment 1 for enhancements: \$372,500. Amendment 1 had \$472,500 for enhancements, there is \$100,000 remaining from amendment 1 for enhancements as some of the enhancements have not been completed and other enhancements have been deleted and replaced with the new enhancements.</p>

CONTRACTOR DELIVERABLES	TIMELINE	COST
<p>academic year. Randa item number 16234.</p> <p>k. Provide an option to roll content from the self-assessment from year to year by standard. Randa item number 22127.</p> <p>l. Provide an option to roll content from the evaluator assessment from year to year by standard. Randa item number 22128.</p> <p>m. Provide professional development Tab for generic entry of assignments per work utilizing a basic version of a district customization. Randa item number 22189.</p> <p>n. Provide capability to notify users when a form is awaiting user's signature. Randa item number 12826.</p> <p>o. Provide email notification to educators who have not completed a specified step in the process. (Nudge button to email when filtered on evaluation page). Randa item number 6983.</p> <p>p. Include the Standard Description text within the Assessment Review grid. Randa item number 15220</p> <p>q. Provide a search field below the username (in the top right hand corner). Randa item number 16240.</p> <p>r. Make pie charts accessible via the evaluations tab. Randa item number 17351</p> <p>s. Provide capability to review a roster with MSL templates assigned that can be filtered by MSL template type. Randa item number 17348.</p> <p>t. Provide capability to select "other" as a mentor/person overseeing an action step in my PGP. Randa item number 22122.</p> <p>u. Provide capability to bulk upload elements of the user profile including grade, content area and probationary status. Randa item number 8163.</p> <p>v. Provide capability to filter educators on profile data for MSL template assignment. Randa item number 6666.</p> <p>w. Provide ability to upload new evidence and attach it from</p>		

CONTRACTOR DELIVERABLES	TIMELINE	COST
<p>within the Evaluator Assessment. Randa item number 12507.</p> <p>x. Provide capability to batch assign goals with action items on the professional growth plan. Randa item number 22338.</p> <p>y. Provide ability to batch assign collective measures and ratings for the measures of student learning worksheet. Randa item number 16239.</p> <p>z. Show the name of the evaluator that signed each form/activity. Randa item number 18009.</p> <p>aa. Provide ability to maintain settings for the number of items in tables/lists (10, 20, 50). Randa item number 15770.</p> <p>bb. Provide capability to compare the evaluator assessment ratings/review page to the self-assessment results. Randa item number 12892.</p> <p>cc. Provide reference Resource Guide information to assist in selecting professional practices when completing self-assessments. Randa item number 12858.</p> <p>dd. Provide ability to track a goal with no action steps (PGP, Goal-Setting). Randa item number 22343.</p> <p>ee. Provide ability to reset training accounts at any time. Randa item number 22344.</p> <p>ff. Provide the overall professional practices rating on the summary page for principals before signing off on it on the evaluator assessment (excludes the self-assessment). Randa item number 34382.</p>		
ENHANCEMENTS TO BE COMPLETED BY JUNE 30, 2016		
<p>gg. Provide ability for superintendents to filter the analyses charts by school. Randa item number 38807.</p>	June 30, 2016	\$4,500
<p>hh. Display evaluators' "walk-through" comments for an observation on the evaluator assessment at the element level (currently at the standard level). Randa item number 38811.</p>	June 30, 2016	\$11,000

CONTRACTOR DELIVERABLES	TIMELINE	COST
ii. Provide notifications to the principal evaluator of the observations that contributed to the eye icon on each professional practice. Randa item number 38812.	June 30, 2016	\$9,000
jj. Provide notifications to observers that a practice was observed in a prior observation by displaying an icon on the observation page. Randa item number 38813.	June 30, 2016	\$9,000
kk. Provide an evidence/artifacts export listing report for Supt/Director/HR Admin/Principal. Randa item number 35110.	June 30, 2016	\$4,500
ll. Provide an observation notes export report for Supt/Director/HR Admin/Principal. Randa item number 38815.	June 30, 2016	\$6,750
mm. Allow users ability to view "all" educators across schools and rubrics on the Evaluations page. Randa item number 38816.	June 30, 2016	\$27,000
nn. Provide superusers access to pilot data in aggregate result set by LEA(s) and rubric(s) that CDE is permitted to access by MOU. Randa item number 35135.	June 30, 2016	\$9,000
oo. Provide an enhancement to the sorted standards chart for longitudinal reporting, as detailed in Exhibit G. Randa item number 38817.	June 30, 2016	\$11,000
pp. Provide an enhancement to the sorted elements chart for longitudinal reporting, as detailed in Exhibit G. Randa item number 38818.	June 30, 2016	\$11,000
qq. Provide an enhancement to the final effectiveness ratings chart for longitudinal reporting, as detailed in Exhibit G. Randa item number 38819.	June 30, 2016	\$11,000

CONTRACTOR DELIVERABLES	TIMELINE	COST
rr. Provide an enhancement to the matrix of professional practices and MSL/MSO by educator chart for longitudinal reporting, as detailed in Exhibit I. Randa item number 38821.	June 30, 2016	\$18,000
ss. Provide a new chart feature for longitudinal overall professional practices ratings, as detailed in Exhibit G. Randa item number 38822.	June 30, 2016	\$11,000
tt. Provide an enhancement to the student academic growth chart for longitudinal reporting. Randa item number 38823.	June 30, 2016	\$11,000
uu. Provide self-assessment results (analysis charts) for shared assessments similar to the evaluator assessments. Randa item number 38808.	June 30, 2016	\$9,000
vv. Provide self-assessment results (reports – downloadable csv) for shared assessments similar to the evaluator assessments. Randa item number 38809.	June 30, 2016	\$4,500
ww. Provide educators with the ability to generate a PDF for documenting my completion of professional development for license transactions. Randa item number 38824.	June 30, 2016	\$11,000
xx. Limit features for rolling professional practices by standard to a specific list of LEAs each academic year for both the Evaluator Assessment and the Self-Assessment. Randa item number 38825.	June 30, 2016	\$5,000

CONTRACTOR DELIVERABLES	TIMELINE	COST
yy. Provide a completion level for professional practices table report, as detailed in Exhibit J. Randa item number 38826.	June 30, 2016	\$27,000
zz. Provide the ability for LEAs to configure date ranges and present the evaluation activities in a user friendly manner (i.e. touchpoints/connections). Randa item number 38827.	June 30, 2016	\$18,000
aaa. Provide the ability for specific LEAs to use an import to specify MSL/MSO points from an external system. Randa item number 38642.	June 30, 2016	\$27,000
bbb. Provide the ability for multiple LEAs to be selected when accessing charts and exports in the reports system. Randa item number 38828.	June 30, 2016	\$13,500
ccc. Provide Superintendents, Executive Directors and HR administrators a method for applying an FER override or no score to reflect an appeals or grievance (change in rating based on local process). Randa item number 38829.	June 30, 2016	\$6,750
TOTAL: \$275,500		
(\$100,000 from amendment 1 and this amendment 2 adds \$175,500)		
FOR STATE FISCAL YEAR 2015-2016		
9. Update training videos and application manuals limited to enhancements identified in item 8 of this amendment.		Paid
10. Advanced Support/Data Services using CDE Management		Paid
11. Annual fee for base TOWER software license, hosting and help desk fees, as determined by number of users in system:		Paid (number of users was between 20,000

CONTRACTOR DELIVERABLES	TIMELINE	COST
Any educator, administrator or other State personnel who should continue to be observed or administering the observation process utilizing the TOWER system represents an annual software license user.		- 29,999)
0 – 9,999 users	\$ 78,000	
10,000 – 19,999 users	\$100,000	
20,000 – 29,999 users	\$132,000	
30,000 – 49,999 users	\$156,000	
12. Initial fee for escrow service for compliance with Paragraph VII.P		Paid

FOR STATE FISCAL YEAR 2016-2017		
8. CONTINUED: ENHANCEMENTS TO BE MADE IN SFY 2016-17 BY NOVEMBER 30, 2016		
ddd. Provide ability to customize application permissions in the system for specific users beyond the current role design (MSL template creation, adding observations, analysis chart access, downloadable reports, pie charts). Randa item number 38810.	November 30, 2016	\$25,000
eee. Provide a new chart feature for longitudinal point-based ratings in a scatter plot format with each educator as a series item and include a single educator selection trend line, as detailed in Exhibit H. Randa item number 38820.	November 30, 2016	\$67,500
fff. Provide evaluators with the ability to filter the list of evidence displayed on the Evaluator Assessment. Randa item number 38814.	November 30, 2016	\$4,500
		TOTAL: \$97,000

CONTRACTOR DELIVERABLES	TIMELINE	COST								
9. Update training videos and application manuals limited to enhancements identified in item 8 of this amendment.	Upon end user need from July 1, 2016 through December 15, 2016	\$10,000								
10. Advanced Support/Data Services using CDE Management		\$31,250								
<p>11. Annual fee for base TOWER software license, hosting and help desk fees, as determined by number of users in system:</p> <p>Any educator, administrator or other State personnel who should continue to be observed or administering the observation process utilizing the TOWER system represents an annual software license user.</p> <table data-bbox="383 952 877 1198"> <tr> <td>0 – 9,999 users</td> <td>\$ 78,000</td> </tr> <tr> <td>10,000 – 19,999 users</td> <td>\$100,000</td> </tr> <tr> <td>20,000 – 29,999 users</td> <td>\$132,000</td> </tr> <tr> <td>30,000 – 49,999 users</td> <td>\$156,000</td> </tr> </table>	0 – 9,999 users	\$ 78,000	10,000 – 19,999 users	\$100,000	20,000 – 29,999 users	\$132,000	30,000 – 49,999 users	\$156,000	<p>Invoice on July 1, 2016</p> <p>Services provided from July 1, 2016 through June 30, 2017</p>	<p>Dependent on number of users in system. Department's maximum is \$132,000* based on an estimated number of users between 20,000-29,999 users. In the event that the Department has greater than 29,999 users, the Contractor shall not provide the additional licenses beyond the 29,999 licenses until the Department executes a contract amendment to add additional funds.</p>
0 – 9,999 users	\$ 78,000									
10,000 – 19,999 users	\$100,000									
20,000 – 29,999 users	\$132,000									
30,000 – 49,999 users	\$156,000									

CONTRACTOR DELIVERABLES	TIMELINE	COST
12. Annual fee for escrow service for compliance with Paragraph VII.P	July 1, 2016	\$1,250
TOTAL FOR SFY 2016-17: \$271,500		

- C. Paragraph VIII.B. shall be amended by increasing the maximum amount payable under the Contract by \$447,000 for a total maximum amount payment of \$3,153,000.
- D. Exhibits G through J are hereby added to the Contract.

VII. START DATE

This Amendment shall take effect on its Effective Date.

VIII. ORDER OF PRECEDENCE

Except for the Special Provisions, in the event of any conflict, inconsistency, variance, or contradiction between the provisions of this Amendment and any of the provisions of the Contract, the provisions of this Amendment shall in all respects supersede, govern, and control. The most recent version of the Special Provisions incorporated into the Contract or any amendment shall always control other provisions in the Contract or any amendments.

IX. AVAILABLE FUNDS

Financial obligations of the state payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, or otherwise made available to CDE by the federal government, state government and/or grantor.

THE PARTIES HERETO HAVE EXECUTED THIS AMENDMENT

Persons signing for Contractor hereby swear and affirm that they are authorized to act on Contractor's behalf and acknowledge that the State is relying on their representations to that effect.

CONTRACTOR

R & A, Solutions, Inc., dba Randa Solutions

By: MARTIN REED
Name of Authorized Individual

Title: CEO
Official title of Authorized Individual

[Signature]
*Signature

STATE OF COLORADO

John W. Hickenlooper, GOVERNOR

Colorado Department of Education
Katy Anthes, Ph.D., Interim Commissioner

By: Katy Anthes
Katy Anthes, Ph.D., Interim Commissioner

Date: 6/11/16

ALL CONTRACTS REQUIRE APPROVAL by the STATE CONTROLLER

CRS §24-30-202 requires the State Controller to approve all State Contracts. This Contract is not valid until signed and dated below by the State Controller or delegate. Contractor is not authorized to begin performance until such time. If Contractor begins performing prior thereto, the State of Colorado is not obligated to pay Contractor for such performance or for any goods and/or services provided hereunder.

STATE CONTROLLER

Robert Jaros, CPA, MBA, JD

By: [Signature]
Dave Grier, CPA, CDE Controller

Date: 6-6-2016

EXHIBIT G

LONGITUDINAL GRAPH SHOWING PERCENT OF EDUCATORS IN EACH PERFORMANCE CATEGORY

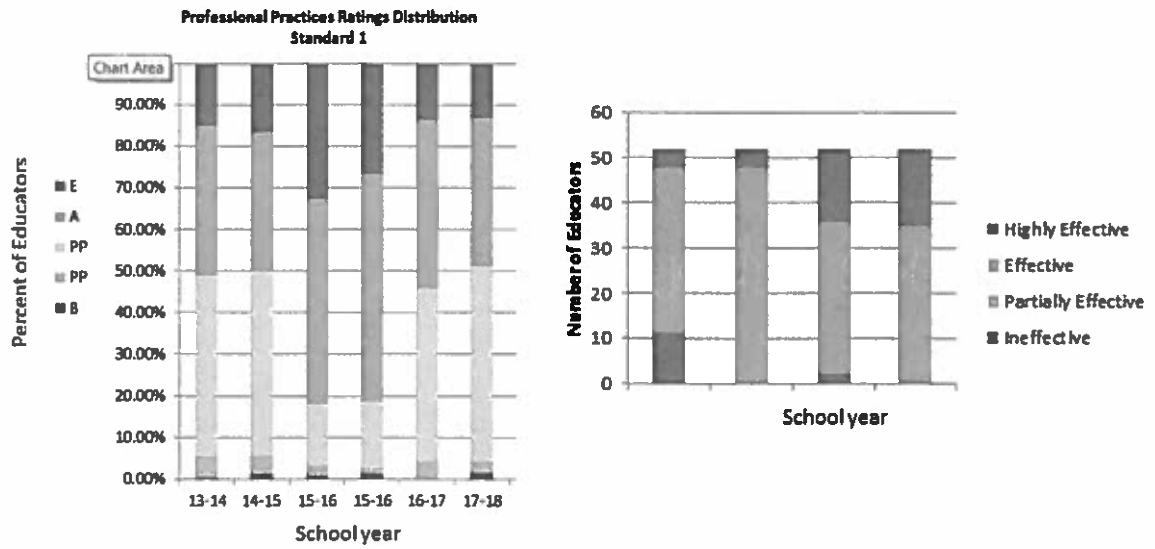


EXHIBIT H

LONGITUDINAL GRAPH SHOWING REPRESENTATION IN EACH PERFORMANCE CATEGORY

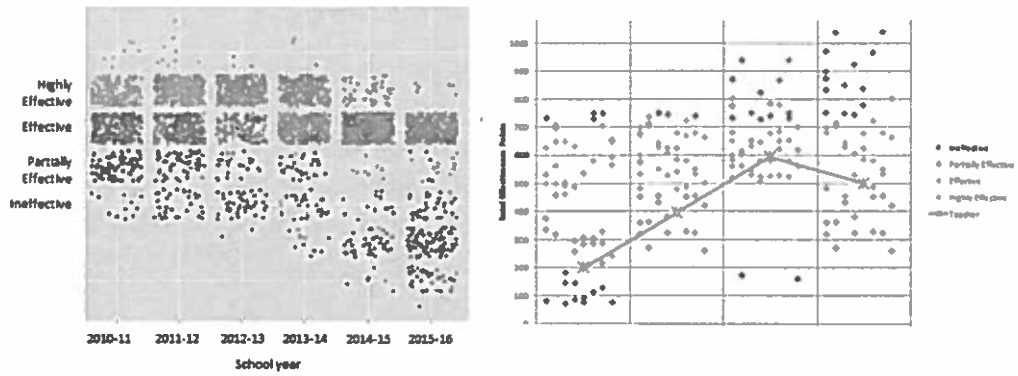


EXHIBIT I

GROWTH IN PROFESSIONAL PRACTICE AND MSL RATINGS AND ALIGNMENT BETWEEN THEM

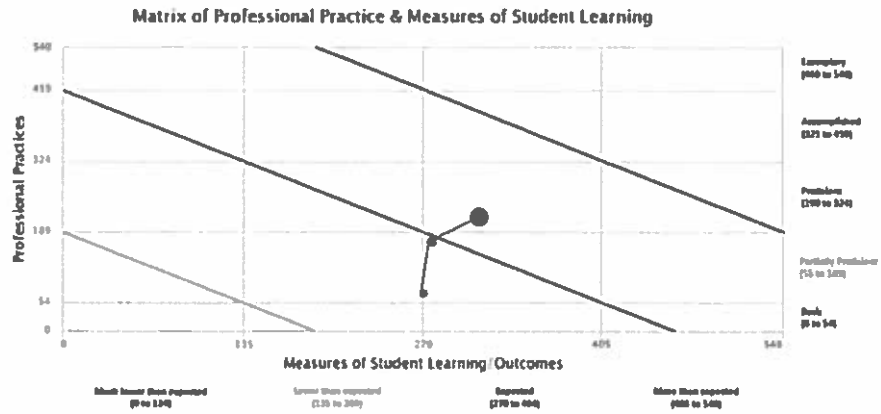


EXHIBIT J

REPORT OF COMPLETION LEVEL FOR PROFESSIONAL PRACTICES

Professional Practices Elements		RATING				
		Basic	Partially Proficient	Proficient	Accomplished	Exemplary
Standard 1	c. Demonstrated knowledge of mathematics	88.7% 88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
	d. Demonstrated knowledge of content	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
	e. Develops interconnected lessons	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
	f. Meets instruction and content relevant to students	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
Standard 2	a. Factors a predictable, caring learning environment	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
	b. Demonstrates a commitment and respect for diversity	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
	c. Engages students	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
	d. Adapts teaching to meet individual needs	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
Standard 3	e. Works and communicates with families	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
	f. Creates a well-managed learning environment	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
	g. Utilizes data to inform professional practice	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
	h. Plans and delivers data driven instruction	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
Standard 4	i. Demonstrates knowledge of educational research	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
	j. Integrates and utilizes technology	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
	k. Establishes high expectations for students	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
	l. Provides opportunities to develop leadership	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
Standard 5	m. Communicates to students effectively (speaking)	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
	n. Uses appropriate methods to assess	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
Standard 6	o. Analyzes student data and applies to instruction	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
	p. Links professional growth to professional goals	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
Standard 7	q. Is able to respond to a complex dynamic	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
	a. Demonstrates leadership	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
	b. Contributes to the teaching profession	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
	c. Advocates for schools and students	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	
Standard 8	d. Demonstrates high ethical standards	88.7% 88.7% 88.7%	71.2%	23.8% 26.9%	13.9%	