

NOTICE OF SOLE SOURCE PROCUREMENT

Date: May 27, 2009

Vendor/Contractor: **The College Board**

Contract Amount: \$107,681.25

Description of Services: Official College Board Offerings

Sole Source Determination: Copyrighted materials and processes provide by and purchased from the publisher.

Date of Award: TBD

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VIRGINIA BEACH CITY PUBLIC SCHOOLS

A H E A D O F T H E C U R V E

*Department of Curriculum and Instruction
Office of Secondary Instructional Services*

MEMORANDUM

TO: Kevin J. Beardsley, Director
Office of Purchasing Services

FROM: Christine W. Caskey, Assistant Superintendent
Department of Curriculum and Instruction

Rodney J. Burnsworth, Director *RJB*
Office of Secondary Instructional Services

SUBJECT: SOLE SOURCE JUSTIFICATION—THE COLLEGE BOARD

DATE: May 26, 2009

This memorandum is to affirm that the College Board is the sole provider of Advanced Placement program®, AP®, AP Central™, AP Potential™, PSAT/NMSQT®, PSSS, SAT Readiness Program™, SAT Reasoning Test™, SAT Subject Test™, and My Road™. The College Board is the sole source owner of the noted programs, examinations, publications, and software, which include tangible and intangible related services and materials collectively referred to as "Official College Board Offerings."

The Strategic Plan objectives that support this purchase are:

- 1) All teachers will engage every student in meaningful, authentic and rigorous work through the use of innovative instructional practices and supportive technologies that will motivate students to be self-directed and inquisitive learners.
- 2) VBCPS will develop and implement a balanced assessment system that accurately reflects student demonstration and mastery of VBCPS outcomes for student success.
- 3) Each school will improve achievement for all students while closing achievement gaps for identified student groups, with particular focus on African American males.

The annual College Board Early Participation Program contract being processed is for the PSAT/NMSQT and totals \$106,681.25. The payment request will be processed after the contract has been approved and the testing of students in October 2009.

/pw

Approved: *J. Kevin Beardsley* 5/27/09
Kevin J. Beardsley, Director, CPS

Form **W-9**
(Rev. January 2002)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

Print or type
See Specific Instructions on page 2.

Name The College Board

Business name, if different from above

Check appropriate box: Individual/Sole proprietor Corporation Partnership Other Exempt from backup withholding

Address (number, street, and apt. or suite no.)
45 Columbus Avenue

City, state, and ZIP code
New York, NY 10023-6992

List account number(s) here (optional)

Requestor's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 2. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 2.

Social security number								

Notes: If the account is in more than one name, see the chart on page 2 for guidelines on whose number to enter.

OR

Employer identification number								
13	16	23	91	65				

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. person (including a U.S. resident alien).

Certification instructions: You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 2.)

Sign Here Signature of U.S. person [Signature]

Date 4/14/2009

Purpose of Form

A person who is required to file an information return with the IRS must get your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to give your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee.

If you are a foreign person, use the appropriate Form W-8. See Pub. 516, Withholding of Tax on Nonresident Aliens and Foreign Entities.

Note: If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 30% of such payments after December 31, 2001 (29% after December 31, 2003). This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

- You do not furnish your TIN to the requester, or
- You do not certify your TIN when required (see the Part II instructions on page 2 for details), or
- The IRS tells the requester that you furnished an incorrect TIN, or
- The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions on page 2 and the separate instructions for the Requester of Form W-9.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of Federal law, the requester may be subject to civil and criminal penalties.