



# District School Board of Pasco County

20430 Gator Lane • Land O' Lakes, Florida 34638 • 813/ 794-2221

Heather Fiorentino, Superintendent

[www.pasco.k12.fl.us](http://www.pasco.k12.fl.us)

Department of Purchasing  
Kendra Goodman, CPPO, CPPB, Purchasing Agent  
813/ 794-2221 Fax: 813/ 794-2111  
727/ 774-2221 TDD: 813/ 794-2484  
352/ 524-2221 e-mail: [kgoodman@pasco.k12.fl.us](mailto:kgoodman@pasco.k12.fl.us)

July 31, 2012

## MEMORANDUM

TO: Honorable School Board Members

FROM: Kendra Goodman, CPPO, CPPB, Purchasing Agent *Kdg/SMB*

RE: Request Permission to Piggy-Back Sarasota County School Board  
Bid #12-0123  
Used Textbooks  
Follett Educational Resources Inc. and Textbook Warehouse

The Instructional Media and Technology Services Department is requesting permission to piggy-back Sarasota County School Board Bid #12-0123 for the purchase of used textbooks on an "as-needed" basis for various schools throughout the District. The contract provides discounted pricing off each vendor's website. This is a three-year bid renewable annually at the mutual agreement of the parties.

The above-referenced vendors were contacted to verify their willingness to enter into the second year of this piggy-back. They have indicated in writing (attached) that they are willing to do so.

The Instructional Media and Technology Services Department is anticipating expenditures in the amount of \$200,000 for Follett Educational Resources, Inc. and Textbook Warehouse on an "as-needed" basis. At this time, it is my recommendation to allow purchase orders to be processed to Follett Educational Resources, Inc. and Textbook Warehouse not to exceed \$200,000 for the period of August 1, 2012 through July 18, 2013. The Purchasing Department will monitor orders to make sure purchases do not exceed the requested amount.

If you have any questions, please feel free to contact me at your earliest convenience.

KDG/plh  
Attachments

Date/Time: July 24, 2012 10:59:00



## District School Board of Pasco County

20430 Gator Lane • Land O' Lakes, Florida 34638 • 813/794-2221

Heather Fiorentino, Superintendent

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### Department of Purchasing

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### BID PIGGY-BACK REQUEST

BID: 12-0123

BID TITLE: Used Textbooks

COUNTY: Sarasota County School Board

X

Yes, I agree to allow the District School Board of Pasco County to piggy-back Bid #12-0123 under the same terms and conditions as the existing bid. The coverage period shall be from July 31, 2012 through July 18, 2013.

No, I do not agree to allow the District School Board of Pasco County to piggy-back Bid #12-0123.

COMPANY NAME: Follett Educational Services, Inc.

SIGNATURE: \_\_\_\_\_

PRINTED NAME/TITLE: John F. Fleming- Dir. Inventory Mgmt. DATE: 7/19/12

(Person Authorized to bind your company)

TELEPHONE W/AREA CODE: 800-621-4272 FAX W/AREA CODE: 800-638-4424

By agreeing to renew, vendor acknowledges and agrees to be in compliance with the "Jessica Lunsford Act". Vendors conducting business, with the District School Board of Pasco County, who will (1) be at the school when students are present, or (2) have direct contact with students, or (3) have access to or control of school funds **must** be Level 2 fingerprinted by Human Resources. If any of the above applies to this contract, you **must** have those individuals Level 2 fingerprinted and screened by the Districts Human Resource Department **prior** to commencement of services or work and must provide a list of employees with renewal. Please contact 813/794-2521 to arrange for an appointment. Costs associated with this background screening are to borne by the vendor. You may access information regarding this law by reviewing Sections 1012.32 and 1012.465, Florida Statutes. This law became effective September 1, 2005.

The prospective bidder certifies, by submission and signature of this bid renewal form, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction per the provisions of Florida Statute 287.133(2)(a).

### PLEASE RETURN TO:

**DISTRICT SCHOOL BOARD OF PASCO COUNTY**

**ATTENTION: Patty Hall, Interim Buyer Assistant**

**PURCHASING DEPARTMENT**

**20430 GATOR LANE**

**LAND O' LAKES, FL 34638**

**(813) 794-2226 (PHONE)**

**(813) 794-2713 (FAX)**

**[pball@pasco.k12.fl.us](mailto:pball@pasco.k12.fl.us)**



# District School Board of Pasco County

20430 Gator Lane • Land O' Lakes, Florida 34638 • 813/ 794-2221

Heather Fiorentino, Superintendent

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Department of Purchasing

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### BID PIGGY-BACK REQUEST

**BID: 12-0123**

**BID TITLE: Used Textbooks**

**COUNTY: Sarasota County School Board**

Yes, I agree to allow the District School Board of Pasco County to piggy-back Bid #12-0123 under the same terms and conditions as the existing bid. The coverage period shall be from July 31, 2012 through July 18, 2013.

No, I do not agree to allow the District School Board of Pasco County to piggy-back Bid #12-0123.

**COMPANY NAME:** Textbook Warehouse

**SIGNATURE:** Dane Goldsmith

**PRINTED NAME/TITLE:** Dane Goldsmith Member **DATE:** 7/17/12

(Person Authorized to bind your company)

**TELEPHONE W/AREA CODE:** 800-790-9152 **FAX W/AREA CODE:** 800-790-9154

By agreeing to renew, vendor acknowledges and agrees to be in compliance with the "Jessica Lunsford Act". Vendors conducting business, with the District School Board of Pasco County, who will (1) be at the school when students are present, or (2) have direct contact with students, or (3) have access to or control of school funds **must** be Level 2 fingerprinted by Human Resources. If any of the above applies to this contract, you **must** have those individuals Level 2 fingerprinted and screened by the Districts Human Resource Department **prior** to commencement of services or work and must provide a list of employees with renewal. Please contact 813/794-2521 to arrange for an appointment. Costs associated with this background screening are to borne by the vendor. You may access information regarding this law by reviewing Sections 1012.32 and 1012.465, Florida Statutes. This law became effective September 1, 2005.

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**PLEASE RETURN TO:**  
**DISTRICT SCHOOL BOARD OF PASCO COUNTY**  
**ATTENTION: Patty Hall, Interim Buyer Assistant**  
**PURCHASING DEPARTMENT**  
20430 GATOR LANE  
LAND O' LAKES, FL 34638  
(813) 794-2226 (PHONE)  
(813) 794-2713 (FAX)  
[phall@pasco.k12.fl.us](mailto:phall@pasco.k12.fl.us)



*Pre-Owned Textbooks • New Classroom Literature • New Reference Books • New Supplemental Learning Materials*

July 12<sup>th</sup>, 2012

Pat Black  
Director of Materials Management  
Sarasota Cty SB  
101 Old Venice Road  
Osprey, FL. 34229

**RE: Renewal Agreement #12-0123 Used Textbooks, Workbooks and Educational Materials**

Follett Educational Services, Inc. will be renewing the above-mentioned bid under the same terms and conditions. Term of renewal July 19<sup>th</sup>, 2012 through July 18<sup>th</sup>, 2013. FES will not be honoring the Budgettext renewal. If you have any questions, I can be reached at 800-621-4272 ext 5641 or [jfleming@fes.follett.com](mailto:jfleming@fes.follett.com).

Regards,

A handwritten signature in black ink, appearing to read 'J. Fleming'.

John F. Fleming  
Director, Inventory Management

Encl

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**Turn Your Surplus Textbooks Into Cash or Credit!**

Follett Educational Services, Inc.  
1433 Internationale Parkway, Woodridge, IL 60517-4941 • [www.fes.follett.com](http://www.fes.follett.com)  
Phone 1-800-621-4272 • Fax 1-800-638-4424



FLORIDA

THE SCHOOL BOARD OF SARASOTA COUNTY,

MATERIALS MANAGEMENT DEPARTMENT

101 OLD VENICE ROAD

OSPREY,

FLORIDA 34229

TELEPHONE (941) 486-2183

FAX (941)

486-2188

June 18, 2012

Follett Educational Services, Inc.

Attn: John F. Fleming

1433 International Parkway

Woodridge, IL 60517

FAX: 800-638-4424

Dear Mr. Fleming:

On July 19, 2011, the School Board of Sarasota County, Florida awarded you items from the BID #12-0123 for "Used Textbooks, Workbooks and Educational Materials". This original award was for the period of July 19, 2011 through July 18, 2012.

Bid specifications stated that the School Board has the option, with the consent of the successful vendor, to renew the price for two (2) additional one-year periods. We would like to request that this Bid be renewed for the period of July 19, 2012 through July 18, 2013.

Please check one of the responses below indicating your decision regarding this request. Sign and return this letter to my attention, no later than June 28, 2012, to the Materials Management Department, 101 Old Venice Road, Osprey, FL 34229 or by facsimile at 941-486-2188.

Please include a current **Certificate of Insurance** form for your business so that a liability insurance file for service vendors can be maintained in the Purchasing office. All contractors must continue to comply with the insurance requirements as provided in the original BID documents. If your Certificate of Insurance is current, or was not a requirement in the original Bid documents, please disregard.

**Federal Debarment Certification:** Certification regarding debarment, suspension, ineligibility and voluntary

exclusion as required by Executive Order 12549, Debarment and Suspension, and implemented at 34 CFR, Part

85, as defined at 34 CFR Part 85, Sections 85.105 and 85.110-(ED80-0013).

- a. The prospective lower tier participant certifies, by submission and signature of this renewal request, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
- b. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this renewal request.

Thank you for your consideration. We look forward to doing business with you for another year.

Sincerely,

Joyce Haney, Senior Buyer  
Materials Management

I agree to renew the Bid #12-0123, adhering to original terms and conditions and originally awarded pricing, for an additional one-year period through July 18, 2013.

I decline to renew the Bid prices for an additional one-year period.

Signature\*  Title  
Director / Inventory Management

7/12/12 Date  
John F. Fleming  
Please print name

**\*Note: Must be signed by an officer or employee having the authority to bind the company or firm.**

Budgetext:

THE SCHOOL BOARD OF SARASOTA COUNTY, FLORIDA

MATERIALS MANAGEMENT DEPARTMENT

101 OLD VENICE ROAD

OSPREY, FLORIDA 34229

TELEPHONE (941) 486-2183

FAX (941) 486-2188

June 18, 2012

Budgetext Corporation

Attn: Benton Cate

1936 North Shiloh Drive

Fayetteville, AR 72704

FAX: 800-642-2665

Dear Mr. Cate:

On July 19, 2011, the School Board of Sarasota County, Florida awarded you items from the BID #12-0123 for 'Used Textbooks, Workbooks and Educational Materials'. This original award was for the period of July 19, 2011 through July 18, 2012.

Bid specifications stated that the School Board has the option, with the consent of the successful vendor, to renew the price for two (2) additional one-year periods. We would like to request that this Bid be renewed for the period of July 19, 2012 through July 18, 2013.

Please check one of the responses below indicating your decision regarding this request. Sign and return this letter to my attention, no later than June 28, 2012, to the Materials Management Department, 101 Old Venice Road, Osprey, FL 34229 or by facsimile at 941-486-2188.

Please include a **current Certificate of Insurance** form for your business so that a liability insurance file for service vendors can be maintained in the Purchasing office. All contractors must continue to comply with the insurance requirements as provided in the original BID documents. If your Certificate of Insurance is current, or was not a requirement in the original Bid documents, please disregard.

**Federal Debarment Certification:** Certification regarding debarment, suspension, ineligibility and voluntary exclusion as required by Executive Order 12549, Debarment and Suspension, and implemented at 34 CFR, Part 85, as defined at 34 CFR Part 85, Sections 85.105 and 85.110-(ED80-0013).

- a. The prospective lower tier participant certifies, by submission and signature of this renewal request, that neither it nor its principals is presently debarred, suspended, proposed for

debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

- b. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this renewal request.

Thank you for your consideration. We look forward to doing business with you for another year.

Sincerely,

Joyce Haney, Senior Buyer  
Materials Management

I agree to renew the Bid #12-0123, adhering to original terms and conditions and originally awarded pricing, for an additional one-year period through July 18, 2013.

I decline to renew the Bid prices for an additional one-year period.

Signature\*  Title  
Director, Inventory Management

7/12/12 Date  
John F. Fleming  
Please print name

**\*Note: Must be signed by an officer or employee having the authority to bind the company or firm.**

Thank you,  
Joette Riggs  
Administrative Assistant to Pat Black, Director of Materials Management  
Sarasota County School Board 101 Old Venice Road Osprey, Florida 34229  
Phone: 941-486-2183 x68481 Fax: 941-486-2188  
Joette\_Riggs@sarasota.k12.fl.us

Please be aware that district email may be subject to the public records law of FL.



## BILL OF SALE, ASSIGNMENT, AND ASSUMPTION AGREEMENT

This Bill of Sale, Assignment and Assumption Agreement (this "*Agreement*"), dated January 19, 2012, is by and between Budgetext Corporation, an Arkansas corporation (the "*Assignor*"), and Follett Educational Services, Inc., an Illinois corporation (the "*Assignee*"). This Agreement is delivered pursuant to that certain Asset Purchase Agreement dated January 19, 2012 by and among Assignor, Assignee and Arkansas Book Store, Incorporated, an Arkansas corporation (the "*Purchase Agreement*"), and any capitalized terms used herein and not otherwise defined shall have the meanings set forth in the Purchase Agreement.

1. Assignment and Sale of Assets. For good and valuable consideration the receipt and sufficiency of which being hereby acknowledged and agreed, the Assignor does hereby sell, transfer, convey, assign, and deliver to the Assignee all right, title, and interest in, to, and under the Purchased Assets, including, without limitation, the Intellectual Property, free and clear of all liens, claims, encumbrances, security interests and other encumbrances of any kind and nature whatsoever, whether existing by agreement, operation of law or otherwise. TO HAVE AND TO HOLD the Purchased Assets unto Assignee, its successors and assigns forever.

2. Assignment and Assumption of Assumed Liabilities. The Assignor hereby assigns, and the Assignee hereby assumes the Assumed Liabilities. Assignee does not assume any other liabilities, obligations or commitments of Assignor, including, without limitation, the Excluded Liabilities.

3. Purchase Agreement. This Agreement is made, executed and delivered pursuant to, in accordance with and is subject to the Purchase Agreement, including, without limitation, the representations, warranties and covenants set forth therein, including, without limitation, Section 4.3.

4. Further Assurances. The Assignor and Assignee further agree to execute such additional documents from time to time after the date hereof at the request of the other party as may be reasonably necessary to carry out the purpose of this Agreement.

5. Succession and Assignment. This Agreement shall be binding upon and inure to the benefit of the parties named herein and their respective successors and permitted assigns.

6. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Delaware, without regard to the conflicts of law provisions thereof.

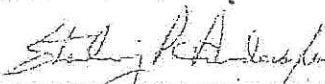
7. Counterparts. This Agreement may be executed in two or more counterparts, including counterparts by facsimile, each of which shall be deemed an original, but which together shall constitute one and the same instrument.

[Signatures on following page]

IN WITNESS WHEREOF, the parties hereto have executed this Bill of Sale, Assignment and Assumption Agreement as of the date first set forth above.


ASSIGNOR:

BUDGETEXT CORPORATION

By:   
Name: Sterling P. Anders, Jr.  
Title: President

ASSIGNEE:

FOLLETT EDUCATIONAL SERVICES, INC.

By:   
Name: Charles R. Follett, Jr.  
Title: Chairman



**THE SCHOOL BOARD OF SARASOTA COUNTY, FLORIDA**

MATERIALS MANAGEMENT DEPARTMENT

101 OLD VENICE ROAD

OSPREY, FLORIDA 34229

TELEPHONE (941) 486-2183 • FAX (941) 486-2188

**MEMORANDUM**

SCHOOL BOARD

APPROVED 07-19-11

AGENDA ITEM NO. 32

**TO:** Members of the School Board  
Lori White, Superintendent  
Mitsi Corcoran, Chief Financial Officer

**FROM:** Pat Black, CPPB, Director of Materials Management

**TITLE:** APPROVAL TO AWARD BID #12-0123 FOR USED TEXTBOOKS,  
WORKBOOKS, AND EDUCATIONAL MATERIALS

Bids to provide 'Used Textbooks, Workbooks, and Educational Materials' were received from three vendors on June 14, 2011. The bids of Budgetext Corporation, Follett Educational Services, Inc., and Textbook Warehouse were the best low bid meeting the advertised specifications. Reasons for not selecting the apparent low bids are included with the bid tabulation. This bid is for a period of one year with the option to renew for two additional one-year periods. The funds for these purchases are contained in the categorical instructional materials budget and school operating budgets.

**Requested by:**  
Sharon Richert

"Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, or failure to post the protest bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes."

Posting Date: 07-12-11

**Fiscal Impact:**

Not to exceed  
\$250,000.00

**Funding:**

Categorical  
Instructional  
Materials and  
Operating

**Recommended Motion:** That the bids of Budgetext Corporation, Follett Educational Services, Inc., and Textbook Warehouse, to provide 'Used Textbooks, Workbooks, and Educational Materials' in an amount not to exceed \$250,000.00, be approved for award and purchase.

THE SCHOOL BOARD OF SARASOTA COUNTY, FLORIDA

Bid Tabulation for Used Textbooks, Workbooks and Educational Materials - Bid #12-0123

Opening Date: June 14, 2011 - 2:00 P.M.

DESCRIPTION		Budgetext Corporation	Follett Educational Services, Inc.	Textbook Warehouse
Indicate the minimum percentage discount off vendor's internet list price for the specified items. Minimum percentage discount should include delivery. Balance of product line minimum discount should reflect discounts off all categories not otherwise listed.				
1.	Used textbooks (%):	2006-2011* - 3% 2005* - 5% 2003-2004* - 8% 2002* or earlier - 10%	Additional 5% off FES prices, see attached Appendix	Off catalog price - 10%
2.	Used workbooks (%):		Additional 5% off FES prices, see attached Appendix	Off catalog price - 10%
3.	Used hard-back books (%):	<b>REJECT</b>		Off list price - 38% (only new)
4.	Used soft-back books (%):	<b>REJECT</b>		Off list price - 38% (only new)
5.	Used audio books (%):	<b>REJECT</b>		
6.	Balance of product line (used) minimum discount (%):		Additional 5% off FES prices, see attached Appendix	
7.	Estimated delivery time after receipt of purchase order. (Days):	3-5 days	5-10 business days	5-7 days
Please include vendor's internet website to view price lists:		<a href="http://www.budgetext.com">www.budgetext.com</a>	<a href="http://www.fes.follett.com">www.fes.follett.com</a>	<a href="http://www.tbwarehouse.com">www.tbwarehouse.com</a>

THE SCHOOL BOARD OF SARASOTA COUNTY, FLORIDA

Bid Tabulation for Used Textbooks, Workbooks and Educational Materials - Bid #12-0123

Opening Date: June 14, 2011 - 2:00 P.M.

DESCRIPTION	Budgettext Corporation	Follett Educational Services, Inc.	Textbook Warehouse
Notes:	<p><b>*Scale slides forward one year April 1st with the annual publication of product catalog.</b>  <b>Exceptions: Bar Chart Quick Study Aids - No Discount. If current catalog price for quality pre-owned textbook is less than \$12 - No Discount.</b></p> <p>All new Classic Literature. Dictionary and Reference Materials - 3%</p> <p>If publication year is 2004 or older and current quantity on hand is greater than 300 - 15%</p>		
Contact Name:	Benton Gate	John F. Fleming	Diane Goldsmith
Address:	1936 North Shiloh Drive	1433 Internationale Parkway	936 Curie Drive
City, State, Zip:	Fayetteville, AR 72704	Woodridge, IL 60517	Alpharetta, GA 30005
Phone:	888-869-0366 x3477	800-621-4272	800-796-9152
Fax:	800-642-2665	800-638-4424	800-796-9154
Federal ID#	710654575	201607100	202080039
E-Mail Address:	<a href="mailto:contractservices@budgettext.com">contractservices@budgettext.com</a>	<a href="mailto:bidadmin@fes.follett.com">bidadmin@fes.follett.com</a>	<a href="mailto:info@tbwarehouse.com">info@tbwarehouse.com</a>
"No bid" received from Barnes & Noble.	<p>Witnessed by: Joyce Haney</p> <p>Recorded by: JoAnn Joyce</p>		

THE SCHOOL BOARD OF SARASOTA COUNTY, FLORIDA  
 Used Textbooks, Workbooks and Educational Materials - Bid #12-0123  
 Justification for Award to Other Than Low Bidder

Item #	Vendor	Justification
3, 4	Textbook Warehouse	Bid is for used text materials; vendor bid new. Reject items, no other bids were received.
5	Follett Educational Services, Inc.	Reject item. No bids were received.
	Budgettext Corporation	
	Textbook Warehouse	