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**AMENDMENT No. 1 OF  
PROFESSIONAL SERVICES CONTRACT**

**THIS AMENDMENT** made as of the 28th day of January, 2022 in the Territory of the Virgin Islands, by and between the Government of the Virgin Islands **Department of Property and Procurement**, on behalf of the **Department of Education** (hereinafter referred to as "**Government**") of 1834 Kongens Gade, St. Thomas, U.S. Virgin Islands 00802 and **Cambium Assessment, Inc.** (hereinafter referred to as "**Contractor**" or "**CAI**") of 1000 Thomas Jefferson Street NW, Washington, D.C. 20007-3835.

**WITNESSETH**

**WHEREAS**, on September 30, 2010, the Virgin Islands Standards, Assessment and Accountability Initiative Policy Committee unanimously voted to approve the adoption of the new Common Core State Standards ("CCSS"); thus, VIDE became an affiliate member of the Smarter Balanced Assessment Consortium ("SB" or "Consortium") and began to pilot the Smarter Balanced CCSS assessments during the 2013-2014 School Year; and

**WHEREAS**, as a member state of the Consortium, the Department entered into a Multi-Agency Assessment Cooperative ("MAAC") in February of 2014, a procurement group initiative comprising of six (6) United States Department of Education of the States of Idaho, Hawaii, South Dakota, Washington, West Virginia and the Virgin Islands to solicit and evaluate qualified bids intended to support each agency with its transition to the Smarter Balanced Assessments; and

**WHEREAS**, American Institute for Research in the Behavioral Sciences, Inc. ("AIR") was selected as the successful bidder for a five-year (5) year award for services solicited under Request for Proposals number MAAC RFP NO 2014-09 in accordance with Title 31 V.I.C. Section 239(a)(4) and was approved by the Government on September 30, 2014 under Memorandum of Understanding and Agreement No. GC077DOE14; and

**WHEREAS**, on October 24, 2014, the Government executed Contract No. PC058DOE15 and subsequently P028DOET19 on March 29, 2019 for AIR to provide support for the implementation, operation, and delivery of Summative and Interim Assessments built with the Smarter Balanced Assessment (SBA) blueprints in Mathematics ("Math") and English Language Arts ("ELA"); and

**WHEREAS**, American Institute for Research in the Behavioral Sciences, Inc. ("AIR") was once again selected as the successful bidder under Request for Proposals number MAAC RFP NO 2019-013 solicited on December 18, 2018 in accordance with Title 31 V.I.C. Section 239(a)(4); and



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**WHEREAS**, on December 31, 2019, CAI and AIR executed a Bill of Sale, Assignment, and Assumption Agreement for CAI to acquire the assessment division of AIR and assume the rights of all existing contracts within that Division which is responsible for administering the services.

**WHEREAS**, through Contract No. **P054DOET21** approved by the Governor on March 2, 2021, (which constitute and is hereinafter referred to as the "Contract"), the Government contracted with Contractor to provide support for the online administration, scoring, and reporting of Grades 3rd. - 8th and 11th Summative and Interim Assessments built with the Smarter Balanced assessment blueprints in Mathematics ("Math") and English Language Arts ("ELA") as well as Next Generation Science Assessment in Grades 5th, 8th and 11th; and

**WHEREAS**, the Contract expires pursuant to its terms on December 31, 2022; and

**WHEREAS**, NGSS summative assessments require a large item pool of questions and material to be conducted and, unfortunately, the pool was not large enough during the 2021 Fall Semester so the Assessment could not be administered.

**WHEREAS**, In the absence of a summative assessment, VIDE will be able to conduct an interim assessment which will commence in December 2021 with the first summative assessment to be conducted in Spring 2022; and

**WHEREAS**, the VIDE is in need of the administration of Smarter Balance Assessments services and in an effort to keep testing across all grade levels coherent, will also include the 10th grade student population which were previously the only grade procured separately as only grades 3-8 and 11 are required by federal law to be assessed for Math and Ela annually and were usually procured together; and

**WHEREAS**, the parties desire to amend the Contract, to change the Scope of Work in Addendum I to revise and decrease the scope of services and compensation provided under the 2020-2021 NGSS and SBA, to include testing for the Next Generation Science Standards Assessment and Smarter Balance Assessment for the 2021-2022 school year, and to increase the compensation by **Six Hundred Forty-Five Thousand, Eight Hundred Twenty-One Dollars and Sixty-Four Cents (\$645,821.64)**; and

**NOW THEREFORE**, for mutual and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:



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## TERMS AND CONDITIONS

1. Paragraph No. 3 – Compensation is hereby amended to increase the compensation by **Six Hundred Forty-Five Thousand, Eight Hundred Twenty-One Dollars and Sixty-Four Cents (\$645,821.64)** for a total amount not to exceed **One Million One Hundred Forty-Eight Thousand Eight Hundred Eighty-Six Dollars and Forty-Two Cents (\$1,148,886.42)** by deleting all of the existing language contained therein and replacing it with new language as follows:

“The Government, in consideration of the satisfactory performance of the services described in Amended Addendum I (Scope of Services) agrees to pay Contractor the sum not to exceed **One Million One Hundred Forty-Eight Thousand Eight Hundred Eighty-Six Dollars and Forty-Two Cents (\$1,148,886.42)** in accordance with the provisions set forth in Amended Addendum II (Compensation) attached hereto and made a part of this Contract.”

2. Addenda I and II of the Contract are revised by deleting all terms contained therein and inserting in lieu thereof all of the terms contained in the new Addendum I and new Addendum II, and inserting Addenda IV attached hereto as Exhibit “A”.
3. This Amendment is subject to the approval of the Governor of the Virgin Islands and to the appropriation and availability of funds.
4. Except as expressly amended in this Amendment, all terms of the Contract remain in full force and effect.

**[THIS AREA IS INTENTIONALLY LEFT BLANK]**



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IN WITNESS WHEREOF, the Parties have hereunto set their hands on the day and year first above written.

WITNESSES

GOVERNMENT OF THE VIRGIN ISLANDS

[Signature]

Racquel Berry-Benjamin  
Racquel Berry-Benjamin, Commissioner  
Department of Education

12/29/2021  
Date

[Signature]

Anthony D. Thomas  
Anthony D. Thomas, Commissioner  
Department of Property & Procurement

1/12/2022  
Date

CONTRACTOR

Monica Bell

Christopher Lowe  
Christopher Lowe, Director of Contracts  
Cambium Assessment, Inc.

12/21/2021  
Date

Christopher Lowe

Monica Bell  
Monica Bell, Sr. Contracts Manager  
Cambium Assessment, Inc.

12/21/2021  
Date

(Corporate seal, if Contractor is a Corporation)

APPROVED/ DISAPPROVED:

[Signature]  
Tregenza A. Roach, ESQ  
Acting Governor of the Virgin Islands

Date: 1/28/2022



APPROVED AS TO LEGAL SUFFICIENCY

DEPARTMENT OF JUSTICE BY: [Signature] Date 1/14/2022  
Assistant Attorney General

PURCHASE ORDER NO. \_\_\_\_\_

Contract No. P052DOET22

Initials: CL MB