



SOUTH SAN ANTONIO INDEPENDENT SCHOOL DISTRICT

Agenda Item Summary

Meeting Date: January 18, 2023

Agenda Section: Consent

Agenda Item Title: Approval of Elite Gaming Live Inc | RFP 2023-003 Integrated Esports

From: Tony Kingman-Chief Financial Officer

Description: The Integrated Esports and STEM Curriculum is intended to implement Esports through a STEM curriculum for Elementary and Middle school students. The platform will be designed specifically to engage students in STEM activities with the use of Esports as a reward. The Esports program will provide at least 5 esports events per semester that includes a live broadcast. Additionally, the program will include as part of the league experience the ability to earn points in the league by learning about STEM & Technology Learning Pathways in a fully integrated capacity through an online learning management system.

Historical Data: First Year of Implemented program.

Recommendation: Recommend the Board of Trustees approve the contract with Elite Gaming Live Inc, utilizing RFP 2023-03 Integrated Esports

Purchasing Personnel and Approval Date: Victoria Cantu, January 11, 2023

Funding Budget Code and Amount: Varies Budget Codes under Title I & Title IV

2023-03 - Integrated Esports and STEM Learning Program - Scoring Round

Supplier		Rank	Score	Standard Evaluation Scoring Sheet	<i>Purchase Price</i>	<i>Reputation of the Vendor's Goods or Services</i>	<i>Quality of the Vendor's Goods or Services</i>	<i>Extent to which the Goods or Services</i>	<i>Vendor's Past Relationship with the District</i>	<i>References</i>	<i>HUB Certifications</i>	<i>The total cost to the District to acquire the vendor's goods or services</i>	<i>Value added incentives beneficial to the District.</i>
			100										
EliteGamingLIVE Inc.	1		79.00		30	10	10	20	5	5	6	5	9
Esposure Inc	2		48.00		25	8	9	18	3	4	0	4	8
			63.50		15	7	5	10	3	4	0	2	2
				####	7.50	7.00	14.00	3.00	4.00	0.00	3.00	5.00	

Recommended Vendor: Elite Gaming Live



2023-03

**EliteGamingLIVE Inc.
Supplier Response**

Event Information

Number: 2023-03
Title: Integrated Esports and STEM Learning Program
Type: Request for Proposal
Issue Date: 12/16/2022
Deadline: 1/10/2023 02:00 PM (CT)
Notes: The South San Antonio Independent School District (“SSAISD” and/or the “District”) is soliciting Request for Proposals for for Integrated Esports and STEM Learning Program as more fully set out in this Request for Proposals (“RFP”).

Online submittals of bid proposals is highly encouraged as this helps to expedite the process an alleviate potential errors.

NO Emailed or Faxed proposals will be accepted.

Contact Information

Contact: Victoria Cantu
Address: Procurement Office
1450 Gillette Blvd.
San Antonio, TX 78224
Email: victoria.cantu@southsanisd.net

EliteGamingLIVE Inc. Information

Contact: Michael Bojsza
Address: 111 Montgomery St
Unit 2H
Brooklyn, NY 11225
Phone: (347) 519-5430 x5433
Email: michael@elitegaminglive.com
Web Address: EliteGamingLIVE.com

By submitting your response, you certify that you are authorized to represent and bind your company.

Michael Bojsza

Signature

Submitted at 12/30/2022 02:04:02 PM (CT)

michael@elitegaminglive.com

Email

Supplier Note

Thank you for your consideration. I look forward to working with SSAISD.

Requested Attachments

Conflict of Interest Questionnaire

CIQ Form.pdf

Please complete the Conflict of Interest Questionnaire, located on the Attachments tab, and upload the document here.

W9

EliteGamingLIVE, Inc. - W-9.pdf

Certificate of Interested Parties- Form 1295

Form 1295.pdf

Section II Section A. Company Overview

SSAISD Section A.pdf

Please review the RFP bid document in attachments section, please upload your firms bid response to Section I as a PDF.

Part II Section B. Pricing Proposal

SSAISD Section B.pdf

Please review the RFP bid document in attachments section, please upload your firms bid response to as a PDF.

Bid Attributes

1 Introduction

There are attributes, including this one, associated with this proposal. Some are notes and require no response, but most have a required response. **Please select each page on the right-hand side of the blue bar below (at the bottom of this list of attributes) in order to view the next page of Bid Attributes**

2 South San Antonio ISD Terms and Conditions

South San Antonio ISD Terms and Conditions are provided in an attachment to the proposal. Please check if you agree or disagree to the terms and conditions of this proposal. This is your electronic signature.

Agree

3 Submission Response

South San Antonio ISD prefers responses to be submitted online via our electronic system. No fax or email submissions will be accepted.

For any questions, please contact Victoria Cantu, South San Antonio ISD Procurement Office at (210) 977-7025 ext 3518.

4 Communications Statement

Contact between vendors and South San Antonio ISD personnel during the proposal process or evaluation process is prohibited. Any attempt by vendors during the proposal process to contact _South San Antonio ISD personnel may result in disqualification. All communication shall go through the Procurement and Contracts Department during this competitive process. All questions received and the corresponding answers will be distributed to all bidders. No verbal responses will be provided. The deadline for questions about this proposal is stated in the Bid Activities and the district will not respond to questions after this time and date. Response to questions will be posted in the form of an addendum to this proposal. The vendors will be responsible for checking the website for any posted addenda.

5 Attachments Required

Be sure to upload all required documents and forms to the "Response Attachments" tab of this bid event.

6 Proposal Opening

Any proposal received later than the specified time, whether delivered in person or by any other method shall be disqualified. Any questions pertaining to the proposal procedures should be addressed to the Purchasing Office at South San Antonio South San Antonio.

If the District office location where bids/proposals are to be submitted is closed due to inclement weather, natural disaster, or for any other cause including if the electronic bid system is unavailable on the due date, the deadline for submission shall be extended until the next District calendar business day, unless the bidder is otherwise notified by the District. The time of day for submission shall remain the same.

7 Anti-Trust Certification

I affirm under penalty of perjury of the laws of the State of Texas that:

1. I am duly authorized to execute this agreement/contract/proposal on my own behalf or on behalf of the company, corporation, firm, partnership or individual (Company) listed below;
2. In connection with this proposal, neither I nor any representative of the Company have violated any provision of the Texas Free Enterprise and Antitrust Act, Tex. Bus & Comm. Code Chapter 15;
3. In connection with this Proposal, neither I nor any representative of the Company have violated any federal antitrust law; and
4. Neither I nor any representative of the Company have directly or indirectly communicated any of the contents of this proposal to a competitor of the Company or any other company, corporation, firm, partnership or individual engaged in the same line of business as the Company.

I affirm. (I affirm.)

8 Felony Conviction Notice

Texas Education Code, Section 44.034, Texas Education Code, Notification of Criminal History, Subsection (a), states "A person or business entity that enters into a contract with a school district must give advance notice to the district if the person or an owner or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony." Subsection (b) states "A school district may terminate a contract with a person or business entity if the district determines that the person or business entity failed to give notice as required by Subsection (a) or misrepresented the conduct resulting in the conviction. The district must compensate the person or business entity for services performed before the termination of the contract." Is your firm owned or operated by anyone who has been convicted of a felony?

No

9 Felony Conviction Details

If your firm is owned or operated by anyone who has been convicted of a felony, please list their name and the details of the conviction. If not applicable, please enter N/A (not applicable).

N/A

10 Criminal Background Check Requirement

If an employee of a contractor is covered under SB 9, the contractor must bear the burden of obtaining a national, fingerprint-based criminal history check. Under Section 22.0834 of the Education Code, the contractor is then required to certify to the district that the criminal history check has been performed. The contractor, not the district, is responsible for contacting DPS directly to set up an account for the purposes of obtaining criminal history record information. Under the statute SB 9, a contractor is required to conduct a criminal history review on an employee only when the following criteria have been met: *The employer has contracted with district to provide services. *The particular employee will have continuing duties relating to the contract with the district. * The particular employee will have contact with students. A contractor or sub-contractor may not work on District property or any location the District deems a place where students are regularly present when *they have been convicted of a felony or misdemeanor involving moral turpitude, as defined by Texas law or any other offense the District believes might compromise the safety of student, staff or property.

A Proposer's violation of this section shall constitute substantial failure. If the Proposer is the person or owner or operator of the business entity, that individual may not self-certify regarding the criminal history record information and its review, and must submit original evidence acceptable to the district with this Agreement showing compliance. Possession of fire arms, alcohol and/or drugs, even in vehicles, is strictly prohibited on school/district property. The use of tobacco products are not allowed on school district property. ~~~This is your electronic signature.

Agree

1 Bidder's Certification

Texas Government Code Chapter 2252 relates to bids by nonresident contractors. The pertinent portions of the Act are as follows: Section 2252.001(3) "Nonresident bidder" refers to a person who is not a resident. Section 2252.001(4) "Resident bidder" refers to a person whose principal place of business is in this state, including a contractor whose ultimate parent company or majority owner has its principal place of business in this state. Section 2252.002, as amended by H.B. 3648, 83rd Legislature (2013 Regular Session): "AWARD OF CONTRACT TO NONRESIDENT BIDDER. A governmental entity may not award a governmental contract to a nonresident bidder unless the nonresident underbids the lowest bid submitted by a responsible resident bidder by an amount that is not less than the greater of the following:

(1) the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in the state in which the nonresident's principal place of business is located; or

(2) the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in the state in which a majority of the manufacturing relating to the contract will be performed." Section 2252.002, as amended by H.B. 1050, 83rd Legislature (2013 Regular Session): "AWARD OF CONTRACT TO NONRESIDENT BIDDER: A governmental entity may not award a governmental contract to a nonresident bidder unless the nonresident underbids the lowest bid submitted by a responsible resident bidder by an amount that is not less than the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in:

(1) the state in which the nonresident's principal place of business is located; or

(2) a state in which the nonresident is a resident manufacturer." ~~~ Is the vendor a Resident Bidder of Texas as defined in Texas Government Code Section 2252.001(4)?

Please indicate the status of your company as a "resident" proposer or "nonresident" proposer under these definitions.

My company is a Nonresident Proposer

1 Non-resident Bidder's Certification

Non-resident Bidder of Texas as defined in Texas Government Code Section 2252.001(3) ~~~ If your firm is not a Resident Bidder of Texas as defined in Texas Government Code Section 2252.001(4), indicate your firm's principal place of business City and State. If not applicable, please enter N/A (not applicable).

Brooklyn, New York

1 Conflict of Interest Questionnaire

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

Does this vendor have conflict of interest with South San Antonio_ Independent School District?

No

1
4 **Anti-Collusion Statement**

I affirm that I am duly authorized to execute this contract; that this company, corporation, firm, partnership or individual has not prepared this bid in collusion with any other Bidder, and that the contents of this bid as to prices, terms or conditions of said bid have not been communicated by the undersigned nor by any employee or agent to any other person engaged in this type of business prior to the official opening of this bid.

I agree. (I agree.)

1
5 **Debarment or Suspension Certification**

Non-Federal entities are prohibited from contracting with or making sub-awards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred. Covered transactions include procurement of good or services equal to or in excess of \$100,000. Vendors receiving individual awards of \$100,000 or more and all sub-recipients must certify that the organizations and its principals are not suspended or debarred.

(I) Certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department of agency under the Federal OMB, A-102, common rule.

Failure to certify will render bidder non-responsive and will not be considered for award.

1
6 **No Israel Boycott Certification**

Effective September 1, 2017, a Texas governmental entity may not enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it:

- (1) does not boycott Israel; and
- (2) will not boycott Israel during the term of the contract. (TEX. GOV'T CODE Ch. 2270)

"Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes. TEX. GOV'T CODE §808.001(1)

Vendor certifies that they do not boycott Israel, will not boycott Israel during the term of this Agreement, and are in compliance with Section 2270.002 of the Texas Government Code.

Agree (Agree)

1
7 **No Excluded Nation or Foreign Terrorist Organization Certification**

Effective September 1, 2017, Chapter 2252 of the Texas Government Code provides that a Texas governmental entity may not enter into a contract with a company engaged in active business operations with Sudan, Iran, or a foreign terrorist organization - specifically, any company identified on a list prepared and maintained by the Texas Comptroller under Texas Government Code §§806.051, 807.051, or 2252.153. (A company that the U.S. Government affirmatively declares to be excluded from its federal sanctions regime relating to Sudan, Iran, or any other federal sanctions regime relating to a foreign terrorist organization is not subject to the contract prohibition.)

Vendor certifies that they do not support foreign terrorist organizations and are in compliance with Sections 2252.152-154 of the Texas Government Code.

Agree (Agree)

1
8 **Form 1295 - Certificate of Interested Parties**

Pursuant HB 1295, the addition of section 2252.908 of the Government Code, all awarded vendors must fill out electronically, with the Texas Ethics Commission's online filing application.

www.ethics.state.tx.us.whatsnew/elf_info_form1295.htm

The law states that a governmental entity or state may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties (Form 1295) to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental or state agency. The Texas Ethics Commission has adopted rules requiring the business to file Form 1295 electronically with the Commission. This form must then be signed and attached in the "Response Attachments" tab of this bid event, prior to any business transaction.

Please note the following:

Box 2: Please enter South San Antonio_ ISD

Box 3: Please use South San Antonio__ ISD's solicitation (bid) number **RFP# South San Antonio** as the identification number being requested and the contract name as description of goods or services.

A **new** form must be completed upon each renewal.

Please acknowledge that you have read and understand that the district may not do business with your company without the submittal of this form.

1
9 **Vendor Employment Certification**

For the contract for goods and services, other than goods and services related to telecommunications and information services, building construction and maintenance, or instructional materials, whether the vendor or the vendors ultimate parent company or majority owner;

1) Has its principal place of business in the State of Texas;

OR

2) employs at least 500 persons in Texas.

If you are not a Texas based business, do you have more than 500 employees in Texas?

2
0 **No Deviations or Exceptions**

I certify that there are NO deviations or exceptions from the attached specific terms, conditions, and specifications.

2
1 **Deviations and Exceptions**

If your company intends to deviate from the Specifications listed in the attached documents, all such deviations and exceptions must be listed here, with complete and detailed conditions and information included. The District will consider any deviations or exceptions in its bid award decisions. The District reserves the right to accept or reject any proposals based upon any deviations indicated below. If none, please enter N/A (Not Applicable).

2 2	Educational Cooperatives Do you belong to any of the following cooperatives? <input type="checkbox"/> BuyBoard (BuyBoard) <input type="checkbox"/> Goodbuy (Goodbuy) <input type="checkbox"/> TIPS (TIPS) <input checked="" type="checkbox"/> None apply (None apply)
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2 3	Purchasing Cooperative Has your company been awarded a purchasing cooperative contract? If yes, please list the names of the Cooperatives and the contract numbers you have with each. If none, please enter N/A (not applicable). <input type="text" value="N/A"/>
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2 4	Section Break <p style="text-align: center;">VENDOR REFERENCES</p>
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2 5	References List multiple references and prior experience; preferably with other governmental agencies, in the last 3 – 5 year period; work or services in the same type and size to the project being proposed. Please list the following information for each agency:
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2 6	Reference 1 Reference 1
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2 7	Reference #1 Company Name <input type="text" value="Atlanta Public Schools"/>
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2 8	Reference #1 Contact Person <input type="text" value="Tommy Clay - Digital Learning Specialist at Atlanta Public Schools"/>
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2 9	Reference #1 Business Address Enter Street address, city, state, zip code <input type="text" value="130 Trinity Ave. SW Atlanta, GA 30303"/>
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3 0	Reference #1 Business Phone Number <input type="text" value="(404) 213-4434"/>
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3 1	Reference #1 Email <input type="text" value="tlclay@atlanta.k12.ga.us"/>
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3 2	Reference #1 Description of Services Performed and Dates of Service Describe the services performed and provide the beginning and completion dates of the project. <input type="text" value="EliteGamingLIVE's partnership with Atlanta Public Schools spans across 17 schools in the district that consists of the entire 2023 calendar year for 2 seasons. Our partnership began in Fall 2022 September and is continuing throughout the entire 2023 calendar year."/>
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3 3	Reference 2 Reference 2
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3 4	Reference #2 Company Name	After-School All-Stars of Los Angeles
3 5	Reference #2 Contact Person	Monica Fuentes
3 6	Reference #2 Business Address	Enter street address, city, state, zip code. 6501 Fountain Ave, Los Angeles, CA 90028
3 7	Reference #2 Business Phone Number	(213) 305-8602
3 8	Reference #2 Email Address	monica@la-allstars.org
3 9	Reference #2 Description of Services Performed and Dates of Service	Describe the services performed and provide the beginning and completion dates of the project. EliteGamingLIVE's partnership with After-School All-Stars spans across 17 schools within the Los Angeles Unified School District in partnership with After-School All-Stars of Los Angeles. Our partnership began in January 2022 and will continue for the entire 2023 calendar year.
4 0	Reference #3 Reference #3	
4 1	Reference #3 Company Name	Keesler Air Force Base Youth Center
4 2	Reference #3 Contact Person	Lorenzo Hinton
4 3	Reference #3 Business Address	Enter street address, city, state, zip code. 604 J Street Keesler AFB, MS 39534
4 4	Reference #3 Business Phone Number	(813) 417-6228
4 5	Reference #3 Email Address	lorenzo.hinton@us.af.mil
4 6	Reference #3 Description of Services Performed and Dates of Service	Describe the services performed and provide the beginning and completion dates of the project. EliteGamingLIVE's partnership with Keesler Air Force Base began in September 2022 and it will continue to serve the children of active service members stationed at Keesler Air Force Base in Mississippi.

4
7

Additional References

Additional References

Additional reference information can be submitted as document. The document can be uploaded to the "Response Attachments" tab within the bid event.

Be sure to include the following information:

- Reference Company Name
- Reference Contact Person
- Reference Business Address (street, city, state, zip)
- Reference Business Phone Number
- Reference Email Address
- Description of Services Performed and Dates of Service