

**DETERMINATION AND FINDINGS
FOR A
SOLE SOURCE CONTRACT EXTENSION**

Contract No.: CW12636
Caption: Supervised Independent Living Services
Contractor: Progressive Life Center, Inc.
Program: Department of Youth Rehabilitation Services (DYRS)

FINDINGS

1. AUTHORIZATION:

D.C. Code § 2-354.04 and 27 DCMR § 1304, 1700, 1701 and 2005.2(b)

2. MINIMUM NEED:

The Department of Youth Rehabilitation Services (DYRS) has a continued need for a Contractor to provide Supervised Independent Living Program services for youth in accordance with court orders imposed by the D.C. Superior Court for youth involved in the District's juvenile justice system.

The period of performance shall be May 1, 2016 through April 30, 2017.

3. ESTIMATED REASONABLE PRICE:

The estimated fair and reasonable price for a sole source extension of this contract is a not to exceed \$733,675.55.00 and based on services rate under the current Human Care Agreement (HCA) Option Period Four (4).

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

The Department of Youth Rehabilitation Services is requesting an extension from May 1, 2016 through April 30, 2017 of its Human Care Agreement with Progressive Life Center, Inc. that provides Supervised Independent Living Services which is a Community-Based Residential Facilities (CBRF) for youth requiring out of home placement have varying degrees of emotional, behavioral, and psychosocial needs. The request is being made because the current HCA is in the last option year and will expire May 1, 2016.

Progressive Life Center, Inc. serves approximately 6 pre-adjudicated and adjudicated youth whose social factors indicate their permanent home is temporarily untenable for the youth to return. Each youth's typical length of stay may range from 30 to 365 days.

Progressive Life Center, Inc. provides short-term and community-based residential family reunification services designed to return detained children and/or youth in temporary out-of-home care or custody to their families of origin with focus to reuniting children and/or youth with their families in a stable and supportive home environment.

Progressive Life Center, Inc. is currently providing satisfactory services and is uniquely positioned to ensure continuity of services through its established infrastructure and demonstrated capacity in providing the services for the past five years.

To ensure a continuity of services, to provide the best supervised independent living services to our committed youth and to comply with the Jerry M. Decree and other related court order, DYRS has a need to extend its present HCA with Progressive Life Center, Inc. beyond option period four (4) while DYRS continues to revisit its process for qualifying organizations to provide services for supervised independent living services including revising its Statement of Work relating to HCAs and to allow for the completion of the competitive procurement process to procure new supervised independent living service providers. More importantly, if the sole source contract extension is not awarded, and DYRS has to move the youth to another facility, the youth's rehabilitation and previous progress could be negatively impacted. The youth's rehabilitation could suffer a major setback psychologically and/or sociologically due to the change of services. As a result, the youth and the community become at risk due to the youth's setbacks because it takes them from the course of services that the youth already receives. The youth would have to start from scratch to build relationships previously developed. The youth in the facility have emotional ties with the staff at Progress Life Center and other youth at the group home. Another precedent is that DYRS has no other community based placement to accommodate the youth at this time other than Progress Life Center. Returning the youth to a secure detention is a violation of their constitutional right. DYRS would be in violation of the Jerry M. Decree and other applicable court orders. Progress Life Center shall continue to provide services as presently outlined in the HCA, (CW21636) if award is permitted. A solicitation for Supervised Independent Living Services is currently being prepared by DYRS. OCP will issue a new solicitation on or before July 1, 2016.

In consideration of the District's minimum need and the fact that a competitive solicitation is under way a market survey was not conducted.

5. CERTIFICATION BY AGENCY HEAD:

I hereby certify that the above findings are true, correct and complete.

Date

Clinton Lacey
Director
Department of Youth Rehabilitation Services

6. CERTIFICATION BY CONTRACTING OFFICER:

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract and Sole Source D&F was posted on the OCP website and no valid responses were received regarding the posting. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

Yvette Henry
Contracting Officer
Office of Contracting and Procurement

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.04). Accordingly, I determine that the District is justified in the sole source extension method of procurement.

Date

George A. Schutter III
Chief Procurement Officer
Office of Contracting and Procurement