

**DETERMINATION AND FINDINGS
FOR A
SOLE SOURCE PROCUREMENT**

CONTRACT NO: CW34916
CAPTION: OSSE - ODM Science Assessment Delivery Platform
PROPOSED CONTRACTOR: NCS Pearson, Inc.
PROGRAM AGENCY: Office of Contracting and Procurement (OCP) on behalf of Office of the State Superintendent of Education (OSSE)

FINDINGS

1. AUTHORIZATION:

D.C. Official Code §2-354.04, 27 DCMR 1304, 1700 and 1701

2. MINIMUM NEED:

Office of Contracting and Procurement (OCP) on behalf of Office of the State Superintendent of Education (OSSE), Office of Data Management (ODM) has an immediate requirement to find a contractor to support the test development in implementing the 5th grade, 8th grade, and biology assessment in an electronic format for delivery to students using what the software program the District currently uses, Pearson TestNav 8.0.

3. ESTIMATED REASONABLE PRICE:

The estimated fair and reasonable price for the Sole Source contract is \$662,641.00 with a base period of 12 months of performance of the award date.

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

With the Elementary Secondary Education Act (ESEA) the District is required to administer Science testing. The District is part of the Partnership for Assessment of Readiness for College and Careers consortium (PARCC). PARCC currently administers Pearson TestNav 8.0 for Science and related subjects in testing. NCS Pearson, Inc. is the company that created the software program TestNav 8.0 and has an intellectual property on the software.

Market Research was performed and no other vendor will be able to meet the time frame to implement Science Assessment Testing, have the knowledge of TestNav 8.0, familiarity of the District's school system, and NCS Pearson, Inc. is the only vendor to provide support and

administer the software. PARRCC uses TestNav 8.0 because it is the only software program that offers the most range to support accommodations and accessibility features for students with disabilities and English learners. It is in the best interest of the District to use NCS Pearson, Inc. with the intellectual property, and the fact the school system is already familiar with the software program.

5. CERTIFICATION BY AGENCY HEAD:

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

Date

Dr. Amy Maisterra
Interim State Superintendent of Education

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 was published in accordance with 27 DCMR 1304 and that no response was received. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

Marie Niestrath
Contracting Officer

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 § 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

Nancy Hapeman
Chief Procurement Officer