

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

Agency: Department of Consumer and Regulatory Affairs (DCRA)
Contract No.: CW40436
Caption: Professional Licensing Project
Contractor: NCS Pearson, Inc.

Findings

1. Authorization

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

2. Minimum Need

The Office of Contracting and Procurement, on behalf of the Department of Consumer and Regulatory Affairs (DCRA), Occupational and Professional Licensing Administration (OPLA) is awarding the current contractor NCS Pearson, Inc. to provide technical, managerial and administrative services needed to facilitate the transition of DCRA's licensing operation function from NCS Pearson to a new contractor in order to avoid a disruption in services during the six-month transition process.

3. Estimated Fair and Reasonable Cost

The estimated price to provide the required services for the period January 1, 2016 through June 30, 2016 is \$666,250.00. It is determined fair and reasonable based on current contract unit pricing and projected volume of transactions during the transition period.

4. Facts that Justify a Sole Source Procurement

- A. DCRA/ OPLA is responsible for supporting nineteen (19) professional licensing boards and programs representing 144 license categories with annual issuance of approximately 40,000 professional licenses and 2,500 examinations. The boards govern the practice of occupations and professions as mandated by regulatory laws of the District of Columbia.

- B. NCS Pearson, Inc. is currently providing satisfactory services for the required professional services and is uniquely positioned to ensure continuity of services during the transition process. The absence of these services could delay critical services such as security guard services, special police, etc., which could negatively impact both Private and District sector work. Residents would be at

risk due to the potential of sub-standard work or due-diligence on projects and work that effect the integrity of the District's operating infrastructure.

- C. The District of Columbia requires that people who work in certain professions acquire a certain level of knowledge in their chosen field; therefore they are required to obtain a license to ensure that the public's health, safety, and welfare are reasonably protected.
- D. The Office of Contracting and Procurement expects to award a new, replacement contract for these services on or before January 1, 2016.
- E. A sole source contract is the most advantageous method of fulfilling the District's need for transitioning from existing vendor to new vendor because NCS Pearson is the only contractor that can provide these transitional services by using own software and hardware. On that basis there was no need for a market survey.

5. CERTIFICATION BY AGENCY HEAD:

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

Director
Department of Consumer and Regulatory Affairs

Date

6. CERTIFICATION BY CONTRACTING OFFICER:

I have reviewed the above findings and certify that they are sufficient to justify 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.

Deborah J. White
Contracting Officer
Office of Contracting and Procurement

Date

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.

George A Schutter
Chief Procurement Officer
Office of Contracting and Procurement

Date