

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

CONTRACT NO: CW47673

CAPTION: OSSE – DAR Science Test Administration

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, PPRA § 404

2. MINIMUM NEED:

Office of Contracting and Procurement (OCP) on behalf of Office of the State Superintendent of Education (OSSE), Division of Data, Accountability and Research (DAR) is seeking to find a contractor with extensive experience using TestNav 8 test delivery system for educational assessments based on requirements under the Title I, Part A of the Elementary and Secondary Education Act of 1965, as Amended (ESEA) to administer the DC Science assessment. The assessment will be a stand-alone operational test and will include up to three (3) forms per grade for grades 5, 8 and High School Biology with up to 40 items per form to be administered at all District of Columbia’s Local Educational Agencies (LEA). The assessment will be administered online only. One accommodated form of the assessment per grade, will be translated into paper, large print, and braille versions for students with disabilities.

Period of performance is one year from the date of award.

3. ESTIMATED REASONABLE PRICE:

The estimated fair and reasonable price is \$881,069.00.

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 not performed because the TestNav8.0 software has intellectual property rights for only NCS Pearson to administer and support 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

Hanseul Kang
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 [yes a response/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 Nistrath
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

George A. Schutter III
Chief Procurement Officer