

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

CONTRACT NO.: CW15557
CAPTION: Used School Buses
PROPOSED CONTRACTOR: Henshaw Properties, LLC
PROGRAM AGENCY: Office of the State Superintendent of Education (OSSE)

FINDINGS

1. AUTHORIZATION:

27 DCMR 1702.3

2. MINIMUM NEED:

The Office of the State Superintendent of Education-Division of Transportation (OSSE-DOT) has an immediate need to purchase 50 or more school buses for use during the summer and for the 2012-2013 school year. OSSE-DOT needs the additional buses to ensure that it has an adequate fleet to provide transportation services.

3. ESTIMATED REASONABLE PRICE:

\$990,000

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

- A. The District of Columbia is required under IDEA, as enforced under the specific terms of several Court Order in the class action lawsuit *Petties, et al*, C.A. 95-0148, subsequent agreement dated November 14, 1997 and DOT Policy Directive 530.3 dated August 21, 1997, to provide "Safe and appropriate round trip transportation ("special education transportation") at no cost, for all DOT students receiving special education and/or related services, whose individual needs require transportation to and from programs and / or related service sites by means of other than public transportation or on foot". These services must be provided, uninterrupted, throughout the school year and for summer school as identified in the child's IEP for an Extended School Year (ESY).
- B. DOT does not currently have a sufficient number of operable buses in its fleet. The buses being purchased were previously leased by OSSE. OSSE, therefore, knows the condition and operability of these buses.

C. Based on past solicitations, other potential vendors would not have the required quantity of buses on hand for immediate delivery. In addition, it would take time to get other buses inspected and registered.

5. CERTIFICATION BY AGENCY HEAD:

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

Date

Superintendent, OSSE

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 sole source notice of Intent to Award a Sole Source Contract was posted on the OCP website and no valid responses were received regarding the posting. I recommend that the Assistant Director of Procurement approve the use of the sole source procurement method for this proposed contract.

Date

Gena Johnson
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 bidding process under Section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6-85; D.C. Official Code § 2-303.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

James D. Staton, Jr.
Chief Procurement Officer