

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

**CONTRACT NO:** DCGD-2009-H-0002-05  
**CAPTION:** Evaluating/Assessing Infants and Toddlers with Disabilities  
**PROPOSED CONTRACTOR:** Milestone Therapeutic Services, PLLC  
**PROGRAM AGENCY:** Office of the State Superintendent of Education

**FINDINGS**

**1. AUTHORIZATION:**

D.C. Official Code §2-354.04, 27 DCMR 1304, 1700, 1701, and 2005.6 (b)

**2. MINIMUM NEED:**

The Government of the District of Columbia, Office of Contracting and Procurement (OCP) on behalf of the Office of the State Superintendent of Education (OSSE), Early Intervention Program (EIP), Infants and Toddlers Disabilities Division (ITDD), seeks to contract with Milestone Therapeutic Services, PLLC (contractor) to continue providing direct care services on behalf of the Individuals with Disabilities Education Act of 2011.

The provider will also be responsible for evaluating and assessing the child, when indicated, developing, updating and implementing the Individualized Family Service Plan (IFSP) along with the eligible child's family, service coordinator and other relevant service Providers, in coordination with ITDD. Services shall end and the child shall exit the Part C system at the eligible child's 3<sup>rd</sup> birthday, or sooner if the child reaches developmental milestones or exhibits delays lower than the prescribed 50%, unless an extension is specifically granted by ITDD. Children shall be referred to the provider by ITDD or the assigned Dedicated Service Coordinator. The provider shall provide services in accordance with the federal Part C regulations (**34 C.F.R. Part 303 et seq.**), District of Columbia laws and ITDD policies and procedures. Some families may be unable to speak English and require a language translator or an interpreter who uses American Sign Language. The languages of the non-English speaking population referred shall include but not be limited to Spanish, French, Portuguese, Mandarin, Taiwanese, Cantonese, Vietnamese and Amharic.

**3. ESTIMATED REASONABLE PRICE:**

The estimated fair and reasonable price for the Sole Source extension contract is \$250,000.00. The period of performance is December 17, 2014 - June 17, 2015. EIP provided the price based on a revised pricing schedule provided for a six (6) month extension. The Contracting Officer has declared this amount to be fair and reasonable.

**4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:**

Milestone Therapeutic Services, PLLC (contractor) is the only available company requiring no start up time and capable of continuing this service without interruptions. An interruption of these services would pose as a major risk to the District and jeopardize the

case load that the contractor currently is currently responsible for to the District Government. The contractor currently holds the most caseloads from infants to two (2) years of age that resides in the District of Columbia. The result of stopping services at this time could be detrimental to the infants' health and welfare. The Contracting Officer recommends the District continues the services with Milestone Therapeutic Services, PLLC for an extension of six (6) months.

**5. CERTIFICATION BY AGENCY HEAD:**

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jesús Aguirre  
State Superintendent,  
Office of the State Superintendent of Education

**6. CERTIFICATION BY CONTRACTING OFFICER:**

Based on the findings, I hereby determine that the extension of the Sole Source award of these services to NCS Pearson, Inc. is in the best interest of the District and that the price is fair and reasonable. I recommend that the Office of Contracting and Procurement (OCP) Chief Procurement Officer approves the use of the Sole Source Extension Procurement method for the continuation of these services. 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 extend a Sole Source Contract was published on November 12, 2014 in accordance with Section 404 (c) of the District of Columbia Procurement Practices Reform Act (PPRA) of 2010 (D.C Official Code §2-354.04) and no response was received. The Contracting Officer spoke with the prospective vendor and assured them that a competitive RFP would be forthcoming in the near term, and the vendor was satisfied with the response. I recommend that the Chief Procurement Officer approve the use of the extension for 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 303, 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, 2-354.03 or 2-354.04 Sec 404

(a)(b)(c) DCMR 1701.01, D.C. Law 18-371). Accordingly, I determine that the District is justified in Contracting with using the Sole Source Method of Procurement.

\_\_\_\_\_  
Date

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James D. Staton, Jr.  
Chief Procurement Officer