

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

AGENCY: Fire and Emergency Medical Services (FEMS)
CONTRACT NO: TBD
CAPTION: FY14 FEMS Tactical Entry Kits
PROPOSED CONTRACTOR: Safeware, Inc.

FINDINGS

1. AUTHORIZATION:

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

2. MINIMUM NEED:

The District of Columbia Fire and Emergency Medical Services (FEMS) seeks to purchase tactical entry kits assembled by Safeware, Inc. for use during fire emergencies that require protection from active shooters.

The period of performance is from Date of Award to September, 30 2014.

3. ESTIMATED REASONABLE PRICE:

The estimated fair and reasonable price is \$101,684.00.

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

A. The tactical entry kits requirement as a sole source is based upon the unique personalized assembly that meets FEMS specifications. The tactical entry kits are composed of seven tactical armor related elements that by themselves are common products in the protection industry. However, Safeware has personalized these elements specifically for FEMS. It is this level of specificity that meets the need of FEMS and qualifies the Safeware as the sole source provider. The estimated cost of this product is \$101,684.00.

B. Safeware is the only authorized reseller for the United Shield International line of products that are being used in the tactical entry kits. See Attachment 1. In addition, the pricing of the products provided for the tactical kits are fair and reasonable.

- C. Safeware is the only source for the tactical entry kits, and this contract is in accordance with the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-354.04 (2011 Repl.)) (Act), and applicable provisions of this chapter that provide legal authority for the sole source procurement.
- D. No market survey was done seeing that FEMS is purchasing tactical entry kits personalized to meet their requirements.
- E. Public Notice of OCP's intent to award a sole source contract was posted to our website for 10 calendar days pursuant to the requirements of OCP Policy 3000. The new posting was submitted to OCP's website on July 29, 2014.

5. **CERTIFICATION BY AGENCY DIRECTOR:**

I hereby certify that the above findings are true, correct and complete to the best of my knowledge and belief.

Date

Chief Eugene A. Jones, (Interim)
Fire and Emergency Medical Services

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 Section 404(c) of the District of Columbia Procurement Practices Reform Act (PPRA) of 2010 (D.C. Official Code §2-354.04) 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

Angela Turner, CPPB
Associate Procurement 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 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 or 2-354.03). Accordingly, I determine that the District is justified in using the Sole Source method of procurement.

Date

James D. Staton, Jr.
Chief Procurement Officer