

DETERMINATION AND FINDINGS
FOR
SOLE SOURCE EXTENSION OF CONTRACT

AGENCY: DC Department of Corrections (DOC)
CAPTION: Inmate Telephone Service
CONTRACT NO.: CW12929
CONTRACTOR: Inmate Telephone Inc.

Findings

1. Authorization

D.C. Official Code §2-354.04, 27 DCMR 1304, 1700, 1701 and 2005.2(b)

2. Minimum Need

The Office of Contracting and Procurement, on behalf of the Department of Corrections is seeking to extend the current contract with Inmate Telephone, Inc. which provides a critical service designed to provide a monitored method for inmate and detainees to safely maintain contact with their family and friends. The contractor, Inmate Telephone Inc. directly bills the cost of calls to the family and friends of the inmates.

3. Estimated Fair and Reasonable Cost

The estimated fair and reasonable price to provide the required services for the period April 1, 2016 through March 31, 2017 is at no cost to the district.

The current average cost per minute at DC DOC is \$.08 cents/min. The FCC Order stated for a facility DOC's size the rates cannot exceed \$0.14 per minute, for prepaid/debt and \$0.49 for Collect. DOC's prices are 50% lower than the rate caps laid out in the FCC Order.

4. Facts that Justify a Sole Source Extension

A. The current contract expires on March 31, 2016.

B. In 2015 OCP began preparing a solicitation for inmate telephone services; however, it was determined that the solicitation should be put on hold. DOC is seeking to replace their offender management system (OMS) with an OMS designed to provide state-of-the-art technology to include inmate telephone services.

GTL's Inmate Telephone software (that issues personal identification numbers that allows for restrictions and permissions to be implemented through the JACCS interface) is integrated with OMS. If we were to contract with another provider, at the very minimum we would have to pay additional costs to build the necessary interface (\$40,000.00 - \$70,000.00 based on similar interfaces developed for other applications) and depending upon the complexity of the project, this might require 4 -12 months to implement. Given the timeline associated with the RFP under development and the fact that the current inmate telephone application is provided at no additional cost to the District, from a stewardship of public resources point-of-view it is more advantageous to extend GTL's contract until the new contract is awarded.

- C. The Office of Contracting and Procurements in preparation for an Offender Management System solicitation conducted a request for information which was used as market research. The RFI went out to nineteen (19) vendors, with responses received from seven (7):

Global Tel*Link Corporation	Analytica LLC
InterAct	Black Creek
Zuercher Technologies	Securus Technologies, Inc.
Microsoft Corporation	

Oral presentations were held on November 9, and 10, 2015 and each vendor provided information not only on the OMS, but also, inmate telephone, video visitation and inmate kiosk services that interface with the OMS.

- D. Pursuant to the First Amendment of the U.S. Constitution, inmates have a right to communication with people outside of D.C. Jail. Under the Fifth Amendment of the U.S. Constitution, inmates have a right to contact and communicate with counsel. Additionally, the ability of inmates to speak with family and friends is critical to their successful rehabilitation and their successful reentry into society. The phone system is important for safety and security because the phone system records conversations. Extending the GTL contract, will ensure the continuity of this service, until the OMS contract is awarded.
- E. Inmate Telephone Inc. is currently providing satisfactory services for the required inmate phone services and is uniquely positioned to ensure continuity of services.
- F. A sole source extension of the current contract is the most advantageous method of fulfilling the District's need until a new contract can be competitively awarded. Inmate Telephone Inc. has agreed to continue services based on existing contract structure, mentioned above.

5. CERTIFICATION BY THE AGENCY HEAD:

I hereby certify that the findings set forth above are true, correct, and complete to the best of my knowledge and that the proposed contract extension is in the best interest of the District of Columbia.

Thomas Faust
Director
Department of Corrections

Date

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 27 DCMR 1304, 1700, 1701 and 2005.6(b). 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 of 2010 (D.C. Official Code §2-354.04). 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