

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

Contract No.: CW12929  
Caption: Inmate Telephone Services  
Proposed Contractor: Inmate Telephone Inc.  
Program Agency: Department of Corrections (DOC)

**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. to provide and operate inmate telephone services to avoid a disruption in services. 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 October 1, 2015 through March 31, 2016 is at no cost to the district.

**4. Facts that Justify a Sole Source Procurement**

- A. The current contract expires on September 30, 2015.
- B. In preparing the solicitation, meetings with several vendors was used as the primary source of market research as well as research via the internet which resulted in identifying several vendors that can also provide this service. OCP is also considering a possible cooperative agreement with the WSCA-NASPO Cooperative Purchasing Organization that provides the highest standard of excellence in public cooperative contracting. Information gathered was to possibly explore new options, services and pricing for inmate telephone services however, as a result of change in executive management (Newly appointed Deputy Director of Management Support) the initial solicitation was put on hold.

- C. While performance and compliance issues with current contractor were being discussed the Federal Communications Commission began a sweep of prison phone reform issuing new regulations and DOC wanted to insure that the incumbent contractor was adhering to these regulations as well as following the best practices when providing inmate telephone services. The Deputy Director of Management Support, Deputy Director of Operations, Warden and Deputy Warden have agreed to proceed with the current solicitation with no changes.
- D. Inmate Telephone Inc. is currently providing satisfactory services for the required inmate phone services and is uniquely positioned to ensure continuity of services.
- E. The Office of Contracting and Procurement expects to award a new contract for these services on or before March 31, 2016.
- F. A sole source extension 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 (no cost) 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