

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

CONTRACT NO: TBD

CAPTION: Maintenance and Support of Existing Software Systems

PROPOSED CONTRACTOR: Public Consulting Group, Inc.

PROGRAM AGENCY: Office of the State Superintendent of Education

FINDINGS

1. AUTHORIZATION:

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

2. MINIMUM NEED:

The Office of Contracting and Procurement, on behalf of the Office of the State Superintendent of Education (OSSE), seeks consulting services of Public Consulting Group, Inc. for process and system enhancements, implementation, and maintenance to support the Statewide Special Education Data System (SEDS) to meet the needs of the District of Columbia and all stakeholder entities responsible for the management and delivery of special education services to eligible students of the District of Columbia.

The responsibilities associated with this work shall include process enhancements, management, maintenance, and administration of special education data within and outside of SEDS to meet the needs of the District of Columbia and all stakeholders responsible for the management and delivery of special education services to eligible students of the District of Columbia.

3. ESTIMATED REASONABLE PRICE:

The estimate fair and reasonable price is \$581,450.00. The period of performance will be October 1, 2016 - September 30, 2017.

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

- A. The Special Education Data System, herein referred to as SEDS, serves as the District of Columbia's system of record for special education in accordance with the Individuals with Disabilities Education Act (IDEA), 20 U.S.C Section 1400 *et seq.* SEDS is used by the Office of the State Superintendent for Education (OSSE) and by all District of Columbia local educational agencies (LEAs).

- B. Public Consulting Group, Inc. is the sole owner of the intellectual property rights and is the sole source and distributor for the EasyIEP software. EasyIEP is not available through any other entity.
- C. Public Consulting Group, Inc. has developed and refined the model for OSSE (annually) since 2008.
- D. Only Public Consulting Group, Inc. personnel with direct knowledge and expertise of the systems developed for OSSE are able to administer, maintain and consult on the functionality of these systems and their proper usage and implementation in order to maintain compliance with all relevant regulations.

5. CERTIFICATION BY AGENCY HEAD:

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

Date

Hanseul Kang
State 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 notice of intent to award a sole source contract was published in accordance with 27 DCMR 1304. I recommend that the Chief Procurement Officer approves the use of the sole source procurement method for this proposed contract.

Date

Alvin N. Stith
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 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

George A. Schutter
Chief Procurement Officer