

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

**CONTRACT NO:** CW43268

**CAPTION:** Special Education Data System (SEDS)

**PROPOSED CONTRACTOR:** Telecommunications Development Corporation (TDC)

**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) Office of Data, Accountability and Reporting (DAR), seeks to exercise Option Year One of contract CW43268 with TDC to continue maintaining and managing the Special Education Data System (SEDS), the District of Columbia's system of record for special education students, which includes development, business analysis, reporting tools, and technical assistance.

**3. ESTIMATED REASONABLE PRICE:**

The estimate fair and reasonable price for Option Year One is \$1,998,953.60.

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

- A. TDC is the sole owner of the intellectual property rights to the SEDS. Due to the scope of services and the expertise required to provide them, including a deep technical knowledge in the underlying proprietary technology contained in the SEDS, as well as the proprietary nature and intellectual property rights of TDC's software systems, the required services are not available through any other entity. Only TDC personnel with direct knowledge and expertise of the SEDS 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.
  
- B. TDC's team of developers and analysts provide all specifications and requirements associated with the SEDS and are solely responsible for maintenance, support and management, which ensures effective and timely performance and management of special education services.

**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

\_\_\_\_\_  
Tamera Anderson  
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