

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

**CONTRACT NO:** CW37188

**CAPTION:** AIDS Drug Assistance Program (ADAP)

**PROPOSED CONTRACTOR:** Walgreen Co.

**PROGRAM AGENCY:** Department of Health (DOH) AIDS Drug Assistance Program (ADAP)

**FINDINGS**

**1. AUTHORIZATION:**

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

**2. MINIMUM NEED:**

The DC Department of Health (DOH) AIDS Drug Assistance Program (ADAP) provides prescription assistance to eligible district residents pursuant to the authority set forth in the Ryan White Treatment Modernization Act of 2006, Part B Ryan White HIV/AIDS Treatment Extension Act of 2009 (Public Law 111-87), Section 2616 of the Public Health Service Act, HRSA policy notice 13-02, Title II section 202 of the Public Health Service Act, and Public Law 102-585 Veteran's Health Care Act of 1992 codified as Section 340B of the Public Health Service Act. The District receives grant funds to provide medications to treat HIV disease. ADAP contracts with a network of community pharmacy providers to dispense HIV-related medication on the District's ADAP formulary to patients enrolled in the DC ADAP Program. HIV/AIDS is a chronic illness that requires adherence to life sustaining anti-retroviral medications provided by the pharmacy network. In order to ensure there are no lapses in pharmacy services needed for this vulnerable population, the District hereby request a sole source extension of Contract CW37188 for a period of 180 days to resume services under the last option year, while the District seeks to competitively solicit the requirement.

**3. ESTIMATED REASONABLE PRICE:**

The estimated reasonable price shall not exceed \$700,000 of expenditures.

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

In order to ensure there are no lapses in pharmacy services needed for this vulnerable population, it would be in the District's best interest to award a sole source extension of contract to the existing provider for a period of 180 days thereby, resuming continuity of services under the last option year, while the District seeks to competitively solicit the requirement.

No solicitation was publicized and no market research was conducted. This is an extension to an existing contract. The current contract is being extended since the contractor, has previously provided the services required to facilitate the Department of Health, AIDS Drug Assistance Program (ADAP).

5.

**CERTIFICATION OF FINDINGS**

I have reviewed the above findings and certify that they are true, accurate and sufficient to justify the use of the sole source method of procurement under the cited statutory authority. I recommend and authorize the use of the sole source procurement method of this proposed contract.

\_\_\_\_\_  
Date

\_\_\_\_\_  
LaQuandra S. Nesbitt, MD, MPH  
Director, Department of Health

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 approve the use of the sole source procurement method for the proposed contracts.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Wil Giles  
Chief Contracting Officer  
Health Service Cluster

**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

\_\_\_\_\_  
Michael Wooten  
Deputy Chief Procurement Officer