

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

<b>CONTRACT NO:</b> CW71172
<b>CAPTION:</b> Scholastic Assessment Test (SAT) and Advanced Placement (AP) Testing Services for FY20 Administration
<b>PROPOSED CONTRACTOR:</b> The College Board
<b>PROGRAM AGENCY:</b> Office of the State Superintendent of Education (OSSE)
<b>AUTHORIZATION:</b> D.C. Official Code §2-354.04, 27 DCMR 1304, 1700, and 1701

**1. MINIMUM NEED:**

The Office of Contracting and Procurement (OCP) on behalf of the Office of the State Superintendent of Education (OSSE) seeks a contractor to provide the Scholastic Assessment Test (SAT) for Grades 11 and 12 students and the Advanced Placement (AP) testing services for Grades 8<sup>th</sup>—12<sup>th</sup> Free and Reduced Meals (FARMS) students. SAT School Day testing for 12<sup>th</sup> grade students is scheduled on October 16, 2019, make-up testing date is on October 30, 2019. SAT School Day testing for 11<sup>th</sup> grade students is scheduled on March 4, 2020, make-up testing day is scheduled on March 25, 2020. The AP testing is scheduled to commence on May 6-17, 2020 and the make-up testing date is scheduled on May 20-22, 2020. These include all aspects of student test registrations and setup, with support to both OSSE and directly to Local Education Agencies (LEAs).

The Period of Performance will be from the date of award until one year thereafter.

**2. ESTIMATED REASONABLE PRICE:**

The estimated fair and reasonable price is \$621,800.00.

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

- A. The Council of the District of Columbia’s “Raising the Expectations for Education Outcomes Omnibus Act of 2012” (DC Law 19-142, DC Official Code 38-752.01 et seq) requires each student attending public school to take the Scholastic Assessment Test (SAT) or American College Testing (ACT) exam before graduating.
- B. The College Board is the only entity that can provide the Scholastic Assessment Test (SAT) and Advanced Placement (AP) Test and test administration services and supporting materials as they are the sole source owner and copyright holder of certain programs, examinations, publications and software, which include tangible and intangible related services and materials collectively referred to as “Official College Board Offerings”, which includes the SAT and Advanced Placement (AP) Program.
- C. Market research was not necessary or conducted because the College Board is the only entity that can provide access to the SAT and AP testing services.

**4. CERTIFICATION BY AGENCY HEAD**

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Hanseul Kang  
Superintendent of Education

**5. 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 Section 404(c) of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Official Code §2-354.04) and that no response was received. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Daniel Manning  
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, III  
Chief Procurement Officer