

**DETERMINATION AND FINDINGS  
FOR  
SOLE SOURCE PROCUREMENT**

**Agency:** Department on Disability Services  
**Requisition No.:** RQ758668  
**Caption:** Skilled Nursing Services  
**Contractor:** KBC Nursing Agency, Inc. (KBC)

**FINDINGS**

**1. Authorization:**

D.C. Official Code §2-354.04, 27 DCMR 1802.7

**2. Minimum Need:**

The Department on Disability Services (“DDS”) has a need to continue to provide Skilled Nursing services for Mr. Donald Burton, during FY12 pursuant to a Court Order between Washington Hospital Center and Donald Burton, et al dated December 14, 2005.

**3. Estimated Fair and Reasonable Price:**

The estimated fair and reasonable price is \$480.00 per day for \$175,680.00 annually.

**4. Facts That Justify Use of a Sole Source:**

- A. On December 14, 2005 the Superior Court of the District of Columbia, Civil Division issued Civil Action No. 05-0009475 *in the Matter of Washington Hospital Center vs. Donald Burton, et al.* The order stated on page one, paragraph two that the District shall supply skilled nursing services to Mr. Burton provided by KBC Nursing Agency .
- B. Mr. Donald Burton has been a receiving skilled nursing services from KBC continuously since December 15, 2005.
- C. DDS cannot bill through the Medicaid waiver or through the Medicaid State Plan because Skilled Nursing is not a state plan service. DDS is working with Department of Health Care Finance to approve specialized rates which to date have not been approved.

- D. A notice of intent to award a sole source contract was posted to the OCP website, [www.ocp.dc.gov](http://www.ocp.dc.gov) on December 13, 2011. No responses or objections were received within the ten-day period or to this date.

**Certification of Findings**

I hereby certify that the above findings are true, correct and complete to the best of my knowledge.

\_\_\_\_\_  
Scotti Matthews  
Contract Administrator

\_\_\_\_\_  
Date

**DETERMINATION**

Based on the finding above I hereby determine that the services may be acquired on a sole source basis.

\_\_\_\_\_  
Janice Parker Watson  
Contracting Officer

\_\_\_\_\_  
Date