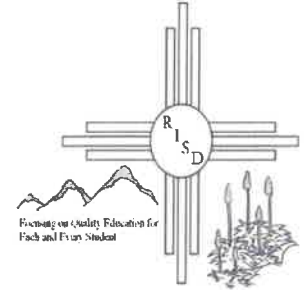


Roswell Independent School District
Support & Transportation Services Department
300 N. Kentucky, Suite 201
Roswell, New Mexico 88201
575-627-2528 - Office
575-627-2690 - Fax



**DECLARATION OF INTENT TO PROCURE
VIA SOLE SOURCE**

Posting Date: October 15, 2020

Product/Service: Title IA and Title IIA Equitable Services through FACTS Education Solutions.

Description: FACTS Education Solutions specializes in the Every Student Succeeds Act (ESSA) providing private schools the services needed to level the playing field for disadvantaged students.

Vendor: FACTS Education Solutions
121 S. 13th Street
Lincoln, NE 68508

Amount/Term: Approximately \$75,000.00 for the period November 14, 2020 through November 13, 2021.

Justification: FACTS Education Solutions has been working with two schools to access Title IA and Title IIA services for the past two years. The administrators of the two schools feel it is imperative to maintain FACTS Education Solutions as the provider of these services due to the relationships that have been developed and the progress in providing these services at the schools. No vendor would be able to come in and automatically continue providing the continuity of services without a significant delay that would result in precious time and federal funding being wasted.

Contact: Chris Thweatt, Roswell Independent School District
Purchasing Coordinator: (575) 627-2529;
cthweatt@risd.k12.nm.us

Any party wishing to protest the award of this sole source procurement shall submit in writing to the contact above within fifteen (15) calendar days of this posting.



STATE OF NEW MEXICO SOLE SOURCE REQUEST AND DETERMINATION FORM

A sole source *determination* is not effective until the *sole source request for determination* has been posted for thirty (30) calendar days without challenge, and subsequently approved in writing by the State Purchasing Agent or, for Professional Services Agreements, the Secretary of the Department of Finance and Administration. The foregoing requirement is regardless of whether the *sole source request for determination* has been signed by the Agency and/or the Contractor.

I. Name of Agency: Roswell Independent School District

Agency Chief Procurement Officer: Chris Thweatt

Telephone Number: (575) 627-2529

Agency Contact for this request: Chris Thweatt

Telephone Number & Email Address: (575) 627-2529, cthweatt@risd.k12.nm.us

II. Name of prospective Contractor: FACTS Education Solutions

SHARE Vendor Number (must be active):

Address of prospective Contractor: 121 S. 13th Street

Lincoln, NE 68508

Contact Name, Telephone Number and Email Address: Carlos Hernandez, (720) 227-6515,
chernandez@factsmgt.com

Amount of prospective contract before tax: \$75,301.62

Estimated tax amount (tax is subject to change): \$5,903.65

Term of prospective contract: 12 Months

Note: For terms longer than one year, Request for Policy Exemption from DFA MUST be included.

III. Agency is required to state purpose/need of purchase and thoroughly list the services (scope of work), construction or items of tangible personal property of the prospective contract (if this is an amendment request to an existing contract, include current contract number issued by SPD):

FACTS Education Solutions will provide Title IA and Title IIA Services. Title IA services include: providing a Paraprofessional or Title I teacher and possible professional development to support teachers of Title I students. Title IIA services include: differentiated instruction, classroom discipline, engaging students in a remote learning environment, and other potential topics.

- IV. Provide a detailed explanation of the criteria developed and specified by the agency as necessary to perform and/or fulfill the contract and upon which the state agency reviewed available sources. (Do not use “technical jargon;” use plain English. Do not tailor the criteria simply to exclude other contractors if it is not rationally related to the purpose of the contract.)

The Every Student Succeeds Act (ESSA) provides private schools with federal funding to ensure success for students and teachers. The law helps “level the playing field” for disadvantaged students and requires that all students be taught to high academic standards that prepare them for success. Vendor shall have the ability to assess social, emotional, and behavioral needs of students and their impact on academic performance offering intervention that improves the academic achievement of students; be knowledgeable of State of NM Academic Standards; have the ability to provide instruction that is high quality, research-based, and specifically designed to increase academic achievement, especially in reading, writing, and/or mathematics; have the knowledge and awareness of local community needs; have the ability to provide outcome evaluation measures; and provide necessary/relevant professional development.

- V. Provide a detailed, sufficient explanation of the reasons, qualifications, proprietary rights or unique capabilities of the prospective contractor that makes the prospective contractor ***the one source*** capable of providing the required professional service, service, construction or item(s) of tangible personal property. (Please do not state the source is the “best” source or the “least costly” source. Those factors do not justify a “sole source.”)

FACTS Education Solutions works to elevate the education experience through professional development and teacher/student growth. They have experience with the Every Student Succeeds Act (ESSA) and proven results in improving academic outcomes for students through supplemental instruction and research-based professional development. Their unique capability is that they have worked with each of the two schools for the past two years forming a relationship and providing services that no other vendor could come in and immediately duplicate and continue providing.

- VI. Provide a detailed, sufficient explanation of how the professional service, service, construction or item(s) of tangible personal property is/are ***unique and how this uniqueness is substantially related to the intended purpose of the contract.***

The services, themselves, are not unique. The uniqueness comes from the two year relationship that FACTS Education Solutions has with each school. After seeing the impact and progress that the vendor has helped the school make over the past two years, the administrators feel it is best for the continuity and consistency of working with FACTS Education Solutions to remain in place. Another vendor could not step in and continue where FACTS Education Solutions left off, resulting in the use of funding and time to bring the new vendor up to speed.

VII. Explain why other similar professional services, services, construction or item(s) of tangible personal property *cannot* meet the intended purpose of the contract.

FACTS Education Solutions and each school has a two year investment in one another. No other vendor could step in and continue what FACTS Education Solutions has set in place. It would take a lot of time and the use of federal funding for a new vendor to understand the schools' unique needs (which FACTS Education Solutions currently does) and maintain the continuity of services that FACTS Education Solutions has provided.

VIII. Provide a narrative description of the agency's due diligence in determining the basis for the procurement, including procedures used by the agency to conduct a review of available sources such as researching trade publications, industry newsletters and the internet;; contacting similar service providers; and reviewing the State Purchasing Divisions' Statewide Price Agreements. Include a list of businesses contacted (*do not state that no other businesses were contacted*), date of contact, method of contact (telephone, mail, e-mail, other), and documentation demonstrating an explanation of why those businesses could not or would not, under any circumstances, perform the contract; or an explanation of why the agency has determined that no businesses other than the prospective contractor can perform the contract.

Each school has worked with FACTS Education Solutions for the past two years. The increase in cost of services provided to the schools has changed the method of procurement. Through this Sole Source procurement, the schools are looking to maintain the consistency for the impacted students and school staff.

Certified by:

Date: October 15, 2020



Agency Chief Procurement Officer

Roswell Independent Schools

Agency Approval by:

Date: _____

Cabinet Secretary/Agency or Entity Head or Designee

APPROVED:

Date: _____

State Purchasing Agent

If this sole source is being submitted by a governmental agency or governmental entity not under the final authority of the State Purchasing Agent, the State Purchasing Agent's signature is not required. The signature line may be removed from this form or marked as N/A. Hard Copy Documentation for Courtesy Postings do not need to be submitted to SPD for approval.