



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 General Services Department. 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: **Region 9 Education Cooperative**

Agency Chief Procurement Officer: **Ariisa Klumker**

Telephone Number: **575.257.2368**

Agency Contact for this request: **Veronica Wadley**

Telephone Number & Email Address: **469.726.8349; veronica.wadley@regionix.org**

II. Name of prospective Contractor:
MetaMetrics, Inc.

SHARE Vendor Number (must be active): **0000172837**

Address of prospective Contractor:
**800 Taylor St., Suite 102
Durham, NC 27701**

Contact Name, Telephone Number and Email Address:
**Julie Worden
919-995-0027
jworden@lexile.com**

Amount of prospective contract before tax: **\$170,000.00**
Estimated tax amount (tax is subject to change): **\$0.00**

Term of prospective contract: **12.5 months; June 12, 2023 - June 30, 2024**

- 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):

It is New Mexico Public Education Department's (NMPED) intent to acquire services that will provide Lexile reading and Quantile mathematics measures for students in grades 3-8 and High School (1 English Language Arts and 1 Math) to the NMPED for school year 2022/2023 associated with the NM-MSSA summative assessments. NMPED will require the services to be based on over 30 years of research.

- 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.)

NMPED has made the decision to utilize the Lexile Framework for Reading and the Quantile Framework for Mathematics for the purposes of, but not limited to:

1. Program evaluation by using a common metric over time.
 2. Providing educators, students, and parents with actionable data to interpret test scores on both math and reading.
 3. Acting as a thought partner to engage K-12 educators in professional learning on the Lexile Framework for Reading and the Quantile Framework for Mathematics.
- 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.")

NMPED's current early literacy assessments for students in kindergarten through grade 2 provides Lexile and Quantile measures to New Mexico schools, and the current college and career readiness math pathways assessments utilized by New Mexico high school CTE students provides Quantile measures. Given the broad use of both measures across other state assessment programs, the NMPED will require the consistent use of these measures for its statewide 3-8 NM-MSSA assessments. Since these measures are exclusive to MetaMetrics, without their utilization, it would be impossible for NMPED to

determine comparability from one large-scale assessment to another large-scale assessment in the absence of a technical linking study. The measures allow for continuity and comparability of students' reading and math abilities across multiple assessments, regardless of their independent scales and independent of the changes to state assessment and standards.

- 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*.

MetaMetrics is the only company in the world that created and exclusively licenses the Lexile Framework for Reading and the Quantile Framework for Mathematics. MetaMetrics holds the proprietary rights for Lexile and Quantile measures. No other company holds the proprietary rights to link assessments or curriculum to the scale, particularly in large scale assessments.

Once the state licenses the use of the Lexile and Quantile Frameworks, it can use the measures to support its state priorities in a variety of ways. The state decides how to implement the measures utilizing no-cost services. These services are not charged individually and there is not a “change order” charge like other companies. There is one price for the intellectual property based on the state’s student population. Based on the student population, the state of New Mexico would be charged \$170,000 for the use of the measures. No other company can offer licensing of the Lexile Framework for Reading and the Quantile Framework for Mathematics. The no charge services are below. Working with the state, the state gets access to the no cost services.

MetaMetrics No Cost Implementation Supports for State Education Agencies

School Year 2022/2023

As part of your state’s annual licensing agreement to use Lexile reading measures and Quantile mathematics measures, the following implementation supports are available upon request at no cost and offered throughout the contracted school year.

Implementation Toolkit

These implementation supports also are meant to complement and serve as an extension of the Lexile & Quantile State Implementation Toolkit. To access the toolkit, please visit:

metametricsinc.com/state-toolkit.

Professional Learning Opportunities

MetaMetrics® offers a variety of on-going professional learning opportunities for educators and other stakeholders to expand their knowledge of Lexile reading measures and Quantile mathematics measures and their understanding of how these measures can be utilized to fuel student learning and growth both in the classroom and at home. A listing of possible topics and content that can be customized for your state is available at

metametricsinc.com/professional-learning. This listing is not exhaustive.

Content can be delivered in the following formats:

FORMAT	DESCRIPTION
Web Conference for SEA Staff	Web conferences delivered online for agency staff. These sessions can also be recorded.
Face-to-Face Informational Sessions	In-person sessions created and delivered for the specific audience and setting you desire (e.g. regional service centers, co-sponsored conferences, etc.).
Webinars for Educators Statewide	Webinars scheduled and delivered for the specific audience of your choosing. These sessions can also be recorded.
Roundtable Discussions	Web-based, cross-state conversations on new advances and emerging opportunities.

Lexile & Quantile Tools and Resources

MetaMetrics provides access to the following tools and resources so that educators, parents and students can utilize Lexile reading measures and Quantile mathematics measures.

A Variety of Lexile & Quantile Tools Available

Many online tools for Lexile reading measures and Quantile mathematics measures are available through the Lexile® & Quantile® Hub. As part of the licensing agreement to use Lexile reading measures and Quantile mathematics measures, educators in the partner state receive Premium access to the Hub and the full functionality of each of its tools at no cost. Visit the Hub at Hub.Lexile.com.

Communications and Outreach Support

Draft Language for State Specific Lexile & Quantile Web Content

MetaMetrics provides a draft of text content for your SEA website to explain Lexile reading measures and Quantile mathematics measures, free tools and resources, and their use both in the classroom and at home. Once the content is finalized and approved, MetaMetrics also works with the webmaster or designee to post the content to the SEA’s website. An example of finished web content can be viewed at <https://www.dpi.nc.gov/districts-schools/testing-and-school-accountability/lexiler-and-quantiler-measures-north-carolina>

<https://www.sde.idaho.gov/assessment/lexile-quantile/>

Draft Suggested Language for Outreach Messaging

MetaMetrics provides a variety of draft messaging for email/newsletter campaigns and social media to help you communicate with educators and parents about the value and utility of Lexile reading measures and Quantile mathematics measures. See draft messages at metametricsinc.com/state-communications.

Draft Lexile/Quantile Information for State Score Reports

MetaMetrics collaborates with states and their contractors to provide language and/ or individualized, student instructional information on state score reports. See suggested example language at docs.google.com/document/d/1fRhnhzHPL3Co3xGg8qFceBRP4swoXSw946pPekT9x4Cg/.

Draft Language for State Assessment RFPs

MetaMetrics is a sole source to states that choose to use and report Lexile reading measures and Quantile mathematics measures from their state assessment systems. To ensure continuity in use and reporting, MetaMetrics makes available a collection of state RFPs that have mandated Lexile reading measures and Quantile mathematics measures through this procurement process.

Draft Language for Outreach to Publishers of Textbooks and Instructional Materials

MetaMetrics offers example language (docs.google.com/document/d/1bv3BMbMey9tIkfSAvXtMVepu54muNWewJdVWI-n42yE/) that states and/or local districts can use to request that publisher materials be encouraged or required to submit Lexile reading measures and Quantile mathematics measures for books and materials being considered for adoption.

Family Engagement

Informational Sessions for Parents & Families

MetaMetrics works with the SEA to offer informational sessions for parents, families, and communities at large. These sessions focus on providing families some basic understanding of the **Lexile[®] Framework for Reading** and **Quantile[®] Framework for Mathematics** and an introduction to the tools that help families utilize these measures for reinforcing learning at home.

Additional Lexile & Quantile Resources

Lexile by Chapter Guides

The peaks and valleys of text complexity have been identified by chapter of frequently taught books in order to help guide instructional planning. This resource is suggested for educators. Visit: lexile.com/lexile-by-chapter.

Additional Fact Sheets and Resources

A collection of additional informational resources for parents and educators (including Guides, Infographics and Maps). Visit: metametricsinc.com/state-communications/#resources.

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

Other companies are not the creators of the Lexile Framework for Reading and the Quantile Framework for Mathematics, and therefore can not offer licensing or the no cost services.

NMPED Researched the Center for Assessment and they are unable to meet the established criteria.

NMPED Researched Cognia and they are unable to meet the established criteria.

- 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.

NMPED conducted an extensive search of industry and other state assessment agencies and concluded that Lexiles and Quantiles as common measures across assessments can only be provided by MetaMetrics. These states include:

1. The State of Indiana
2. The State of North Dakota
3. The State of West Virginia

NMPED conducted research to see if the Center for Assessment and Cognia could provide services for the established criteria and they are unable to provide services to meet the established criteria.

- See attached documentation (Addendum A) supporting the above vendor's inability to meet established criteria.

Knowing the Lexile reading measure of a reader and the Lexile measure of a text helps to predict how the text matches the reader's ability—whether the text may be too easy, too difficult, or just right. The Quantile Framework for Mathematics uses a common,

developmental scale to describe a student’s mathematical achievement and the difficulty of specific mathematical skills and concepts. Describing student performance and instructional material using the same scale in order to pair students with the appropriate materials for their Lexile or Quantile measure is a unique feature of the Lexile and Quantile Measures. No other reading and mathematics leveling systems do this work in this way. The computer algorithms that produce Lexile Measures and Quantile measures are proprietary to MetaMetrics, Inc., and are available only from MetaMetrics, Inc.

Certified by:

Date: May 10, 2023

Orissa V. Khumka

Agency Chief Procurement Officer

Agency Approval by:

Date: May 10, 2023

Bryan Dooley

[Bryan Dooley \(May 10, 2023 15:24 MDT\)](#)

Cabinet Secretary/Agency or Entity Head or Designee

Addendum A

Subject: [EXTERNAL] RE: Question on Development of a Common Metric

Thu, May 4, 5:53 PM

Scott Marion <Smarion@nciea.org>

(5 days ago)

to Vasquez, Lynn, PED

You are viewing an attached message. Region IX Education Cooperative Mail can't verify the authenticity of attached messages.

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Sorry, just seeing this now.

No, we don't have the reading expertise necessary to do what you're asking. Even though we have deep assessment expertise, to do what you're asking requires the kind of reading expertise that we don't have.

Sorry

Scott

Scott F. Marion (he/him/his)

Executive Director | Center for Assessment

31 Mount Vernon St. | Dover, NH 03820

smarion@nciea.org | @ScottFMarion

603-516-7900 | 303-818-1145 (cell)

From: Vasquez, Lynn, PED <Lynn.Vasquez@ped.nm.gov>

Sent: Thursday, May 4, 2023 6:20 PM

To: Scott Marion <Smarion@nciea.org>

Subject: Question on Development of a Common Metric

Caution: This is an external email. Exercise caution with links and attachments.

Dear Scott:

Is the Center for Assessment able to develop measures or a metric for evaluating the difficulty of a text based on the student's reading ability or mathematics ability for our MSSA?

Kind regards,

Lynn Vásquez | Assessment & LMS Division Director

New Email: Lynn.Vasquez@ped.nm.gov

New Mexico Public Education Department

300 Don Gaspar Ave. | Santa Fe, NM 87501

C: (505) 469-8967 | Help Desk: (505) 827-5800

Check us out here: [Assessment](#) & [LMS](#)

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Subject: RE: [EXTERNAL] Re: vendor question

Mon, May 8, 8:45 AM

(2 days ago)

Larry Ehret <larry.ehret@cognia.org>

to Vasquez, Lynn, PED

You are viewing an attached message. Region IX Education Cooperative Mail can't verify the authenticity of attached messages.

Good Morning Lynn,

In talking with psychometrics there are other states exploring this same question. The other solutions don't provide a national norm reference and we wouldn't be able to provide the information since preliminary reports are going to be on May 26th.

We are working on a more detailed response to your question. Do you have some times this week we could meet with you?

Thanks,

Larry

888.413.3669 ext. 7486

larry.ehret@cognia.org



On May 4, 2023, at 5:17 PM, Vasquez, Lynn, PED <Lynn.Vasquez@ped.nm.gov> wrote:

This Message originated outside your organization.

Dear Larry:

As our vendor for the MSSA, is Cognia able to provide PED measures or a metric for evaluating the difficulty of a text based on the student's reading ability or mathematics ability? Can Cognia provide these metrics without engaging a 3rd party vendor? If not, who would be potential subcontractors?

Kind regards,

Lynn Vásquez | Assessment & LMS Division Director

New Email: Lynn.Vasquez@ped.nm.gov

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C: (505) 469-8967 | Help Desk: (505) 827-5800

Check us out here: [Assessment](#) & [LMS](#)

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R9_MetaMetrics_Assessments_Sole Source #23024

Final Audit Report

2023-05-10

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By:	Region IX Ed Coop (contracts.procurement@regionix.org)
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-  Document created by Region IX Ed Coop (contracts.procurement@regionix.org)
2023-05-10 - 7:05:01 PM GMT- IP address: 64.24.129.178
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2023-05-10 - 7:11:01 PM GMT- IP address: 75.237.151.231
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2023-05-10 - 7:11:30 PM GMT
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