



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: **Region 9 Education Cooperative**

Agency Chief Procurement Officer: **Arissa 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:
WestEd

SHARE Vendor Number (must be active): **0000055894**

Address of prospective Contractor:
**730 Harrison St.
San Francisco, CA 94107-1242**

Contact Name, Telephone Number and Email Address:
**Erin Carter
310.918.1355
ecarter@wested.org**

Amount of prospective contract before tax: **Up to \$700,000.00**
Estimated tax amount (tax is subject to change): **\$0.00**

Term of prospective contract: **12 months; June 2023 - June 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):

- **Continued development of NM DASH, formerly known as WebEPSS, on-line tool for districts to include:**
 - **Refinement of existing NM DASH functionality**
 - **Development of NM DASH financial accountability functionality and the compliance monitoring module**
 - **Planning and alignment of NMDASH with other state software**
 - **Professional Development, training, support and hosting**
 - **Technology development and implementation**

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.)

WestEd was issued a contract for the initial development of NM DASH (WebEPSS) . WestEd will continue development based on functional requirements provided by NMPED.

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.”)

WestEd was issued a contract for the initial development of NM DASH (WebEPSS) . WestEd will continue development based on functional requirements provided by NMPED. WestEd hosts, supports and maintains the NMDASH platform.

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.*

WestEd developed proprietary desktop monitoring software, Web EPSS, used by NMPED, Priority Schools Bureau, under RFP20140915 . WestEd will be completing the customized software for NMPED and providing technical support and implementation.

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

WestEd developed proprietary desktop monitoring software, Web EPSS, used by NMPED, Priority Schools Bureau, under RFP20140915 . WestEd will be completing the customized software for NMPED and providing technical support and implementation.

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.

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Certified by:

Date: May 18, 2023

Orissa V. Klumke

Agency Chief Procurement Officer

Agency Approval by:

Date: May 18, 2023

Bryan Dooley

Bryan Dooley (May 18, 2023 11:06 MDT)

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.









R9_WestEd_PSB_Sole Source #23030

Final Audit Report

2023-05-18

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