



## 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: **Arissa Klumker**  
Telephone Number: **575-519-2001**  
Agency Contact for this request: **Veronica Wadley**  
Telephone Number & Email Address: **469-726-8349; veronica.wadley@regionix.org**

- II. Name of prospective Contractor: **The College Board**  
SHARE Vendor Number (must be active): **4811259**  
Address of prospective Contractor: **250 Vesey St., New York, NY 10281**

Contact Name, Telephone Number and Email Address:  
**Kimberly Bostwick**  
**(866) 630-9305; kbostwick@collegeboard.org**

Amount of prospective contract before tax: **\$1,000,000.00**  
Estimated tax amount (tax is subject to change): N/A

Term of prospective contract: 12 months

- 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):

**Complete an agreement for Administration of the AP Exam Fee Reduction process for all eligible schools in New Mexico.**

- a. Provide information to schools on the AP exam test fee reduction process.**
- b. After approving a bill/invoice from the testing service, pay for each eligible AP exam taken by low-income students in May 2024.**
- c. If additional funding is needed, notification will be provided at least thirty days**

prior to the testing date.

**d. Report data to the PED by June 30, 2024; including:**

- i. Number of AP exams taken May 2024;**
- ii. Number of AP exams that were fee reduced; and**
- iii. Schools and districts utilizing the AP exam fee reduction process.**

**e. Establish and implement a method for verifying that the funds were used to support only exams administered to eligible low income students.**

- 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.)

**No other vendors can provide the Official College Board Offerings, as College Board is the sole source owner.**

- 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.”)

**College Board is the sole source owner of the following programs, examinations, publications, and software, which include tangible and intangible related services and materials collectively referred to as "Official College Board Offerings." Such Official College Board Offerings include without limitation the following: Advanced Placement® (AP®) including AP® Mentoring, AP® Capstone, and AP Potential™, Pre-AP® ACCUPLACER®, CLEP®, PSAT™ 8/9, PSAT™ 10, PSAT/NMSQT®, SAT®, The Official SAT Online Course™, SpringBoard®, and Career Finder™.**

- 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.*

**College Board is the sole source owner of the Official College Board Offerings listed. No other vendor can provide these assessments, services, and materials.**

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

**No other vendors can provide the Official College Board Offerings listed previously, as College Board is the sole source owner.**

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.

**No other vendors can provide the Official College Board Offerings listed previously, as College Board is the sole source owner.**

Certified by:

Date: Sep 12, 2023

*Orissa V. Khumka*

Agency Chief Procurement Officer

Agency Approval by:

Date: Sep 12, 2023

*Bryan Dooley*

[Bryan Dooley \(Sep 12, 2023 08:57 MDT\)](#)

Executive Director









# R9\_The College Board\_CCRB\_AP\_Sole Source #24016 (Fee Reduction)

Final Audit Report

2023-09-12

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