

**DETERMINATION AND FINDINGS
FOR A
SOLE SOURCE PROCUREMENT**

CONTRACT NO.: GAGA-2021-C-0000
CAPTION: Elementary ELA Student Anthology Texts &
Secondary ELA Course Readers Texts
PROPOSED CONTRACTOR: XanEdu Publishing, Inc.
PROGRAM AGENCY: Office of Teaching and Learning

FINDINGS

1. AUTHORIZATION:

D.C. Code § 2-354 and 27 DCMR, Section 1304 and 1700

2. MINIMUM NEED:

The District of Columbia Public Schools (DCPS), Office of Teaching and Learning has an immediate need to procure services of XanEdu Publishing to provide complete copyright permissions management and production of student-facing books (print – 1st-5th and digital – 6th-12th) containing course text sets for all students and ELA teachers in grades 1-12.

3. ESTIMATED REASONABLE PRICE:

The estimated reasonable price for the proposed base year contract is \$256,636.19 from date of award thru September 2, 2022.

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

The District of Columbia Public Schools, Office of Teaching and Learning recommend XanEdu Publishing services for school year 21-22.

I. Background and History

In previous years, DCPS Elementary and Secondary ELA Teams only provided books and novels to schools. The additional texts suggested in the curriculum had to be printed from online or hyperlinked. During feedback, Elementary and Secondary ELA teachers requested a way for all students to have individual access to these texts. As a way to provide a more equitable experience, the Elementary and Secondary ELA Teams decided to create Student Anthologies (1st-5th) and Course Readers (6th-12th), student-facing books that contain each grade's text set.

In 2020, DCPS partnered with XanEdu to publish five (5) Elementary ELA readers with 85 third-party content items and seven (7) Secondary ELA readers with 34 third-party content items that require research to identify rightsholders and subsequent approval by said rightsholders for those materials to be republished as part of a book or reader. The process is time consuming, however as a result of XanEdu's prior publishing of these books, they are able to leverage past licensing relationships with the individual rightsholders to extend or immediately re-license content items.

II. Vendor's Unique Qualifications

XanEdu is a proven supplier to DCPS and a leading provider of print and digital course materials in the education space, serving more than 1,200 education institutions and over one million students annually since 1999. XanEdu has also been a successful partner with DCPS for several years and we are very excited at the possibility of extending our successful partnership. XanEdu allows teachers and districts to create and deliver completely custom materials in both print and digital formats.

The strength of XanEdu's solution hinges on their copyright clearance and licensing expertise. They have an extensive approach to helping customers get the best content, and specifically the content they want and are able to accomplish this with an internal team of permissions experts amplified by a very strong relationship with Copyright Clearance Center, who assists XanEdu in rights management. This capability greatly distinguishes them from any competitor or common printer. Some vendors believe they can manage high volumes of permissions, like those required by the DCPS ELA Student Anthologies and Course Readers, but successfully executing these requirements is much more difficult than anticipated.

XanEdu's copyright experience, leadership and guarantee to DCPS stands miles ahead of any other vendor considering managing the requirements of the ELA Readers. Beyond their content licensing capabilities, XanEdu is a custom book builder at heart so DCPS has competencies (e.g., design, formatting, editorial, content development, etc.) that allow them to support the ELA Student Anthologies and Course Readers beyond standard printing and into ongoing customization. Furthermore, XanEdu's skills and experience include the following:

- Established collaborator with design company
- Established Student Anthologies and Course Readers developed in design software for quick and easy modifications, if needed

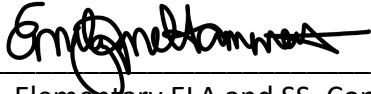
- Incumbent producer with successful track record with DCPS and intimate knowledge of project
- Copyright clearance services and completed work on project
- Offers DCPS Indemnification against copyright infringement
- Scalable print and digital book delivery solutions
- Capacity to produce materials immediately
- Editorial services to build and create our books and iterate them as needed in an on-going way
- Direct to school delivery/distribution solutions
- In light of the above findings a sole source award is in the best interest of DCPS and would be the most efficient and cost-effective procurement method.

CERTIFICATION BY DCPS PROGRAM DIRECTOR:

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

July 2, 2021

 Date



 Director, Elementary ELA and SS, Content and Curriculum, Office of Teaching and Learning

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive bidding process under Section 402 and 403 of the District of Columbia Procurement Practices Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354) and 27 DCMR 1304 and 1700. Accordingly, I determine that the District is justified in using the sole source method of procurement.

 Date

 Contracting Officer