

**CONTRACTING OFFICER'S
DETERMINATION AND FINDING
FOR A SOLE SOURCE PROCUREMENT**

AGENCY:	District of Columbia Public Schools (DCPS), Office of Teaching & Learning
CAPTION:	Insurance Supplement
PROPOSED CONTRACTOR:	Rustic Pathways
REQUISITION NO.	RQ985405

FINDINGS

1. AUTHORIZATION:

D.C. Code 2-354.04.5 and 27 DCMR, Section 1304 and 1700

2. MINIMUM NEED:

The District of Columbia Public Schools (DCPS), Office of Teaching and Learning (OTL) needs to procure supplemental travel insurance on behalf of Rustic Pathways to conduct our summer study abroad program. The District Office of Risk Management (ORM) has determined that certain levels of insurance are required in order for the students to participate in the summer learning opportunity. These additional/supplemental levels of insurance are necessary for the operation of the program.

3. ESTIMATED COST:

The estimated cost is \$57,000 for this requisition for FY18.

4. PROCUREMENT BACKGROUND & HISTORY/JUSTIFICATION:

In November 2017, DC Public Schools began soliciting for educational travel vendors to provide services for our summer study abroad program. The process of getting the insurance requirements clarified, reviewed and incorporated with ORM proved to be a lengthy and cumbersome process as the requirement was not straightforward and required many conversations, and revisions. In contrast, the DCPS summer study abroad program was on a tight deadline and required that the solicitation be posted with insurance requirements posted at a later point via an amendment to the solicitation. That method was flawed given that the insurance requirement adjustments were not included in the originally submitted pricing structure of the solicitation – which was done via IFB. There was not enough time to re-compete the solicitation with the new requirements given the rapidly approaching summer.

FACTS WHICH JUSTIFY A SOLE SOURCE PROCUREMENT:

The Proposed Vendor's Unique Qualifications:

DCPS has an invested substantially in the summer study abroad program in FY18 to date – \$1,528,930 award notices have been issued (between four vendors – Rustic Pathways, World Strides, Walking Tree Travel and EF Tours). The solicitation was issued and notice of award was drafted prior to incorporating ORM's insurance requirements. Rustic Pathways was more than willing to fulfill the insurance requirements, however due to their timing it would influence the cost data provided in the

solicitation for all vendors. Although the Contracting Officer has the legal right to waive these requirements, DCPS felt the safety of our students was a justifiable expenditure. Therefore in order to enact these insurance safe guards a sole source award must be given to the insurance provider that Rustic Pathways has currently established business. This sole source is proposed based on the non-severability of the services for FY18.

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 AND DETERMINATION

Based on the above certified findings in accordance cited authority, I hereby determine that it is not feasible or practical to invoke the competitive bidding process under Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; DC Code 2-354 and 27 DCMR 1304 and 1700.

Date

Contracting Officer