

**DETERMINATION AND FINDING
FOR A SOURCE PROCUREMENT**

AGENCY: District of Columbia Public Schools,
Office of Teaching and Learning
PROPOSED CONTRACTOR: Rehabilitation Education Professionals (REP)
CONTRACT NO. PO TBD, RK196749

FINDINGS

1. MINIMUM NEED:

The District of Columbia Public Schools (DCPS) Assistive Technology (AT) Department has an immediate need for a vendor to provide seating and positioning consultations and equipment for students with disabilities who require this equipment to access the educational environment as outlined within their Individual Education Plans (IEP) or 504 plans.

In FY22, services are to be provided from date of award through September 30, 2022.

2. ESTIMATED COST:

The estimated cost for FY22 for the proposed services through 9/30/2022 is \$55,000.00 for equipment and \$5,000 for parts in the total amount of \$60,000.00.

3. FACTS WHICH JUSTIFY A SOLE SOURCE PROCUREMENT:

The AT Department provides assistive technology devices for students with disabilities, including seating and positioning equipment, for students as legally required within their Individual Education Plans or as accommodation under Section 504. Students who require access to seating and positioning equipment have significant physical impairments, which impact their ability to sit, stand, and navigate the school environment. Without the timely provision of this seating and positioning equipment, students are unable to access the school environment or receive a free and appropriate education, which is federally required for students with disabilities within the Individual with Disabilities Education Act¹ and Section 504².

The AT Department works with school teams to identify students with mobility and accessibility needs through the consultation process and formal evaluations. If the IEP or 504 team determines that a student requires seating and positioning equipment to access the school environment and is appropriately documented within the student's IEP or 504 plan, the AT team, with the assistance of the school's Physical Therapist (PT), works to make the appropriate seating and positioning equipment recommendations based on the student's physical needs. This equipment requires customization based on each student's unique physical needs and measurement. However, some students present significant physical impairments that require expert guidance on the appropriate seating and positioning equipment.

Even if consultation from an outside vendor is not needed (in cases where the PT and the AT team can identify the equipment to meet a child's needs) the timeframe from submission of the request to receipt

¹ Individuals with Disabilities Education Act, 20 U.S.C. § 1400 (2004)

² Section 504 of the *Rehabilitation Act of 1973*, as amended, 29 U.S.C. 794.

of the equipment is minimally 10 weeks when the AT Team must order all the parts and pieces separately. Therefore, students who require this equipment are without the necessary support for the duration of that time. That impacts their ability to access the educational environment, participate in educational activities, and make progress on their IEP goals. In those cases, the district is out of compliance with federal law for non-fulfillment of the student's IEP.

The AT Department requires a sole vendor for consultations and equipment to ensure students have appropriate recommendations for seating and positioning equipment and can order, receive, and assemble that equipment in a timely manner.

In addition, the AT team has a growing seating and positioning equipment inventory that frequently requires new parts to remain in use. The determination of which new part is needed often requires the support of a knowledgeable seating and positioning technical team that is familiar with the existing inventory as well as the new parts and equipment available on the market.

Many companies in the area provide seating and positioning equipment, including local medical supply companies and hospitals. However, these companies require an in-person consultation at their physical location (they do not visit DCPS sites), do not provide consultations by certified technicians, only provide equipment (not consultation or assembly), require a letter from a medical professional, and/or only take insurance as payment. The list below details local seating and positioning vendors and the reasons why their provided services are insufficient.

- New Hampshire Medical Supplies, Washington, DC - Provides in-person consultation and measurements, but has limited equipment options.
- National Seating and Mobility, Washington DC – Employs certified AT professionals who provide consultations, but requires health insurance approval through the client's private medical insurer.
- GW Seating and Positioning, Washington DC - Skilled therapists provide evaluations for seating and positioning equipment, but outpatient service requires the student to travel to the GW clinic for evaluation and equipment is only purchased through the client's privately owned health insurance.
- Equipment Clinic- HSC, Washington DC and Maryland - Clinicians, with the support of mobility and assistive technology staff, evaluate a child's need for seating and positioning equipment, but the outpatient service requires the student to travel to an HSC clinic for initial evaluation and services and equipment are only provided through the child's medical insurer following a medical provider's recommendation.

In contrast, REP provides mobile consultations and recommendations by certified technicians, and they do not require a letter from a doctor to receive this equipment nor do they require payment through the student's private health insurance. REP also assembles equipment based on the students' custom needs and delivers it directly to the school, fully assembled. REP has the qualities that our team needs for safe, appropriate consultations and mobile services. It is essential that consultations and equipment assembly is provided by certified technicians, especially because students with complex physical disabilities are prone to injury. REP also provides a variety of equipment across brands that encompasses the vast functions and features required to meet the complex needs of our students.

- Rehabilitation Equipment Professionals, Alexandria, VA with mobile support for the Washington DC region.
 - Mobile consultations from certified AT professionals
 - Assembly and delivery of equipment
 - Wide variety of equipment options across vendors and equipment type
 - Initial referral from medical professionals is not required
 - Purchase through private insurance is not required

REP is the only appropriate vendor for DCPS's seating and positioning needs for students with complex physical needs.

Vendor requirements:

The additional support of an REP technician ensures the appropriate recommendations for students with significant seating and positioning needs and the timely provision of this equipment, as federally required within the Individuals with Disabilities Education Act (IDEA). The ideal candidate will provide the following:

1. The vendor will provide DCPS with customized seating and positioning equipment based on students' specific needs.
2. The vendor will provide additional support to the AT team and school staff on seating and positioning equipment customizations and sizing.
3. The vendor's technicians will hold active Assistive Technology Professional (ATP) licenses to provide experienced and professional measurements, customizations, and designs. The Assistive Technology Professional Licensure candidates must have extensive Education and AT Training with work experience consisting of Assistive Technology services that are provided in-person to consumers and others related to or working with consumers. The certification must be renewed every two years.
4. The vendor will provide replacement parts and support for equipment repair.
5. Prior to equipment delivery, the vendor will assemble all pieces of equipment. Equipment will be delivered ready for student use.
6. The vendor will keep confidentiality about all student information in accordance with the Family Educational Rights and Privacy Act (FERPA).
7. The vendor must be or apply to be an approved District of Columbia vendor.
8. The vendor shall submit an invoice within two weeks after the delivery of any seating and positioning equipment or replacement parts.
9. The invoice shall list all equipment and parts provided, the delivery address, and shall reference the Purchase Order.
10. The invoice shall be emailed to the Point of Contact within the Assistive Technology Team and upon AT approval, should be submitted to the DC government vendor portal.

The table below provides examples of the type of equipment that has been needed in past years but is not all inclusive. Familiarity with what is available currently on the market and how it can be utilized in serving the unique needs of students is a vendor requirement.

Part Description	Manufacturer
Prime Engineering / Dynamic Walker / SN 025579 / Kid Walk	Prime Engineering
Innovation In Motion / Dandalino Stander	Innovation in Motion
Lecky Activity Chair w/tray, laterals and headrest	Ki Mobility
Rifton HTS chair	Rifton Community Products
R82 Flamingo W/headrest and Laterals	Snug Seat / R82
SnugSeat / Crocodile w/ Pelvic pad, forearm support / Size 1	Snug Seat / R82
SnugSeat / Crocodile gt.trnr w/ Pelvic pad / Size 1	Snug Seat / R82
Rifton Tram Low	Rifton Community Products
Rifton Dynamic Wlkr / Med / hip support and saddle	Rifton Community Products
My Go Size 2	Ki Mobility
Rifton 502 / Pacer Frame / Blue / medium	Rifton Community Products
Rifton / Activity Chair	Rifton Community Products
Lg Act Chr / Hi/Lo R870 w Seat & back Adj	Rifton Community Products
Rifton HTS w/Pommel	Rifton Community Products

4. **RESULTS FROM PREVIOUS YEARS:**

During the 2019-2020 school year, the AT department received support from REP through an open Purchase Order. After an AT consultation or evaluation request was submitted by the school team to the AT department, the AT team consulted with REP. The table below provides an overview of the turnaround time from date of quote approval to delivery of equipment.

	Equipment Request Date	Equipment Delivery Date
Student 1	2/3/2020	3/10/2020
Student 2	2/3/2020	3/10/2020
Student 3	2/7/2020	3/13/2020

As demonstrated in the table above, support from REP resulted in a five-week turnaround from approval of the quote to delivery of equipment, which reduces the traditional procurement process by over 50% for seating and positioning equipment. Qualitatively, physical therapists reported high satisfaction with the support they received from REP.

CERTIFICATION BY THE DCPS PROGRAM:

I hereby certify that the above findings are correct and the anticipated cost to DCPS is fair and reasonable.

Date

Director

CERTIFICATION AND DETERMINATION

Based on the above certified findings 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 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 1702).

Date

Deputy Chief Procurement Officer