

Sole Source/Bid Waiver Justification

Below are the following Sole Source /Bid Waiver Criteria. If your purchase does meet any of the following criteria, please Sheila Johnson, District Director of Business and Procurement Services for further instruction via email at sjohnson3@ccc.edu or phone (312) 553-3336.

What is a Sole Source Procurement?

A "sole source" procurement can be defined as any contract entered into without a competitive process, based on a justification that only one known source exists or that only one single supplier can fulfill the requirement. Although states generally do not permit non-competitive procurements by statute, exceptions are allowed where competition is not feasible.

Examples of acceptable exceptions from the competitive procurement process may include:

- Only one known source exists for supplies of services or products as determined by documented research.
- No other reasonable alternative source exists that meets the CCC requirements.
- Only one source meets the business needs of the CCC (e.g., compatibility, unique feature to meet CCC's business need, etc.)
- Procurement of public utility services.

What's not a Sole Source Procurement?

- A CCC requirement for a particular proprietary product or service does not automatically justify a sole source procurement if there is more than one potential bidder or offeror for that item.
- A CCC preference for a brand name product does not justify a sole source procurement.
- A good's or service's "uniqueness" alone may not qualify the producer or supplier of the good or service as a sole provider of a good or service.

What are acceptable considerations for sole source procurements?

CCC reasons for sole sources vary greatly but should fall within the following:

- Only one known source that can provide the commodity or service.
- Unique source (commodity/service is unique/special in nature)
- Compatibility (e.g., a public safety CCC requiring a specific piece of equipment to be compatible with an existing equipment system)
- Limited or proprietary systems (i.e. additional licenses, updates, specialized replacement parts, etc.)
- A professional expert is requested.
- Sales territories or product availability within limited geographic boundaries.

Sole Source/Bid Waiver Justification Application

Name of Requestor: Anne Zalewski

Email Address: aciechanowski@ccc.edu

Department/School: Malcolm X College

Bulletin or Reference Number: _____

Project Title: ACUE Effective Practices Framework

Vendor: Association of Colleges and University Educators (ACUE)

Value of Initial Term, or if a Renewal, Value of this Renewal: \$ \$434,000 Actual Estimated
(Attach the proposal received)

Number of Potential/Remaining Renewals: 0

Choose one of the following:

Length of Each Renewal in Months: 36

New Sole Source

Sole Source Renewal

Value of All/Remaining Renewals: \$ 0

Change Order or Amendment to an Existing Sole Source

Provide a description of the supplies or services required: ACUE will provide professional development programs for effective instruction. ACUE will provide the Effective Practice Framework credential program, micro credentials including inclusive & online teaching certified by American Council on Education.

Select the Type of Funding to be Used: Educational Funds Capital Funds Grant Funds
 Other (Explain): METAS, DOD STEM, and IREPO grants will cover cost in alignment with grant goals.

This purchase is economically only available from a single source because it is:

- | | |
|---|---|
| <input type="checkbox"/> Art or Entertainment Services or Athletic Events | <input type="checkbox"/> Items Are Needed for Trial Use or Testing |
| <input type="checkbox"/> Compatibility with Existing/current Equipment, Accessories, Replacement Parts or Service | <input type="checkbox"/> Media for Advertising |
| <input type="checkbox"/> Critical Changes to the Existing Contract Are Necessary and Best Accomplished by the Original Contract Holder | <input type="checkbox"/> Organization Memberships (Dues, Fees, Conference Charges Including Mandated Travel and Related Expenses) |
| <input type="checkbox"/> Federal/CCC Grant Requires Contract with Vendor (attach Grant Award Agreement) | <input type="checkbox"/> Public Utility Regulated Services |
| <input checked="" type="checkbox"/> Item is Copyrighted or Patented and the Item is Only Available From the Holder – Copyright or Patent Number(s): <u>Effective Practice Framework Txu 1-970-855</u> | <input type="checkbox"/> Radio and Television Broadcast Rights |
| | <input checked="" type="checkbox"/> Other (Explain): <u>American Council Edu. (ACE) Certified</u> |

Has CCC purchased these supplies/services in the past? Yes No

If yes, STARTING WITH THE MOST RECENT CONTRACT AND WORKING BACKWARD, for the entire relationship with this vendor for this supply or service, list each term, value, short description and type of procurement of each:

| Term | Term From: | Term To: | Value | Description | Vendor Selection |
|-------|------------|------------|-----------|--------------------------|------------------|
| One | 03/15/2022 | 12/31/2024 | \$434,000 | Professional Development | ACUE |
| Two | | | | | |
| Three | | | | | |
| Four | | | | | |
| Five | | | | | |
| Six | | | | | |
| Seven | | | | | |
| Eight | | | | | |
| Nine | | | | | |
| Ten | | | | | |

If more than 10 years, explain: _____

Business Rationale

1. Provide a detailed explanation of the need for the supplies or services: MXC will transform the Science, Technology, Engineering, and Math (STEM) instructional practices through professional development that will credential faculty in the Effective Practices Framework from ACUE.
2. What are the unique features of the supplies or services that are not available in any other product or by any other vendor? Provide specific, quantifiable factors/qualifications: ACUE's effective practice framework is copy righted and offers a distinct industry credential. The framework is independently validated and is uniquely endorsed by the American Council on Educations.
3. If professional services, what are the unique qualifications this vendor possesses? Provide specific, measurable factors/qualifications: The Effective Practices Framework is copyrighted and endorsed by ACUE and ACE.
4. Were alternative supplies or services evaluated? Yes No If yes, what were they and why were they unacceptable? Please be specific with regard to features, characteristics, requirements, capabilities and compatibility: There are no other services that offer a comparable certification recognized nationally by ACE.
 - b. If no, why were alternatives not evaluated? Alternatives lacked certification that retains value over time for faculty.
5. What efforts were made to get the best possible price? MXC staff engaged in multiple meetings with the vendor to negotiate.
6. Will this purchase obligate the CCC to this vendor for future purchases such as maintenance, licensing or continuing need? Yes No
 - a. If yes, please provide details regarding future obligations and/or needs: _____
7. Why is the price for this purchase considered to be fair and reasonable? The price is fair and reasonable compared to earning advanced degrees in curriculum design and pedagogical practices both in cost and time to completion.
8. If this is a renewal, describe why circumstances are such that competitive selection is still not an alternative since awarding the original contract: NA
9. What will be the financial or other impact to the CCC if this sole source is not approved and a competitive bid is required? MXC will not meet the goals of the grants, which may result in returning funds to funder and not meeting outcomes.

Department/College Representative Signature Required

I know and understand the contents of this Sole Source /Bid Waiver Justification and attest that all statements are true and correct.

| | | |
|---|---|--------------------------------|
| <p><small>Digitally signed by Annie Ciechanowski Zalewski Date: 2022.02.15 12:07:11 -0600</small></p> <p><u>Annie Ciechanowski Zalewski</u> Department/College Representative Signature</p> | <p><u>Anne Zalewski</u> Printed Name</p> | <p><u>2/15/22</u> Date</p> |
| <p><small>Digitally signed by Tiffany Dixon Date: 2022.02.15 12:13:11 -0600</small></p> <p><u>Tiffany Dixon</u> Department/College Representative Signature</p> | <p><u>Tiffany Dixon</u> Printed Name</p> | <p><u>2/15/22</u> Date</p> |
| <p><u>David A. Sanders</u> VC, College President Signature</p> | <p><u>David A. Sanders</u> Printed Name</p> | <p><u>2/15/22</u> Date</p> |

CPO Approval and Signature Required
