



# Oregon

Kate Brown, Governor



OREGON  
DEPARTMENT OF  
EDUCATION

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**Colt Gill**

Director of the Oregon Department of Education

## SOLE SOURCE JUSTIFICATION FOR SUPPLIES AND/OR SERVICES

Date: 3/12/2021

### MEMORANDUM FOR FILE

#### Authority:

Sole Source Justification pursuant to Oregon Revised Statute (ORS) 279B.075 and Oregon Administrative Rule (OAR) 125-247-0275, the Oregon Department of Education finds a Sole Source Contract is necessary to efficiently acquire services for delivery and training related to a high school version of the Code 201 course developed by the Contractor.

Authority for Agency to enter into a Sole Source Contract:

OAR 125-246-0170(2)(c)(H).

This is the Agency threshold authority up to 150,000 for sole source

#### Background:

Agency is preparing to pilot a high school version of Code 201 developed and owned by the Contractor. It is the Agency's intent to deliver the high school version by September 1, 2020. The sole source justification applies to the purchase access to the Code 201 curriculum materials for Oregon high school students who will enroll in the course. The course will be taught online by an instructor authorized and trained by the Contractor. The estimated cost of the curriculum is \$500.00 per student. The Agency also wishes to purchase related services of instructor training and assistance in modifying the curriculum for online delivery to high school students.

#### Market Research Findings Pursuant to ORS279B.075:

The choice of the Contractor as a sole source provider is based on recommendations of an industry and education steering committee for a federally funded grant managed by the Agency. One activity of the grant is to provide industry-recognized instruction in computer science to high school students. The instruction should align with the requirements of an apprenticeship program related to the technology industry in Oregon. Currently, the Contractor offers the only recognized course work that meets those requirements. In addition, the Contractor is the sole copyright holder of the curriculum as attested to in the attached document.

The Contracting Officer makes the following determinations:

- A. Pursuant to ORS 279B.075(2)(b): The goods or services required for the exchange of software or data with other public or private agencies are available from only one source.

**Contractor offers the only recognized course work that meets those requirements. In addition, the Contractor is the sole copyright holder of the curriculum as attested to in the attached document.**

- B. Pursuant to ORS 279B.075(2)(c): The goods or services are for use in a pilot or an experimental project.

**This is a new pilot program offered to the Oregon high school students, which aligns and provides instructional learning currently part of an existing pathway to employment in the Oregon technology industry. The Agency has determined an additional year of expanded services is required to complete the pilot program goals.**

- C. Pursuant to ORS 279B.075(2)(d): Additional findings that support the conclusion that the goods or services are available from only one source.

**A Letter has been provided from the Contractor stating the materials provided are copyrighted materials.**

The Oregon Department of Education has made reasonable effort to ensure competition for this Sole Source procurement, through the use of posting in Oregon Procurement Information Network (ORPIN) for seven (7) days to allow for notification and protest over the Contract Award.

The resulting original contract was \$36,000.00 and is to be amended for an additional \$74,500 for a total contract amount of \$110,500.00 and will be issued according to authority of OAR 125-247-0275 with reasonable effort made to ensure competition.

Tom Thompson  
Tom Thompson, Education Specialist

Alexa J. Pearson  
Alexa Pearson, Director

Karen K Harrison  
Karen K Harrison, Contracting Officer

E-approval given by Lillie Gray, DPO, 03/17/2021  
Lillie Gray,  
Designated Procurement Officer  
ODE Procurement Services