



STATE OF NEW MEXICO SOLE SOURCE REQUEST AND DETERMINATION FORM

A sole source *determination* is not effective until the *sole source request for determination* has been posted for thirty (30) calendar days without challenge, and subsequently approved in writing by the State Purchasing Agent or, for Professional Services Agreements, the Secretary of the General Services Department. The foregoing requirement is regardless of whether the *sole source request for determination* has been signed by the Agency and/or the Contractor.

I. Name of Agency: 21st Century Public Academy

Agency Chief Procurement Officer: Jeremy Peckens

Telephone Number: (505)254-0280

Agency Contact for this request: Angela Lerner

Telephone Number & Email Address

(505)254-0280

alerner@21stcenturypa.com

II. Name of prospective Contractor: Charter School Nursing Services

SHARE Vendor Number (must be active):

Address of prospective Contractor:

221 Cottonwood Ct. NW

Albuquerque, NM 87117

Contact Name, Telephone Number and Email Address: Bonnie Kaufman,
charterschoolnursing@hotmail.com

Amount of prospective contract before tax: \$58,140

Estimated tax amount (tax is subject to change): \$4,652

Term of prospective contract: August 29, 2022 – June 1, 2023

Note: For terms longer than one year, Request for Policy Exemption from DFA MUST be included.

III. Agency is required to state purpose/need of purchase and thoroughly list the services (scope of work), construction or items of tangible personal property of the prospective contract (if this is an amendment request to an existing contract, include current contract number issued by SPD):

- Nursing and Health Assistance Services on Site
 - to include Vision Screening, IEP Evaluations, and Health Plans.

IV. Provide a detailed explanation of the criteria developed and specified by the agency as necessary to perform and/or fulfill the contract and upon which the state agency reviewed

available sources. (Do not use “technical jargon;” use plain English. Do not tailor the criteria simply to exclude other contractors if it is not rationally related to the purpose of the contract.)

- Vendor provides on-site licensed nurse or health assistant daily or as needed. When person assigned to school is sick or on vacation, vendor supplies a replacement.
 - Vendor trains staff on health related procedures, including: diabetes, COVID awareness, mental health training.
- V. Provide a detailed, sufficient explanation of the reasons, qualifications, proprietary rights or unique capabilities of the prospective contractor that makes the prospective contractor *the one source* capable of providing the required professional service, service, construction or item(s) of tangible personal property. (Please do not state the source is the “best” source or the “least costly” source. Those factors do not justify a “sole source.”)
- Vendor is able to provide a health assistant or nurse on a daily or as needed basis, as well as provide necessary health training to staff.
- VI. Provide a detailed, sufficient explanation of how the professional service, service, construction or item(s) of tangible personal property is/are *unique and how this uniqueness is substantially related to the intended purpose of the contract*.
- The service is unique as the vendor is able to supply nursing staff as needed and able to supply replacement staff in the event of unavailability. Vendor is also able to provide health training to staff by certified personnel.
- VII. Explain why other similar professional services, services, construction or item(s) of tangible personal property *cannot* meet the intended purpose of the contract.
- There is no other local vendor capable of providing multiple nursing staff on an as-needed basis while also providing necessary health training by certified personnel.
- VIII. Provide a narrative description of the agency’s due diligence in determining the basis for the procurement, including procedures used by the agency to conduct a review of available sources such as researching trade publications, industry newsletters and the internet;; contacting similar service providers; and reviewing the State Purchasing Divisions’ Statewide Price Agreements. Include a list of businesses contacted (*do not state that no other businesses were contacted*), date of contact, method of contact (telephone, mail, e-mail, other), and documentation demonstrating an explanation of why

those businesses could not or would not, under any circumstances, perform the contract; or an explanation of why the agency has determined that no businesses other than the prospective contractor can perform the contract.

- Agency reached out to Cooperative Educational Services (CES) and Association of Charter School Education Services (ACES) for state-approved vendors that could meet our nursing need. While the agency could contract with an individual, that individual would not be able to meet the need of a dilay nurse/health assistant. The agency has also contacted multiple charter schools in the city regarding how they meet this need, to include Coral Community Charter, Christine Duncan, and Mission Achievement and Success Charter School.

Certified by:

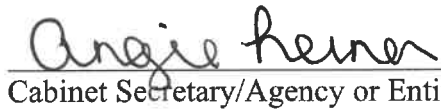
Date: 8/10/22



 Agency Chief Procurement Officer

Agency Approval by:

Date: 8.10.22



 Cabinet Secretary/Agency or Entity Head or Designee

APPROVED:

Date: _____

 State Purchasing Agent

If this sole source is being submitted by a governmental agency or governmental entity not under the final authority of the State Purchasing Agent, the State Purchasing Agent's signature is not required. The signature line may be removed from this form or marked as N/A. Hard Copy Documentation for Courtesy Postings do not need to be submitted to SPD for approval.