



HIGH PLAINS REC #3 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 Department of Finance and Administration. 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: **High Plains Regional Education Cooperative #3**

Agency Chief Procurement Officer: **Brandon Hightree**

Telephone Number: **(575) 445-7090**

Agency Contact for this request: **Brandon Hightree**

Telephone Number & Email Address: **(575) 445-7090; bhightree@hprec.com**

II. Name of prospective Contractor: **NS4ed, LLC**

Address of prospective Contractor: **200 E Broadway, Suite 215, Maryville, TN 37354**

Contact Name, Telephone Number and Email Address:

Dr. Joseph Goins

865-414-0033

jgoins@ns4ed.com

Amount of prospective contract before tax: **\$150,500.00**

Term of prospective contract: **4 Months**

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):*

PURPOSE:

To enhance with cross functionality the Pathway2Careers tools already available to New Mexico teachers and to provide the teachers additional training and pedagogical tools to fully realize student engagement in their classrooms. These services are per an Intergovernmental Agreement (IGA #21-924-00171) and Amendment (#21-924-00171-A4) between the New Mexico Public Education Department (NMPED) College and Career Readiness Bureau (CCRB) and the Agency for Fiscal Year 2022-2023, with the

termination date of September 30, 2023, pursuant to the amended IGA with NMPED.

SCOPE OF WORK:

1. Develop a crosswalk aligning Financial Literacy standards to applicable lessons in Pathway2Careers resources.
2. Develop no less than thirty-two (32) lesson plans for any content area teacher to use existing Community Voices videos for career exploration and advisement purposes.
3. Develop no less than eight (8) lesson plans for math teachers to deepen their understanding and ability to use the Pathway2Careers math curriculum and platform.
4. Further assist with implementation of a P2C study among teacher volunteers, including the promotion of a spring effectiveness survey.
5. Develop, plan, and deliver professional learning to onboard new teachers with the platform and math content, to be delivered in June or July 2023.

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.)

The contractor for this work will need to be qualified as expertise of Pathway2Careers™ to perform the scope of work within the desired time frame and to perform the activities as detailed to the expected standard of NMPED. Expertise is identified as proficient using Pathway2Careers™ curriculum and platform; understanding the research used to design this curriculum and able to create lesson plans that correspond and enhance the lessons as intended to increase student engagement; competent to align various standards to the lessons; provide high quality professional development in June or July of 2023 to teachers for successful implementation of the curriculum into their classrooms for the 2023-24 school year.

*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.")*

As the creator and owner of Pathway2Careers™, NS4ed is most qualified to provide additional resources and training to the teachers. NS4ed has already designed implementation standards that will be provided and enhanced through this process.

*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.***

All services and products defined in the scope of work are additions, enhancements, or

trainings to Pathway2Careers™, of which NS4ed, LLC holds from the United States Patent and Trademark Office Registered Number 5,599,864.

VII. Explain why other similar professional services, services, construction or item(s) of tangible personal property **cannot** meet the intended purpose of the contract.

As the creator, patent holder, and sole distributor of Pathway2Careers™, no organization other than NS4ed, LLC has the knowledge and understanding of how P2C curriculum and platform were designed based on research, usage of the product, nor the ability to train others on such areas without first experiencing such training and hours of additional practice to achieve a level of expertise.

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.

High Plains considered the criteria, scope of work, and the unique position of NS4ed, LLC as the creator and patent holder of Pathway2Careers™ to determine that no businesses other than the prospective contractor can perform the contract.

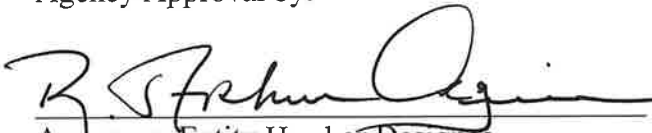
Certified by:



Agency Chief Procurement Officer

Date: 5/1/2023

Agency Approval by:



Agency or Entity Head or Designee

Date: 05/01/2023