

SOLE SOURCE DETERMINATION FORM

A sole source determination is not effective until the sole source determination has been approved, in writing, by the Business Office and the Superintendent even if signed by District staff and the prospective vendor/contractor.

Section 13-1-126 – Sole Source Procurement

A contract may be awarded without competitive sealed bids or competitive sealed proposals regardless of the estimated cost after a good faith review of available sources along with consultation from the end users is conducted prior to purchasing under a non-competitive, sole source condition. The determination is made that one, and only one, manufacturer or vendor, can meet the requirements or specifications. A written determination declaring a sole source by the central purchasing office must be filed within the procurement records for three years. Information that details the review process and selection criteria is recommended to be included within the determination document to minimize abuse of this type of procurement. Negotiations may be conducted with the sole provider to obtain pricing that is most advantageous to the school district. A contract for the purchases of research consultant services by institutions of higher learning constitutes sole source procurement.

I. School/Program: Striving Readers Comprehensive Literacy (SRCL) Grant (District-wide)

Contact Person: Kevin Summers; Director of Pre K-12 Curriculum, Instruction, & Assessment

Telephone Number: (505) 634-3751

II. Name of prospective vendor/contractor: Achieve 3000

Address of prospective vendor/contractor:

1985 Cedar Bridge Ave., Suite 3
Lakewood, NJ 08701

Descriptive Title: Achieve 3000 Software Product Licenses for Literacy Intervention

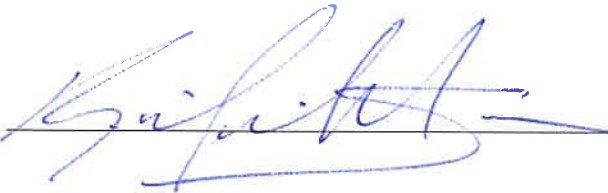
III. An explanation of the criteria developed and specified by the agency as necessary to make this purchase or enter this contract and upon which the District reviewed available sources. (Please do not use “technical jargon;” use plain English. Also, please do not tailor the criteria simply to exclude other vendors/contractors if it is not rationally related to the purpose of the contract.) Include vendors contacted (name and address), quotation amounts, amount and term of the contract, a listing of the services, construction or tangible personal property procured under the contract, etc.

The intent of the needed software for literacy intervention is to be able to indicate quantitatively student literacy levels while delivering targeted intervention with subsequent and ongoing progress monitoring of student deficits.

- IV. A detailed, sufficient explanation of the reasons, qualifications, proprietary rights or unique capabilities of the prospective vendor/contractor that makes the prospective vendor/contractor the **ONLY** source capable of providing the required professional service. (Please do not state the source is the "best" source or the "least costly" source. Those factors do not justify a "sole source.")

Achieve 3000, as noted in the accompanying Sole Source Letter from the vendor, is the only online literacy intervention available with the progress monitoring capability through Lexile assessment, per SRCL sub-grant metrics. This data is necessary for data reporting requirements for efficacy as stated in the SRCL grant application. In addition to the Lexile assessment, Achieve 3000 differentiates intervention based on student results of the Lexile assessment, creating a meaningful, prescriptive, and targeted intervention environment for students through the company's proprietary and patented algorithm and technology (USPTO#s 8,714,986 & 9,652,993).

Submitted by:



10/19/2020
Date

The authorized designee of the Bloomfield Schools hereby have determined that the procurement described below is a sole source procurement in keeping with the provisions of Section 13-1-126 NMSA 1978 (see below).

Approved:


Finance Director

10/19/2020
Date

Approved:


Superintendent

10-19-2020
Date

July 1, 2019

To Whom It May Concern:

This letter confirms that Achieve3000®, Inc. is the sole source for the KidBiz3000®, TeenBiz3000®, Empower3000®, Spark3000®, eScience3000® and Smarty Ants® educational online services as well as the LevelSet™ assessment. Achieve3000 is the only provider of these services, each of which utilizes proprietary, patented technology, copyrighted materials, trade secrets and source code that are, in various parts, either owned by Achieve3000 or licensed to Achieve3000. As a result, these services may be utilized only with the permission of Achieve3000.

Achieve3000 is the sole provider of web-based differentiated literacy solutions and accompanying Professional Learning Services. Our solutions use a proprietary engine to extend the teacher's ability to teach each student one-on-one at his/her individual level. The solutions include:

- Our patented technology and proprietary algorithm – USPTO #'s 8,714,986 and 9,652,993
- LevelSet, the only online Lexile assessment tool that assesses students' non-fiction reading abilities
- Daily nonfiction reading content that is precisely and scientifically matched to each student's reading ability.
- All students in the class read about the same current news events, but the passage and follow-up activities adjust for their individual learning profiles. All content is correlated to state standards. A Spanish version makes the program accessible for students with Limited English Proficiency.
- Ongoing assessment – built into the daily instructional routine
- A powerful reporting package gives teachers and administrators ongoing diagnostic data on student performance in and out of school
- Anytime, anywhere access that gives students more time on task. 70% of our students use the program after school and in library settings.
- Flexible, blended professional learning delivery model with modularized sessions and a variety of learning opportunities to meet the needs of all teachers – regardless of their level of experience.

Achieve3000 has a rich history of success across the nation. Over 1.5 million students in thousands of schools across the country have been impacted by Achieve3000 solutions. The successes have been consistent: students who used the program just twice weekly made Lexile gains more than triple the expected growth norms.

We are looking forward to growing our business with your school district.

Sincerely,



Stuart Udell
Chief Executive Officer
Achieve3000, Inc.