
Notice of Intent to Certify Sole Source

To: Interested Parties
From: Craig P. Orgeron, Ph.D. ^{cto}
CC: ITS Project Number 44506
Date: September 18, 2018
Re: Sole Source Certification Number 4132 to continue NetTutor® online tutoring services for the Mississippi Community College Board (MCCB)
Contact Name: Jill Chastant
Contact Phone Number: 601-432-8214
Contact E-mail Address: Jill.Chastant@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4132 to continue NetTutor® online tutoring services for the Mississippi Community College Board (MCCB) - Mississippi Virtual Community College (MSVCC), please be advised that ITS intends to award to Link-Systems International, Inc. as the sole source provider through July 31, 2022. For an explanation regarding Mississippi state law, policy and procedures for sole source procurements, refer to Attachment C: Sole Source Procurement Overview.

Sole Source Criteria

1. The product or services being purchased must perform a function for which no other product or source of services exist:

MSVCC has a current contract with Link-Systems International, Inc. to provide online tutoring services. This certification is to extend the contract for three years to allow more time for MCCB to use pre-purchased hours. NetTutor's online tutoring service allows each institution to customize every aspect of the service their students will receive by specifying the Rules of Engagement. The majority of tutors hold advanced degrees in their subject specialties. Tutors must successfully complete a month-long training period that focuses, in particular, on the educational and technical challenges that differentiate online tutoring from in-person tutoring. NetTutor offers online tutoring 24 hours a day, 7 days a week, and 365 days a year (including holidays). The Customer's Sole Source Certification Request is included as Attachment A.

2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services:

MSVCC students have access to live tutoring support 24/7/365 in all math subjects, first year experience and college student success, English and writing. MSVCC uses NetTutor to provide online tutoring services to students in math, science, English, business and economics, humanities, information technology, nursing, and allied health. MSVCC customizes online tutoring offered to students through “rules of engagement” (ROE) established with each college. The ROE allows each college to tailor online tutoring services to its students’ unique needs. The Customer’s Sole Source Certification Request is included as Attachment A.

3. The product or services must be available only from the manufacturer and not through resellers who could submit competitive pricing for the product or services:

Link-Systems, International, Inc. has certified they are the sole and exclusive provider of NetTutor® online tutoring services and the Refer Tutor Report (RTR) module. The vendor’s sole source certification letter is included as Attachment B.

4. Explain why the amount to be expended for the services is reasonable:

An internet search of hourly rates for comparable tutoring providers indicated rates between \$13.00 and \$45.00. The hourly rate paid to Link-Systems is \$26.00 per hour.

5. Explain what your agency did to obtain the best possible price for the services:

MSVCC has worked with Link-Systems to maintain the same hourly rate originally quoted in 2013.

Schedule

| Task | Date |
|----------------------------------|-------------------------------------|
| First Advertisement Date | 09/18/18 |
| Second Advertisement Date | 09/25/18 |
| Response Deadline From Objectors | 10/02/18, at 3:00 P.M. Central Time |
| Notice of Award/No Award Posted | Not before 10/03/18 |

Project Details

Mississippi Virtual Community College implemented Link-Systems NetTutor® Online Tutoring services in 2013 via sole source to provide three years of customized online tutoring services with the ability to co-create the Rules of Engagement at each of the fifteen community and junior colleges. MSVCC uses NetTutor® to provide online tutoring services 24/7/365 to students in math, science, English, business and economics, humanities, information technology (IT), nursing, and allied health. All subject areas, including IT, nursing, and allied health, need to have the same per hour cost to MSVCC. Tutoring needs to be provided for both live, drop-in tutoring and essay review services for MSVCC students.

In 2015, MSVCC added the Refer Tutor Report module as an additional tool to further empower their faculty and staff to communicate focused tutoring objectives and generate relevant reports. MSVCC offers NetTutor® as a comprehensive package of live 24/7 drop-in tutoring for online system students, and NetTutor® with RTR has the ability for instructors/staff to refer

developmental students to NetTutor® online tutoring and identify the exact remediation needed. In 2016, MSVCC added 5,832 hours of planned tutoring services. Since that time, MSVCC has not exhausted those hours. Therefore, this three year extension will allow the pre-purchased tutoring hours to be used. The total spend to date is \$908,608.00.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the Link-Systems, International, Inc. NetTutor® online tutoring services should not be certified as a sole source should provide information in the following format for the state to use in determining whether or not to proceed with awarding the Sole Source contract to Link-Systems, International, Inc.

1.1 Interested Party Information

1.1.1 Contact Name, Phone Number and email address

1.1.2 Company Website URL, if applicable

1.2 Objection to Sole Source Certification

1.2.1 Interested parties must present specific objections to the Sole Source certification using the criteria listed above.

1.2.2 A statement regarding the Interested Party's capabilities as related to this Sole Source Certification Request.

1.3 Comments will be accepted at any time prior to Tuesday, October 2, 2018, at 3:00 p.m. (Central Time) to Jill Chastant at Jill.Chastant@its.ms.gov or at the Mississippi Department of Information Technology Services, 3771 Eastwood Drive, Jackson, Mississippi 39211. Responses may be delivered by hand, via regular mail, overnight delivery, e-mail or by fax. Fax number is (601) 713-6380. **ITS WILL NOT BE RESPONSIBLE FOR DELAYS IN THE DELIVERY OF RESPONSES.** It is solely the responsibility of the Interested Parties that responses reach ITS on time. Interested Parties may contact Jill Chastant to verify the receipt of their Responses. Responses received after the deadline will be rejected.

1.4 Interested Party responses should include the following information:

**SUBMITTED IN RESPONSE TO
Sole Source Certification No. 4132-44506
Accepted until October 2, 2018 @ 3:00 p.m.,
ATTENTION: Jill Chastant**

If you have any questions concerning the information above or if we can be of further assistance, please contact Jill Chastant at 601-432-8214 or via email at Jill.Chastant@its.ms.gov.

Attachment A: Customer Sole Source Certification Request

Attachment B: Vendor Correspondence

Attachment C: Sole Source Procurement Overview



3771 Eastwood Drive
 Jackson, Mississippi 39211
 Phone 601-432-8000 Fax 601-713-6380

Sole Source Certification Request


| | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| Project Title: <u>NetTutor® online tutoring Services</u> | | Stimulus (ARRA) Funds? <u>Yes</u> <u>No X</u> | |
| Customer Contact Information | | | |
| Agency/Public University: Mississippi Community College Board Address: E&R Center, Room 519 Jackson, MS 39211 | | Contact Person: Dr. Krista LeBrun Phone: 601-432-6106 Fax: Email Address: klebrun@mccb.edu | |
| MAGIC Customer Number (only required from state agencies): | | Division/Dept: DIS Handmail: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| Project Summary Narrative Description of Project (include details of original acquisition if applicable): Mississippi Virtual Community College implemented Link-Systems NetTutor® Online Tutoring services in 2013 via sole source to provide three years of customized online tutoring services with the ability to co-create the Rules of Engagement at each of the fifteen community and junior colleges. MSVCC uses NetTutor® to provide online tutoring services 24/7/365 to students in math, science, English, business and economics, humanities, information technology (IT), nursing, and allied health. All subject areas, including IT, nursing, and allied health, need to have the same per hour cost to MSVCC. Tutoring needs to be provided for both live, drop-in tutoring and essay review services for MSVCC students. In 2015, MSVCC added the Refer Tutor Report module as an additional tool to further empower their faculty and staff to communicate focused tutoring objectives and generate relevant reports. MSVCC offers NetTutor® as a comprehensive package of live 24/7 drop-in tutoring for online system students, and NetTutor® with RTR has the ability for instructors/staff to refer developmental students to NetTutor® online tutoring and identify the exact remediation needed. In 2016, MSVCC added 5,832 hours of planned tutoring services. Since that time, MSVCC has not exhausted those hours. Therefore, this three year extension will allow the pre-purchased tutoring hours to be used. The total spend to date is \$908,608.00. | | | |
| ITS Acquisition Approval (CP-1) should be effective through this date (Please allow time for all vendor invoices to be paid): 07/31/2022 | | | |
| Cost Estimates <i>Fiscal Year</i> | Initial Costs | Ongoing Costs | Time Constraints Item Needed by: 06/30/2019 Funds Expire: 07/31/2022 |
| 2019 | \$0.00 | | Anticipated Lifecycle of Products/System (i.e. estimated years of effective use): 3 years |
| 2020 | | | |
| 2022 | | | |
| Total | | | |
| Acquisition Details | | | |
| Items Requested | | Quantity | Description |
| Online tutoring services | | 1 | |
| Describe platform & infrastructure (connectivity; software/hardware platforms; utilization of State Data Center resources: mainframe, eGovernment portal, payment engine, document management, hosting). | | | |
| Progress to Date: What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)? A quote and sole source letter have been obtained from the vendor. | | | |
| Sole Source Certification Note: Certification must be renewed for each revision or continuation of previous Sole Source Approvals. | | | |
| Specific business requirements to be met by the requested products or services: MSVCC students have access to live tutoring support 24/7/365 in all math subjects, first year experience and college student success, English and writing. MSVCC uses NetTutor to provide online tutoring services to students in math, science, English, business and economics, humanities, information technology (IT), nursing, and allied health. MSVCC customizes online tutoring offered to students through "rules of engagement" (ROE) established with each college. The ROE allows each college to tailor online tutoring services to its students' unique needs. | | | |
| Explain why these products or services are the only ones that can meet your needs (include unique features/special functionality): MSVCC has a current contract with Link-Systems International, Inc. to provide online tutoring services. This certification is to extend the contract for three years to allow more time for MCCB to use pre-purchased hours. NetTutor's online tutoring service allows each institution to customize every aspect of the service their students will receive by specifying the Rules of Engagement. The majority of tutors hold advanced degrees in their subject specialties. Tutors must successfully complete a month-long training period that focuses, in particular, on the educational | | | |

Attachment A

| | | | | | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------|-----------------------------------------------|-----------------------------------------------|---------------------------------------------|---------------------------------------------|----------------------|----------------------|
| educational and technical challenges that differentiate online tutoring from in-person tutoring. NetTutor offers online tutoring 24 hours a day, 7 days a week, and 365 days a year (including holidays). | | | | | | | | |
| Explain why the source is the only entity that can provide the products or services (Include other products/vendors researched or evaluated): Link-Systems, International, Inc. has certified they are the sole and exclusive provider of NetTutor® online tutoring services and the Refer Tutor Report module. | | | | | | | | |
| Explain why the amount to be expended for the services is reasonable: An internet search of hourly rates for comparable tutoring providers indicated rates between \$13.00 and \$45.00. The hourly rate paid to Link-Systems is \$26.00 per hour. | | | | | | | | |
| Explain what your agency did to obtain the best possible price for the services: MSVCC has worked with Link-Systems to maintain the same hourly rate originally quoted in 2013. | | | | | | | | |
| Vendor's Certification of Sole Source attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Vendor's proposal submitted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | | | | | | | |
| MAGIC Vendor Code(s) Vendor must be in MAGIC before a CP-1 can be issued. | | | | | | | | |
| <table border="0"> <tr> <td>Place Order To</td> <td>Remit To</td> </tr> <tr> <td>Vendor Name: Link-Systems International, Inc.</td> <td>Vendor Name: Link-Systems International, Inc.</td> </tr> <tr> <td>Vendor Address: 4515 George Road, Suite 340</td> <td>Vendor Address: 4515 George Road, Suite 340</td> </tr> <tr> <td>Tampa, Florida 33634</td> <td>Tampa, Florida 33634</td> </tr> </table> | Place Order To | Remit To | Vendor Name: Link-Systems International, Inc. | Vendor Name: Link-Systems International, Inc. | Vendor Address: 4515 George Road, Suite 340 | Vendor Address: 4515 George Road, Suite 340 | Tampa, Florida 33634 | Tampa, Florida 33634 |
| Place Order To | Remit To | | | | | | | |
| Vendor Name: Link-Systems International, Inc. | Vendor Name: Link-Systems International, Inc. | | | | | | | |
| Vendor Address: 4515 George Road, Suite 340 | Vendor Address: 4515 George Road, Suite 340 | | | | | | | |
| Tampa, Florida 33634 | Tampa, Florida 33634 | | | | | | | |

By my signature, I certify that, to the best of my professional knowledge: the requested product or services are a sole source as outlined in the IIS Procurement Handbook, Rule 207.2:013-030 Procurement Types: Sole Source, and as outlined in Mississippi Code annotated Section 31-7-13. In addition, I acknowledge that there is a charge for IIS procurement services associated with this request which will be billed to the requestor by IIS and that my agency/public university is responsible for these charges/costs.

Andrea Mayfield
Name (Agency Head or Public University CIO)/Title


Signature Date

Attachment B

July 20, 2018

Attention:



Dr. Krista LeBrun
Assistant Executive Director for eLearning & Instructional Technology
Mississippi Community College Board
3825 Ridgewood Road
Jackson, MS 39211

RE: NetTutor Online Tutoring Services Sole Source Justification

Dear Dr. LeBrun,

The purpose of this letter is to certify NetTutor® as the sole and exclusive provider of specific online tutoring services and the Refer Tutor Report (RTR) module.

NetTutor Service Overview

- **Seasoned provider of high-quality online tutoring.** For over 20 years, NetTutor has offered live tutoring on-demand, question drop-off, and writing feedback. Tutors are subject matter experts trained in how to translate tutoring best practices and learning strategies to support students online, one student at a time. Over 150 subjects are offered, including live tutoring for Math, Writing, and Student Success available 24 hours a day, every day of the year.
- **Student-centric Higher Ed partnerships.** NetTutor has over 280 colleges and universities partners across the country, including statewide agreements with the California Community Colleges, Mississippi Community Colleges, Open SUNY and STAR-NY, and Wyoming Community College Commission.
- **Extension of campus support.** Campus partners are invited to customize "Rules of Engagement"—a collaboration that ensures students receive tutoring in NetTutor that is consistent with the support they would receive on campus.
- **Compliant technology and service.** NetTutor complies with the Web Content Accessibility Guidelines (WCAG) 2.0 Level AA and Section 508 of the Rehabilitation Act and is FERPA-compliant. NetTutor meets every learner who asks for help "where they are" with an unwavering commitment to quality and inclusivity.
- **Administrative support at no additional cost.** From collaborating with campus admin to building faculty advocacy to technical and end-user support, NetTutor partnership includes help with implementation, integration, training, promoting, and other administrative needs. Also, tutoring coordinators can review NetTutor usage and sessions in the web-based reporting tool.
- **Fair and sustainable pricing.** NetTutor charges a straight-forward hourly rate for tutor time-on-task in every session.

Link-Systems International, Inc.
4515 George Road, Suite 340, Tampa, FL 33634
Phone: (813) 674-0660 Fax: (813) 674-0040
www.link-systems.com

NetTutor Referral Module Overview

Whether at-risk students are identified by faculty or early alert systems, or students with disabilities have requested accommodations, RTR bridges each student to their own support resource.

- **Personalized engagement.** With RTR, instructors can create a personalized tutoring experience for students through individual referrals on targeted course concepts, giving students the specific help they need.
- **Quick access to quality tutors.** RTR gives instructors the ability to offer a path for students to receive immediate and meaningful assistance when they need it most.
- **Targeted instruction.** RTR allows instructors to target instruction to individual students by personalized messages to the tutor. The instructor can also message the student at the same time with instructions and explanations as to why the instructor believes they need additional support.
- **Tutoring transparency.** RTR allow instructors to see which tutoring sessions a student has attended and exactly what transpired in those sessions. This gives instructors complete visibility into the support students receive outside of class.

Sole Source Justification

- NetTutor is the only online tutoring provider with over two decades of higher-ed experience, including 5+ years serving MSVCC students. We provide professional services governed by best practices, and our partners gain measurable outcomes.
- NetTutor provides the most subjects of any online tutoring provider including math, sciences, English, business and economics, humanities, information technology, nursing, and allied health. See www.nettutor.com/subjects for our full subject list.
- NetTutor provides the most live tutoring coverage of any online tutoring provider. See www.nettutor.com/schedule for hours of live tutor availability.
- NetTutor is the only provider that offers access 24 hours a day, 7 days a week, and 365 days a year (including holidays). NetTutor is never closed.
- Only NetTutor provides live tutoring support 24/7/365 in all math subjects, first year experience and college student success, and English & writing.
- NetTutor is the only online tutoring provider that charges a straight-forward hourly rate for tutor time-on-task in both live and asynchronous sessions.
 - NetTutor does not add minutes for archiving. NetTutor does not charge flat rates for questions dropped off asynchronously, hiding 10-15 minutes average response times by overcharging 25-35 minutes. NetTutor does not charge flat rates for asynchronous writing submissions based on length, hiding 20-30 minutes average tutor time on task by overcharging 35-, 42-, or 65-minute minimums per paragraph or essay.
 - NetTutor does not charge training or set-up fees.
 - NetTutor does not charge a higher hourly rate for specialty subjects. All subject areas, including IT, nursing, and allied health, have the same time-on-task hourly rate with no upcharge.
- NetTutor and RTR seamlessly integrate with the Canvas course management system, which allows students and faculty to access both tools with single-sign-on functionality. RTR is the only tool that automatically synchs courses and students.
- Only NetTutor has certified tutors that are U.S. educated, trained tutors with prior teaching and/or tutoring experience, and perform online tutoring services from U.S.-based facilities. The NetTutor training program aligns with the Association for the Tutor Profession's tutor certification levels: Associate Tutor, Advanced Tutor, and Master Tutor.

Attachment B

- No other provider offers the option for MSVCC to customize tutor/student interaction through a co-developed set of rules that tutors follow. Only NetTutor allows MSVCC to customize online tutoring offered to students through "rules of engagement" (ROE) established with each college. The ROE allows each college to tailor online tutoring services to its students' unique needs and leads to an individualized approach that yields more positive student outcomes.
- Only NetTutor can take advantage of tutors working in large clusters in the same facility by enabling tutoring staff to have access to the same learning materials (books, syllabi, solutions manuals, etc.) as students and their instructors.
- NetTutor is the only online tutoring provider that undergoes independent, third-party accessibility audits and will co-develop accommodation plans with our partners. We consider accessibility, universal design, and usability as core components of user experience, and the linchpin is inclusivity. We are fully committed to ensuring our solutions are accessible for all users. From our tutors and subject matter experts, to our product and software developers, to our quality assurance and end-user support teams, we believe that accessibility is everyone's responsibility.
- NetTutor is the only online tutoring provider that uses tutors who are always under in-person supervision by a manager with at least three years of experience. NetTutor is the only online tutoring provider that employs full-time, salaried, and professional tutors.
- NetTutor is the only provider that includes a referral module that gives faculty the ability to direct the tutoring effort and review tutoring usage, including session playback.
- Only NetTutor has an innovative whiteboard interface with a truly comprehensive set of subject-specific symbols and tools, including audio/video, and successfully licenses this technology to colleges and universities for online collaboration.
- No third party is authorized to sell or distribute this package of services.

Based on the evidence presented in this memo, we assert that NetTutor is the only provider of online tutoring services that can meet the requirements of MSVCC.

Sincerely,



Richard T. Meade
Vice President & General Manager, NetTutor
Link-Systems International, Inc.
813-674-0660 x. 214
rmeade@link-systems.com

Attachment C: Sole Source Procurement Overview

The acquisition of information technology for all state agencies and institutions of higher learning (IHLs) is within the scope of the ITS law, found in Mississippi Code Section 25-53-1, et seq., and the policies and procedures established in accordance with this statute, found in the ITS Procurement Handbook posted on the ITS website (www.its.ms.gov).

ITS enabling legislation requires that information technology hardware, software and services be acquired in a manner that insures the maximum of competition among all manufacturers and suppliers of such equipment and services. Accordingly, ITS promotes full and open competition through the issuance of open specifications and the objective evaluation of Interested Party proposals to determine the lowest and best offering to meet an agency's or public university's business requirements. True competition protects the integrity and credibility of purchasing in the public sector and is essential in providing best value and adequate contractual protection for the purchasing entity. In certain limited situations, information technology acquisitions may be sole-sourced.

ITS utilizes the provisions of Public Purchasing Law for Sole Source and Emergency procurements of information technology. Mississippi Public Purchasing Law (Mississippi Code Section 31-7-13) specifies that noncompetitive items available from one source only be exempted from bid requirements (sole-sourced). ITS statute, in Section 25-53-5 (p), permits ITS to utilize provisions in Public Purchasing Law or regulations, when applicable.

Per Public Purchasing law, acquisitions must meet the following criteria to be authorized as sole source:

1. The product or services being purchased must perform a function for which no other product or source of services exists,
2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services, AND
3. The product or services must be available only from the manufacturer and NOT through resellers who could submit competitive pricing for the product or services. The vendor's correspondence regarding this criterion for this project is included as Attachment B.

By policy as documented in the ITS Procurement Handbook, acquisitions of IT services must include the following information to be authorized as sole source:

1. An explanation about why the amount to be expended is reasonable, and
2. An explanation regarding the efforts by the purchaser to obtain the best possible price.

For state agencies, approval of all technology purchases with a lifecycle cost of \$5,000 or less, including sole source purchases, has been delegated to the agency. The ITS Procurement Limits Policies for Agencies (a section in the ITS Procurement Handbook) require a minimum of two competitive written bids or proposals for technology purchases with a lifecycle cost over \$5,000 but not over \$50,000 (not over \$25,000 for projects funded by the American Recovery and Reinvestment Act). Since, for single source items, the procuring agency will be unable to obtain two written bids, ITS must certify all sole source acquisitions of information technology with a lifecycle cost greater than \$5,000.

Institutions of Higher Learning (IHLs) or public universities have been delegated the authority to certify sole source procurements up to \$250,000 lifecycle cost under the ITS Procurement Limits Policies for IHLs (a section in the ITS Procurement Handbook). For the certification of sole source procurements delegated to the CIOs at public universities, the public university must follow ITS' Sole Source Procedure, including advertisement of the intent to award as sole source. Institutions certifying a sole source purchase must ensure the criteria listed above are met and documented in writing by the institution and the Interested Party prior to certifying a product or service as sole source. Sole source documentation must be reviewed and approved by the IHL's CIO for any sole-source certification above \$5,000. All sole source documentation should be retained in the public university's procurement file. Sole source requests above \$250,000 lifecycle cost require ITS approval.

Attachment C: Sole Source Procurement Overview

Other than the delegations outlined above, all sole source technology procurements must be certified by ITS. The customer's Sole Source Certification Request for this project is included as Attachment A.

ITS thoroughly reviews Sole Source Certification Requests, determining if competing products and/or services exist. If so, ITS conducts a competitive procurement. If ITS' review confirms the sole source, then a Sole Source advertisement is issued, giving other Interested Parties an opportunity to identify competing products and/or services. Based upon the results of the Sole Source advertisement, ITS will either certify the request as a sole source or conduct a competitive procurement.