ITS Mississippi Department of
Information Technology Services

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Notice of Intent to Certify Sole Source

To: Interested Parties

From: Michele Blocker, Interim Executive Director

CC: ITS Project Number 45976

Date: August 25, 2020

Re: Sole Source Certification Number 4333 to provide Office Proficiency Assessment & Certification (OPAC®) testing software for the Mississippi Community College Board (MCCB)

Contact Name: Kimberly Parker

Contact Phone Number: 601-432-8049

Contact E-mail Address: kimberly.parker@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4333 for Office Proficiency Assessment & Certification (OPAC®) testing software for the Mississippi Community College Board (MCCB), please be advised that ITS intends to award Biddle Consulting Group, Inc. as the sole source provider of the OPAC® Testing Software through February 28, 2023, in an amount not to exceed $82,000.00. Please be advised that ITS will determine if additional upgrades and software support are within scope during the certification period and may increase the spending authority accordingly. Should Biddle Consulting Group, Inc. change its name during this certification period, then ITS will determine if a recertification is necessary. 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:

   The OPAC® testing software measures the most critical skills and abilities required in administrative and clerical positions. The software has a series of proprietary tests that offer industry recognized certifications in various areas of the Microsoft Office suite and other office skills such as proofreading, keyboarding, and letter formatting. The OPAC® testing software offers approximately 50 exams for the program of study in the Business Technology cluster. The OPAC® testing software offers unlimited testing, a certification validating skill attainment, and is recognized in the industry.

The OPAC® testing software has the capability to allow the deployment, development, and storage of an unlimited number of tests for an unlimited number of students earning unlimited certifications at each of Mississippi's 15 public community colleges. The OPAC® testing software can be custom-tailored to suit the educational needs of these programs of study. MCCB will download the test and have unlimited use of the tests. OPAC's® Proprietary Test Writer program also allows MCCB to develop their own assessments. 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:

   The OPAC® testing software assists MCCB's curriculum writing team to determine the best tests beneficial to the students to their program of study in the Business Technology cluster. As part of the curriculum revision process, the student learning outcomes for courses in the business technology programs of study were matched to the testing objectives for various OPAC® certification tests. The OPAC® tests map to vendor specific skills in software such as Microsoft Word, Microsoft Excel, as well as vendor neutral skills such as accuracy and proofreading ability. The tests in the OPAC® system are self-validating. Using the proprietary Validation Wizard, MCCB can determine the tests that are most relevant to the students. 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:

   Biddle Consulting Group, Inc. has certified that it is the publisher and sole distributor (sole source) of this application in this marketplace. The Vendor's sole source certification letter is included as Attachment B.

Schedule

Task	Date
First Advertisement Date	08/25/20
Second Advertisement Date	09/01/20
Response Deadline From Objectors	09/09/20 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 09/10//20

Project Details

As a community college system that receives federal funding under the Carl Perkins Act from the U.S. Department of Education, MCCB must report various program outcomes to include technical skill attainment. To accomplish this, MCCB must centralize their national certification testing process by having the colleges acquire the testing vouchers from the MCCB and send testing results directly to MCCB from the testing vendor. In February 2016, the Mississippi Association of Community and Junior College Presidents (MACJC) voted to adopt national certifications as the measure of technical skill attainment for Career Technical Education (CTE) programs where such a certification existed.

In the Fall of 2016, the curriculum writing team met to align the OPAC® certification exams on the Microsoft Office Suite and other office skills such as proofreading, keyboarding, and letter formatting to the program of study in the Business Technology cluster. This writing team was comprised of over 50 business technology instructors, college administrators, industry members, and curriculum and instruction staff of the MCCB. This group approved the alignment of the

OPAC® tests to the programs of study at various points to include the validation of the curriculum. The OPAC® testing system software offers a series of proprietary tests that were developed and published by Biddle Consulting Group, Inc. The OPAC® testing system provides industry recognized certifications in various areas of the Microsoft Office Suite and other recognized office skills.

Notice of Intent to Certify Sole Source Number 4050 was published on December 5, 2017. With no objections received, Sole Source Certification Number 4050 was awarded to Biddle Consulting Group, Inc. for the OPAC® testing system for the MCCB on December 19, 2017. The Mississippi Department of Information Technology Services as contracting agent for the Mississippi Community College Board and Biddle Consulting Group, Inc. executed a Software License Agreement on February 2, 2018. To date, the Mississippi Community College Board has expended $105,000.00 for the OPAC® testing system software to date.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the Office Proficiency & Assessment Certification (OPAC®) testing software for the Mississippi Community College Board 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 Biddle Consulting Group, 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 Wednesday, September 9, 2020, at 3:00 p.m. (Central Time) to Kimberly Parker at kimberly.parker@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 Kimberly M. Parker 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:

If you have any questions concerning the information above or if we can be of further assistance, please contact Kimberly Parker at 601-432-8049 or via email at kimberly.parker@its.ms.gov.

Attachment A: Customer Sole Source Certification Request
Attachment B: Vendor Correspondence
Attachment C: Sole Source Procurement Overview

cc: ITS Project Number 45976

ITS
mississippi department of
Information Technology Services

Sole Source Certification Request

Project Title: OPAC Testing Software Renewal	Stimulus (ARRA) Funds? Yes_ No _X_

Customer Contact Information

Agency/Public University: MS Community College Board E & R Center, Room 519 Jackson, MS 39211	**Contact Person:** Jones, Kimberly kjones@mccb.edu 601-432-6131
MAGIC Customer Number (only required from state agencies)**:** 7000000104 (MISSISSIPPI COMMUNITY COLLEGE BOARD)	**Division/Dept.:** Workforce, Adult Education, Career Technical Education **Handmail:** ☐ Yes ☒ No

Project Summary *Narrative Description of Project* (include details of original acquisition if applicable):

This submission is part of a larger overall project relating to National Certifications for Career-Technical Students graduating CTE programs at Mississippi's Community Colleges. Earning national certifications gives CTE graduates an additional credential that offers potential employers a validation of their knowledge, skills, and abilities acquired as part of their CTE program. The ultimate goal of the MCCB and the colleges in the Mississippi community college system is to train CTE graduates for employment for immediate employment in their field of training and study.

In 2016, following the adoption of the National Certifications Standards and Procedure Manual (2013), the Mississippi Community College Board (MCCB) adopted national certifications as the measure of technical skill attainment for Career Technical Education (CTE) Programs where such a certification existed. Coordination of the new system wide initiative is a relative new role for the MCCB, and it includes two key elements:

1. negotiation for the lowest possible fees for student testing vouchers and testing software purchased as a community college system, and
2. access to testing results for students to prepare college level and system level reports on the programmatic outcomes measure of technical skill attainment.

Part of making CTE graduates the most desirable to employers involves not only completing excellent training but enabling them to attain industry credentials at the lowest possible cost. In the case of Business Office Technology Programs, the OPAC $^®$ certifications offer certifications that are widely recognized by business and industry that graduates can earn upon passing the OPAC$^®$ certification exams without documenting any work experience in the field. OPAC$^®$ certifications are recognized by industry locally, nationally, and internationally giving our CTE graduates a very portable credential that is recognized anywhere in the world where they might seek employment.   The approved curriculum can be found on the MCCB website on the Curriculum Download page at http://www.sbcjc.cc.ms.us/OCI/currdownload.aspx.

ITS Acquisition Approval (CP-1) should be effective through this date (Please allow time for all vendor invoices to be paid): 12-31-2022

Cost Estimates *Fiscal Year*	*Initial Costs*	*Ongoing Costs*	**Time Constraints** Item Needed by: 01/01/2021 Funds Expire:	**Anticipated Lifecycle of Products/System** (i.e. estimated years of effective use): 3 years
FY2021	$4,000.00		**Discuss Funding** (e.g. how much of needed funding is definite; total project budget; any matching or other non-state funds).	
FY2022		$39,000.00	100% of funding is secured. The current contract through ITS expires December 30, 2020; however, the current Annual License with Biddle Consulting expires February	
FY2023		$39,000.00	28, 2021. Therefore, for year 1 of this contract, $4,000 will be added to the current	
Total	$4,000.00	$78,000.00	contract of $35,000 to transition to online testing. Years 2 and 3 of the contract will be for $39,000.00 with a total project cost of $82,000.00 for 3 years. Initial contracts will be paid with funds provided through a grant.	

Acquisition Details

Items Requested	Quantity	Description	Building Location(s)
OPAC$^®$ Exams			

Describe platform & infrastructure (connectivity; software/hardware platforms; utilization of State Data Center resources: mainframe, eGovernment portal, payment engine, document management, hosting). For equipment or hosting outside the State Data Center, attach justification:

The OPAC$^®$ exams are a measure of technical skill attainment for students in various information business office technology programs. OPAC$^®$ exams are part of the TestGenius pre-employment testing platform that is powered by Biddle Consulting Group. OPAC$^®$ exams are available online (unproctored) or locally for proctored test administrations.

The OPAC$^®$ exams will be administered in classrooms or made available to the students through the colleges by MCCB. Colleges administering the tests or providing the online administrations to students will be able to send the students a link to take the exams.

Progress to Date: What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)?

ITS has previously declared a sole source procurement with Biddle Consulting for OPAC$^®$ site license software, the current CP-1 (20180240) expires December 31, 2020. This request is to renew the contract for another two-year period while transitioning the existing 15 site software only license to a 15 site, multi-user

Online Testing package which will include access to the online testing portal and a copy of the software that can be network installed. For this renewal, an updated sole source letter and a three-year quote has been secured from OPAC®. The quote is attached to this request.

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:

In fall 2016, the curriculum writing team met and aligned the OPAC® test to the programs of study in the Business Technology cluster. This writing teams was comprised of over 50 business technology instructors, college administrators, industry members, and curriculum and instruction staff of the MCCB. This group approved the alignment of these OPAC® tests to the programs of study at various points to include the validation of the curriculum. Furthermore, the OPAC® Testing System software offers a series of proprietary tests that were developed and published by Biddle Consulting Group. The OPAC® Testing System software offers industry recognized certifications in various areas of the Microsoft Office Suite and other recognized office skills such as proofreading, keyboarding, letter formatting, medical terminology, legal proofreading, etc. The OPAC® exams are recognized by the business and industry.

Explain why these products or services are the only ones that can meet your needs (include unique features/special functionality)**:**

The OPAC® testing software assists MCCB's curriculum writing team to determine the best tests beneficial to the students to their program of study in the Business Technology cluster. As part of the curriculum revision process, the student learning outcomes for courses in the business technology programs of study were matched to the testing objectives for various OPAC® certification tests. The OPAC® tests map to vendor specific skills in software such as Microsoft Word, Microsoft Excel, as well as vendor neutral skills such as accuracy and proofreading ability. The tests in the OPAC® system are self-validating. Using the proprietary Validation Wizard, MCCB can determine the tests that are most relevant to the students

Explain why the source is the only entity that can provide the products or services (Include other products/vendors researched or evaluated)**:**

The OPAC® testing software measures the most critical skills and abilities required in administrative and clerical positions. The software has a series of proprietary tests that offer industry recognized certifications in various areas of the Microsoft Office suite and other office skills such as proofreading, keyboarding, and letter formatting. The OPAC® testing software offers approximately 50 exams for the program of study in the Business Technology cluster. The OPAC® testing software offers unlimited testing, a certification validating skill attainment, and is recognized in the industry.

The OPAC® testing software has the capability to allow the deployment, development and storage of an unlimited number of tests for an unlimited number of students earning unlimited certifications at each of Mississippi's 15 public community colleges. The OPAC® testing software can be custom-tailored to suit the educational needs of these programs of study. MCCB will download the test and have unlimited use of the tests. OPAC's® Proprietary Test Writer program also allows MCCB to develop their own assessments.

Vendor's Certification of Sole Source attached: ☒ **Yes** ☐ **No**   **Vendor's proposal submitted:** ☒ **Yes** ☐ **No**

MAGIC Vendor Code(s) Vendor must be in MAGIC before a CP-1 can be issued.

Place Order To	Remit To
Vendor Name: Biddle Consulting Group, Inc.	**Vendor Name:** Biddle Consulting Group, Inc.
Vendor Address: 193 Blue Ravine Road, Suite 270, Folsom, CA 95630	**Vendor Address:** 193 Blue Ravine Road, Suite 270, Folsom, CA 95630

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 ITS 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 ITS procurement services associated with this request which will be billed to the requestor by ITS and that my agency/public university is responsible for these charges/costs.

Andrea Mayfield/Executive Director

Name (Agency Head or Public University CIO)/Title	Signature	Date
		8-18-20

Biddle Consulting Group
Adam Agard, Sr OPACAccount Executive
193 Blue Ravine Road – Suite 270
Folsom, CA 95630
(916) 294-4250 ext.
Fax: (916) 294-4255

OFFICE PROFICIENCY
ASSESSMENT & CERTIFICATION®

August 17, 2020

Mississippi Community College Board,

Thank you for your interest in **The OPAC® System**. The purpose of this letter is to certify that, to our knowledge, the software (OPAC) is the most stringently developed and validated software-testing program of its type. We are the publisher and sole distributor (sole source) of this application in this marketplace.

- OPAC is broad enough to be used as a training, student testing and certification, selection, or promotion tool in most office settings (e.g., it includes over 50 tests that are broadly applicable to a wide range of knowledge, skills, and abilities).
- Using OPAC's proprietary Test Writer program, OPAC has the capability to allow the development and storage of an unlimited number of tests, which can be custom-tailored to suit your business or educational needs.
- OPAC uses live software (such as Microsoft Excel®, Microsoft Word®, WordPerfect®, and others), so it can effectively mirror the skills actually needed for the job. OPAC also contains several software simulations, which allow organizations to test without allowing access to certain applications, or without even having them installed on your system.
- The tests in The OPAC System are self-validating. Using our proprietary Validation Wizard, our customers can determine the tests that are most relevant for their positions, and develop fair and defensible cutoffs that match the level of skill needed for the job.
- The purchase of an OPAC System software license includes one month of **OPAC Plus** Premium Customer Support. This extended service plan includes free and automatic software upgrades and unlimited toll-free phone support for the length of membership. Subsequent years of OPAC Plus are optionally available at a reasonable price.

If you have further questions or comments, please do not hesitate to contact me toll-free at **(916) 294-4250 ext. 248** or by email at **adam@opac.com**

Best regards,

Adam Agard
Sr OPAC Account Executive

Attachment C

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.

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.