



Notice of Intent to Certify Sole Source

To: Interested Parties

From: Craig P. Orgeron, CPM, Ph.D. *CPO*

CC: ITS Project Number 48517

Date: October 15, 2024

Re: Sole Source Certification Number 4644 to provide LACES NexGen Software for the Mississippi Community College Board (MCCB)

Contact Name: Vershonda Grindle

Contact Phone Number: 601-432-8213

Contact E-mail Address: vershonda.grindle@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4644 for the Mississippi Community College Board (MCCB), please be advised that ITS intends to award LiteracyPro Systems, Inc. as the sole source provider of LACES NexGen Software through October 31, 2027, in an amount not to exceed \$286,658.00. Please be advised that ITS will determine if additional maintenance, enhancements, upgrades, or support are within scope during the certification period and may increase the spending authority accordingly. Should LiteracyPro Systems, Inc. change their 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 B: 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 proprietary LACES (Literacy, Adult, and Community Education System) NexGen software system is a student accountability solution that analyzes student performance outcomes and program quality. LACES is the only system that has the Mississippi Integrated Basic Education and Skills Training (MiBest) functionality tracked concurrently in the same product as Title II Adult education tracking necessary for MS reporting. LACES NexGen is also designed to track student, staff, and volunteer tutor hours receiving instruction from multiple modalities that have their own individualized process/workflow and screens. LACES is the only system that has the auto-completion of classes based on a user-defined date range and has the National Reporting System (NRS)-recommended follow-up survey for tracking outcomes built directly into the

system, allowing users to collect more accurate and comprehensive survey data to increase outcome completion rates. LACES is the only system that has over 150 pre-built reports including reports showing pre-tests by instrument, form, level, and date and how many points needed to make a measurable skill gain by student and class. LACES is also the only system that can batch update student and staff fields, as well as merge student records if duplicates are accidentally entered. LACES also allows users to import and synchronize HSE (High School Equivalent) assessment data – including individual subtest scores – from General Educational Development (GED) and High School Equivalency Test (HiSET). LACES includes modules of pre-built functionality allowing student records, staff records, class records, and instructional hours to be electronically uploaded.

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

The LACES NexGen management system will ensure data can be exported to the National Strategic Planning and Analysis Research Center (NSPARC) for data matching and, once imported, has the capability to exchange data with NSPARC to ensure performance accountability is met under the Mississippi Workforce Innovation and Opportunity Act, 2014 (WIOA). Also, LiteracyPro Systems, Inc. will ensure that the LACES NexGen software remains current with all NRS reports and data collection changes and will provide training on these updates as needed. Interoperability, two-way data matching, and interfacing are key design features of the LACES NexGen software. Users are able to import assessment data from Tests of Adult Basic Education (TABE), Comprehensive Adult Student Assessment Systems (CASAS), General Assessment of Instructional Needs (GAIN), General Educational Development (GED), High School Equivalency Test (HiSET), and Total Administrative Services Corporation (TASC) into LACES NexGen. Data from other external data sources such as attendance modules can also be uploaded into LACES NexGen. LACES NexGen currently exports data for data matching with employment and Unemployment Insurance data sources for purposes of determining employment (gained and retained), High School Equivalency, and post-secondary data. Two-way data matching, particularly relevant data related to the National Reporting System, is another mature functionality currently found in LACES NexGen, and LiteracyPro has successfully met all deadlines set by the federal government.

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:

LiteracyPro Systems (LPS) is the sole developer of LACES and sole hosting provider, and only LPS is authorized to sell and support LACES in Mississippi at this time. The LACES system is proprietary and cannot be maintained or upgraded by another provider. The Vendor's sole source certification letter is included as Attachment A.

Schedule

Task	Date
First Advertisement Date	10/15/24
Second Advertisement Date	10/22/24
Response Deadline From Objectors	10/29/24 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 10/30/24

Project Details

The MCCB is responsible for administering Mississippi's Adult Basic Education (ABE) Program. The Office of Adult Education promotes programs that help American adults get the basic skills needed to be productive workers, family members, and citizens. The major areas of support are Adult Basic Education, Adult Secondary Education, and English Language Acquisition. These programs emphasize basic skills such as reading, writing, math, English language competency, and problem solving. The Mississippi Workforce Innovation and Opportunity Act (WIOA) requires the ABE system to meet the state and federal performance requirements.

The purpose of the program is to provide educational opportunities below the postsecondary level for adults over the age of 16 who are not currently enrolled in school, lack a high school diploma, or lack the basic skills to function effectively in the workplace and in their daily lives.

In March 2016, ITS issued Notice of Intent to Certify Sole Source Certification Number 3888 for the acquisition of a student accountability solution mandated by the WIOA and the NRS. No objections/responses were received, and a Software as a Service Agreement was executed. Since February 2019, ITS has issued multiple Notices of Intent to Certify Sole Source Certification for the renewal of the LACES NexGen software licenses and hosting and received no objections/responses. The current Sole Source Certification and SaaS Agreement expire October 31, 2024. The total spend to date is \$701,533.00.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the LACES NexGen Software 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 LiteracyPro Systems, 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 29, 2024, at 3:00 p.m. (Central Time) to Vershonda Grindle at vershonda.grindle@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 Vershonda Grindle 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. 4644-48517
Accepted until October 29, 2024 @ 3:00 p.m.,
ATTENTION: Vershonda Grindle**

If you have any questions concerning the information above or if we can be of further assistance, please contact Vershonda Grindle at 601-432-8213 or via email at vershonda.grindle@its.ms.gov.

Attachment A: Vendor Correspondence

Attachment B: Sole Source Procurement Overview



SOLE SOURCE DOCUMENT

October 10, 2024

To Whom It May Concern:

As the Vice President of LACES-Client Operations for LiteracyPro Systems, Inc., a division of Genius Learning, I attest that, to the best of my knowledge, the following information is true and accurate.

LiteracyPro Systems, Inc. is the *sole developer of LACES* (Literacy Adult and Community Education System). Launched in 2006, we believe LACES qualifies for a sole source designation for the following reasons:

- Only LACES has the MiBest functionality tracked concurrently in the same product as Title II adult ed tracking necessary for MS reporting;
- Only LACES is designed to track student, staff and volunteer tutor hours receiving instruction from multiple modalities. Each instructional modality (class, small group, and pairs) has its own individualized process/workflow as well as its own individual set of screens;
- Only LACES has the auto-completion of classes based on a user-defined date range;
- Only LACES has the NRS-recommended follow-up survey for tracking outcomes built directly into the system, allowing users to collect more accurate and comprehensive survey data to increase outcome completion rates on Table 5;
- Only LACES has over 150 pre-built reports including reports showing pre-tests by instrument, form, level, and date and how many points needed to make a measurable skill gain by student and class;
- Only LACES has the ability to create and share custom views of grid information and add or remove columns for all single-value discrete student, class, and staff fields;
- Only LACES has Fields for tracking refugee information, languages spoken, and pronoun/gender identity if desired;
- Only LACES has graphic reports for tracking multiple periods of participation;
- Only LACES has fields for tracking technology available in the home to increase online learning potential, as well as Class Type indicators for tracking managed/open enrollment and in-person/online/hybrid instruction;

- Only LACES has the ability to do batch updates for student and staff fields, as well as the ability to merge student records if duplicates are accidentally entered;
- Only LACES allows users to import and synchronize HSE (High School Equivalent) assessment data - including individual subtest scores - from GED and HiSET;
- Only LACES has integrations in place with learning content vendors for attendance hours for the purpose of integrating hours to reduce data entry errors and increase efficiency of staff time;
- Only LACES includes modules of pre-built import functionality allowing student records, staff records, class records, and instructional hours to be electronically uploaded;
- Only LiteracyPro met both the deadlines set by OCTAE to modify the NRS tables for cohorts in 2012, WIOA in 2016, and additional WIOA changes in 2024. These modifications required significant investment of time and expertise. Changes were made without cost;
- Since the WIOA changes took place in 2016, only LACES has been successfully audited in nine different states by OCTAE as a result of a random review of state systems, with no findings for the student data management system;
- MCCB has been using this software since 2016 for the purpose of Adult Education federal requirements. This Software is essential to the mission of the agency, and users across Mississippi have already been trained on and mastered the use of LACES;
- LiteracyPro Systems, Inc. is the sole developer of LACES (Literacy Adult and Community Education System) and sole hosting provider, and only LPS is authorized to sell and support LACES in Mississippi at this time;
- The success Mississippi has experienced with the Literacy Pro Systems LACES database can be measured in terms of increased accountability, improved data analysis and trending, and better ability to use data to drive decisions and improve program performance. MCCB has improved accountability by ensuring the consistency and reliability of AE data;
- The LACES system is proprietary and cannot be maintained or upgraded by another provider.

Please do not hesitate to contact me if you need additional information.

Sincerely,



Shannon Stangis
Vice President of LACES-Client Operations, LiteracyPro Systems, Inc.

Attachment B

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 A.

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 \$75,000 (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.

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.