



Notice of Intent to Certify Sole Source

To: Interested Parties

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

CC: ITS Project Number 48570

Date: January 7, 2025

Re: Sole Source Certification Number 4649 to provide a StudentTracker Subscription for the Mississippi Department of Education

Contact Name: Angelia Pryor

Contact Phone Number: 601-432-8008

Contact E-mail Address: angelia.pryor@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4649 for the Mississippi Department of Education (MDE) please be advised that ITS intends to award National Student Clearinghouse, as the sole source provider of a StudentTracker Subscription through February 29, 2028, in an amount not to exceed \$204,024.00. Please be advised that ITS will determine if additional subscriptions or services are within scope during the certification period and may increase the spending authority accordingly. Should National Student Clearinghouse 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 National Student Clearinghouse's proprietary StudentTracker Subscription will allow MDE to input their student data, provide national post-secondary student-level detail reports, and aggregated reports from the 247 high schools throughout Mississippi to determine the number of students enrolled in IHLs after leaving high school. In order to provide informational reports about enrollment of students in Institutions of Higher Learning (IHLs), the data must be gathered from IHLs nationally and stored in a central database. National Student Clearinghouse is the sole provider of the national database and will provide MDE with the most accurate student-level detail reports.

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

The Every Student Succeeds Act (ESSA), passed December 2015, requires that states report on the post-secondary enrollment of students in an annual report to the public. ESSA requires that this annual report be available on a single webpage and contain information about student performance, outcomes, school quality, and other areas. Specifically, ESSA requires MDE to report, at the state, district, and school level, the number of students who enrolled in public and private institutions of higher learning. MDE does not currently have the ability or access to gather national post-secondary enrollment data, so National Student Clearinghouse provides the data needed for MDE to complete its report as well as the data needed to meet ED Facts reporting requirements.

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:

In order to verify the postsecondary academic achievements of students, MDE requires access to a database with comprehensive coverage of postsecondary education degree records from postsecondary education institutions in the country. The Clearinghouse maintains these education records, dating back up-to 45 years, on behalf of the more than 3,700 colleges and universities, enrolling over 99% of all students in public and private U.S. institutions. These institutions have authorized the Clearinghouse to provide this information to high schools and high school districts in order to help them improve their educational programs. National Student Clearinghouse is the sole source of such a comprehensive database. The Vendor's sole source certification letter is included as Attachment A.

Schedule

Task	Date
First Advertisement Date	01/07/2025
Second Advertisement Date	01/14/2025
Response Deadline From Objectors	01/22/2025 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 01/23/25

Project Details

The Mississippi Department of Education is required by the Every Student Succeeds Act (ESSA) to annually report post-secondary enrollment of students to the public. MDE will utilize the National Student Clearinghouse's StudentTracker subscription to obtain the reports. In 2018, ITS began advertising the National Student Clearinghouse's Student Tracker Subscription as a sole source. No objections have been received; therefore, ITS has deemed this to be a sole source. ITS, on behalf of MDE, executed a Purchase Agreement that expires February 28, 2025. To date, MDE has spent to date \$295,022.00.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the StudentTracker Subscription 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 National Student Clearinghouse.

- 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, January 22, 2025, at 3:00 p.m. (Central Time) to Angelia Pryor at angelia.pryor@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 Angelia Pryor 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. 4649-48570
Accepted until January 22, 2025 @ 3:00 p.m.,
ATTENTION: Angelia Pryor**

If you have any questions concerning the information above or if we can be of further assistance, please contact Angelia Pryor at 601-432-8008 or via email at angelia.pryor@its.ms.gov.

- Attachment A: Vendor Correspondence
- Attachment B: Sole Source Procurement Overview

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National Student
Clearinghouse™

2300 Dulles Station Blvd., Suite 220
Herndon, VA 20171
www.studentclearinghouse.org

8/28/2024

Debra Hines
Director of Administration and Budget
Office of Technology and Strategic Services
Mississippi Department of Education

Dear Debra,

Thank you for your continued interest in StudentTracker Services. In order to verify the postsecondary academic achievements of your students, it requires access to a database with comprehensive coverage of postsecondary education degree records from postsecondary education institutions in the country. The Clearinghouse maintains these education records, dating back up to 45 years, on behalf of the more than 3,700 colleges and universities and colleges, enrolling over 99% of all students in public and private U.S. institutions. These institutions have authorized the Clearinghouse to provide this information to high schools and high school districts in order to help them improve their educational programs. We are the sole source of such a comprehensive database. Please do not hesitate to contact us if you have any additional questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary Chapin".

Mary Chapin
Chief Legal Officer

The mission of the National Student Clearinghouse is to serve the education and workforce communities and all learners with access to trusted data, related services, and insights.

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.