State of Nevada
Department of Administration

Purchasing Division

515 E. Musser Street, Suite 300
Carson City, NV 89701

Brian Sandoval
Governor

James R. Wells, CPA
Director

Greg Smith
Administrator

Purchasing Use Only:	
Approval#:	160301

SOLICITATION WAIVER JUSTIFICATION AND REQUEST FORM

ALL FIELDS ARE REQUIRED – INCOMPLETE REQUESTS WILL BE RETURNED TO THE AGENCY

1a	**Agency Contact Information - Note: Approved copy will be sent to only the contact(s) listed below:**		
	State Agency:	***Department of Employment, Training and Rehabilitation***	
	Contact Name and Title	*Phone Number*	*Email Address*
	Walter Cuneo, Management Analyst	***775-687-6864***	***wlcuneo@nvdetr.org***

	Vendor Information:	
1b	Identify Vendor:	***San Diego State University Research Foundation***
	Contact Name:	***Sandra Nordahl***
	Address:	***5250 Campanile Dr., San Diego, CA 92182***
	Telephone Number:	***619-594-4172***
	Email Address:	***snordahl@foundation.sdsu.edu***

1c	**Type of Waiver Requested – Check the appropriate type:**	
	Sole or Single Source:	*X*
	Professional Service Exemption:	

	Contract Information:				
1d	Is this a new Contract?	Yes	*X*	No	
	Amendment:	#			
	CETS:	#			

1e	**Term:**				
	One (1) Time Purchase:				
	Contract:	Start Date:	***Upon approval***	End Date:	***September 30, 2016***

1f	**Funding:**	
	State Appropriated:	***21.3%***
	Federal Funds:	***78.7%***
	Grant Funds:	
	Other (Explain):	

1g	**Total Estimated Value of this Service Contract, Amendment or Purchase:**
	$44,686

2	**Provide a description of work/services to be performed or commodity/good to be purchased:**
	A Comprehensive Statewide Needs Assessment of Individuals With Disabilities, seeking to join the workforce, or retain existing employment must be conducted, every three years according to the Rehabilitation Act of 1973, as amended. This Needs Assessment will apply to those deemed eligible participants to receive State of Nevada Department of Employment, Training and Rehabilitation (DETR), Rehabilitation Division Program Services. The Needs Assessment will conduct focus groups, interviews, and meetings with consumers, community partners, Workforce Investment Act partners, Community Rehabilitation Training Centers, and others, to determine needs of consumers and strengths and opportunities for improvement within the Rehabilitation Division, Program Services Bureaus. Census and State Demographer statistics, Consumer Satisfaction Surveys/Trends and other data will be reviewed, as well as results from the focus groups and meetings, to form conclusions. An Executive Written Summary will be prepared and a formal Presentation will be provided to the Division and State Rehabilitation Council.

3	**What are the unique features/qualifications required for this service or good that are not available from any other vendor:**
	San Diego State University (SDSU), Interwork Institute is Nevada's prescribed Technical Assistance and Continuing Education (TACE) entity, as required by the federal grant making agency, (US Dept. of Ed, RSA). As such, SDSU is uniquely qualified to perform this work, having supplied this service in 2007 and can build upon the previous model developed for Nevada, thereby saving monies and improved service delivery.

4	**Explain why this service or good cannot be competitively bid and why this purchase is economically only available from a single source:**
	SDSU is the only Technical Assistance and Continuing Education (TACE) entity for NV and thereby possesses a unique understanding of Rehabilitation Division program service delivery, federal statute and regulation and ADA disability accommodation needs of clients related to the Needs Assessment. This experience/perspective would take many years to replicate with another vendor. SDSU also has the model developed for NV Needs Assessment, and can save the Division funding that would be expended if required to develop a new model. The DETR Rehabilitation Division and the NV State Rehabilitation Council believe the survey instruments and the longitudinal analysis will lack continuity if the Vendor is changed. The Division and NV State Rehabilitation Council are concerned that results, resources and continuity would be negatively impacted by changing vendors at this time.

5	**Were alternative services or commodities evaluated? Check One.**	Yes:		No:	*X*
	a. *If yes, what were they and why were they unacceptable? Please be specific with regard to features, characteristics, requirements, capabilities and compatibility.*				
	b. *If not, why were alternatives not evaluated?*				
	There are no alternatives to Needs Assessment testing. It is required under federal Code: 34 CFR 361.29				

6	**Has the agency purchased this service or commodity in the past? Check One.** ***Note: If your previous purchase(s) was made via solicitation waiver(s), a copy or copies of ALL previous waivers must accompany this request.***	Yes:	*X*	No:	

	a. *If yes, starting with the most recent contract and working backward, for the* ***entire*** *relationship with this vendor, or any other vendor for this service or commodity, please provide the following information:*				
	Term Start and End Dates		*Value*	*Short Description*	*Type of Procurement (RFP, RFQ, Waiver)*
	12/6/06	***10/31/07***	***$26,555***	***Needs Assessment***	***RFP***
	2/9/2010	***10/31/2010***	***$27,050***	***Needs Assessment***	***Interlocal***
	10/01/2012	***09/20/2013***	***$35,225***	***Needs Assessment***	***Interlocal***
			$		
			$		

7	**What are the potential consequences to the State if the waiver request is denied and the service or good is competitively bid?**
	If the waiver is denied, it would take up to three months to undertake a solicitation and a minimum of another forty-five days to negotiate and sign a contract and have it approved. The earliest a vendor could start the Needs Assessment would be mid June 2016. From previous Needs Assessments, a minimum of ninety to 100 days is required to perform the study and another thirty to fourty days to compile the data and present the report to the Rehabilitation Division and the Nevada State Rehabilitation Council. The report must be finished and presented by the end of the Federal Fiscal Year (September 30, 2016) and under the best case solicitation scenario, the report would be presented after September 30, 2016.

8	**What efforts were made or conducted to substantiate there is no competition for the service or good and to ensure the price for this purchase is fair and reasonable?**
	For the last ten years, the Rehabilitation Division believed that the vendor was a public entity and thus used Interlocals. It has been determined that the vendor is an affiliate of San Diego State University, but not considered a public entity. There is no time to undertake a solicitation, but one will be undertaken for all future contracts.

9	**Will this purchase obligate the State to this vendor for future purchases? Check One.**	Yes:		No:	***X***
	a. *If yes, please provide details regarding future obligations or needs.*				

By signing below, I know and understand the contents of this Solicitation Waiver Request and Justification and attest that all statements are true and correct.

Agency Representative Initiating Request

Melissa A. Starr — 2/25/2016

Print Name of Agency Representative Initiating Request — Date

Signature of Agency Head Authorizing Request

Shelley Hendren — 2-26-16

Print Name of Agency Head Authorizing Request — Date

PLEASE NOTE: In an effort to avoid possible conflict with any equipment, system or process already installed or in place by the State of Nevada or to assist in our due diligence, State Purchasing may solicit a review of your request from another agency or entity. The signature below indicates another agency or entity has reviewed the information you provided. **This signature does not exempt your agency from any other processes that may be required.**

Name of agency or entity who provided information or review:

N/A

Representative Providing Review

Print Name of Representative Providing Review — Date

Please consider this memo as my approval of your request. This exemption is granted pursuant to NAC 333.150(2)(a)(b)(c), NRS 333.400. This exemption may be rescinded in the event reliable information becomes available upon which the Purchasing Administrator determines that the service or good sought may in fact be contracted for in a more effective manner. Pursuant to NRS 284.173(6), contracts for services do not become effective without the prior approval of the State Board of Examiners (BOE).

If you have any questions or concerns please contact the Purchasing Division at 775-684-0170.

Signed:

3-1-2016

Administrator, Purchasing Division or Designee — Date