



Purchasing Use Only:	
Approval#:	160303

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 Education		
		Contact Name and Title	Phone Number	Email Address
		Mark Gabrylczyk	775-687-9145	mgabrylczyk@doe.nv.gov
		Allyson Kellogg	775-687-9148	allysonkellogg@doe.nv.gov

Vendor Information:		
1b	Identify Vendor:	Solution Tree
	Contact Name:	Shannon R. Ritz
	Address:	555 N. Morton Street, Floor 2
	Telephone Number:	800-733-6786
	Email Address:	Shannon.ritz@solution-tree.com

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

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

1e	Term:			
	One (1) Time Purchase:	X		
	Contract:	Start Date:	4/12/16	End Date:

1f	Funding:	
	State Appropriated:	
	Federal Funds:	X
	Grant Funds:	
	Other (Explain):	

1g	Total Estimated Value of this Service Contract, Amendment or Purchase:
	\$19,500.00

Provide a description of work/services to be performed or commodity/good to be purchased:

Dr. Eric Twadell of Solution Tree will facilitate three sessions for the Nevada Department of Education (NDE) Office of School and Student Supports (OSSS) personnel to deepen their knowledge of a key component of the NDE Theory of Action. The Theory of Action was developed with internal and external stakeholders as a foundation to guide Nevada's underperforming schools in strengthening systems that lead to student achievement. It includes three elements: Tier I Instruction, Professional Learning Community (PLC) implementation and Strong Leadership. The Underperforming Guidance document also requires schools to implement a PLC culture.

2 *Dr. Twadell will educate the staff on the following: a collective understanding of a PLC, how to support schools in their efforts to implement a culture of collaboration, strategies to work with schools/districts to use data to examine their current realities, and how to support district/school leaders working with PLCs to build coherence and clarity.*

The work of the OSSS is to monitor the effectiveness of programs and grants, give direct technical assistance to districts, schools, and charter schools to promote student achievement, and to partner with school leaders to affect change through the Theory of Action.

In order to provide the above referenced support to Nevada's underperforming schools, the OSSS staff must understand the culture of a true PLC campus, have shared language when communicating with districts/schools and gain knowledge around strategies to assist schools for future growth.

What are the unique features/qualifications required for this service or good that are not available from any other vendor:

3 *Solution Tree owns all intellectual and copyright properties of PLC and Dr. Twadell, consultant of Solution Tree, is the current Superintendent of Adlai Stevenson High School (Lincolnshire, IL). The United States Department of Education (USDOE) has described Stevenson High School as, "the most recognized and celebrated school in America." Additionally, Stevenson is recognized by the USDOE as a New American High School (intended to serve as models for schools that have achieved high levels of success), a four-time Blue Ribbon school and repeatedly cited as one of America's top high schools and the "birthplace" of the Professional Learning Communities at Work process.*

Explain why this service or good cannot be competitively bid and why this purchase is economically only available from a single source:

4 *The service cannot be competitively bid because Solution Tree holds the exclusive rights to the intellectual and copyright properties of Professional Learning Community at Work process. Please see attached letter. Approximately fifty schools in the State already have contracts and relationships with Solution Tree and are currently being supported by them in the Professional Communities at Work process and therefore, the training will be consistent for our staff. State Departments of Education for Georgia, Delaware, Missouri, New Mexico, New Jersey, Arizona, Wyoming, West Virginia and Illinois have contracted with Solution Tree for these services.*

5	Were alternative services or commodities evaluated? Check One.				Yes:	<input type="checkbox"/>	No:	<input checked="" type="checkbox"/>
	a. <i>If yes, what were they and why were they unacceptable? Please be specific with regard to features, characteristics, requirements, capabilities and compatibility.</i>							
	b. <i>If not, why were alternatives not evaluated?</i>							

Solution Tree holds the exclusive rights to the PLC process. Other vendors would be breaking Intellectual and Copyright Property Law. Other vendors state they are able to provide the Professional Learning Community at Work process. However, Adlai E. Stevenson High School is the birthplace of the process, and Dr. Twadell is the current Superintendent of the school: His experience and school improvement results are unmatched, and this training will provide the best return on investment as compared to other vendors.

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 <u>ALL</u> previous waivers <u>MUST</u> accompany this request.			Yes:	No:	X	
	a. <i>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:</i>						
	<i>Term Start and End Dates</i>		<i>Value</i>	<i>Short Description</i>	<i>Type of Procurement (RFP, RFQ, Waiver #)</i>		
			\$				
			\$				
			\$				

7	What are the potential consequences to the State if the waiver request is denied and the service or good is competitively bid? <i>School improvement efforts related to Professional Learning Communities, a key component of the NDE Theory of Action, will be limited if the waiver request is denied.</i>
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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? <i>There is no comparable vendor. Solution Tree holds the exclusive rights to the PLC process.</i>
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9	Will this purchase obligate the State to this vendor for future purchases? Check One.			Yes:	No:	X
	a. <i>If yes, please provide details regarding future obligations or needs.</i>					

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.

Mark Eberlykayk
Agency Representative Initiating Request

Mark Eberlykayk
Print Name of Agency Representative Initiating Request

3-14-16
Date

Steve Canaver
Signature of Agency Head Authorizing Request

Steve Canaver
Print Name of Agency Head Authorizing Request

3.14.16
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:~~

~~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:

JH
Administrator, Purchasing Division or Designee

3-16-2016
Date