



Cache County School District
Purchasing Department
84 E 2400 N, North Logan, UT 84341
Phone: 435-752-3925 www.ccsdut.org

NOTICE OF INTENT TO AWARD A CONTRACT WITHOUT ENGAGING IN A STANDARD PROCUREMENT PROCESS

The Cache County School District (CCSD) Purchasing Department is publishing this notice pursuant to the Utah Procurement Code. The requesting department submitted this form to the Purchasing Department claiming that it intends to award a contract without competition if it is determined by the Purchasing Department, in writing, that:

- there is only one source for the procurement item;
- transitional costs are a significant consideration in selecting a procurement item; or
- the award of a contract is under circumstances, described in rules adopted by the applicable rulemaking authority, that make awarding the contract through a standard procurement process impractical and not in the best interest of the CCSD.

In the subsequent pages, the requesting department has identified its justification for wanting to award a contract without engaging in standard procurement process.

Determination of Other Interested Vendors

The intent of this notice is to determine if there are any other interested and qualified vendors that meet the specifications of this notice. Any such vendors must submit the following information:

- The name of the contesting qualified vendor; and
- A detailed explanation, including documentation, showcasing any other competing sources for the procurement item.

In addition, a qualified vendor should include:

- Documentation that vendor can provide a comparable or better procurement item that meets or exceeds the specifications;
- Documentation that vendor can also provide the same proprietary procurement item or an equivalent procurement item; and
- If transitional costs are identified as the justification for this notice, submit a cost comparison of the identified transitional costs with vendor's anticipated transitional costs.

Regardless of any prior communications with CCSD or the Purchasing Department, all vendors interested in responding to this notice must submit a response to this posting containing complete responses to all of the information requested above.

DO NOT CONTACT THE CONDUCTING PROCUREMENT UNIT. Any questions regarding this notice, including obtaining additional information, can be obtained through the Purchasing Department during the publication period. No action is required if you agree with this Notice.

If, after the public notice period has passed, the Purchasing Department determines that there are other interested and qualified vendors that meet the specifications of this notice, the Division of Purchasing will not award a contract pursuant to this notice.

If, after the public notice period has passed, no valid challenges have been received, then the Purchasing Department may award a contract to the identified vendor without competition.

Please read the entire form very carefully before responding to this notice.

Department/School Contact Information

Department/Division Name:	CCSD Teaching and Learning		
Contact Person and Title:	Brittany Foster		
E-mail Address:	brittany.foster@ccsdut.org	Telephone Number:	435-752-3925
Does the requestor or anyone at the requesting department/school have any personal, financial, or fiduciary relationship with the proposed vendor? No			

Item or Service

Description of procurement item to be purchased:		BYU Independent Study Online Suite of Courses
Estimated value of the contract/purchase order:		\$64,629 for 588 student licenses/year, \$43/license for additional licenses
Freight Cost (F.O.B. Destination, Freight Prepaid):		N/A
<input checked="" type="checkbox"/>	Contract	<ol style="list-style-type: none"> Insert requested term of contract: <u>3</u> and renewal options: <u>2</u> (The standard contract term is five (5) years. If the requested term will be longer than five years, written justification is required.) The Department/School may not make the procurement until the solicitation process is completed and a contract is written and signed by the Department/School, the vendor, and the Purchasing Department.
<input type="checkbox"/>	Purchase Order	<ol style="list-style-type: none"> If the total purchase will be greater than \$5,000.00 the Department/School may not make the procurement until after the solicitation process is completed, the PO is signed by the Purchasing Department, and the PO is delivered to both the Department/School and the vendor.

Vendor Information

Vendor Name:	BYU Independent Study
Vendor Contact Person:	John Kent
Vendor Email Address:	john.kent@byu.edu
Vendor Telephone Number:	801-422-1106
Vendor Ordering Address:	BYU Continuing Education 116 HCEB Provo, UT 84602
<i>All items in the above section are required.</i>	

Complete the following if no vendor number exists in BusinessPLUS (IFAS):

Vendor Federal Tax ID# (TIN): (9 Digits):	47-5649198
Type of Vendor:	Click to use the drop-down menu to select the type of vendor.

CHECK THE BOX THAT IDENTIFIES WHY A CONTRACT/PURCHASE ORDER SHOULD BE AWARDED WITHOUT ENGAGING IN A STANDARD PROCUREMENT PROCESS:		
<input type="checkbox"/>	There is only one source for the procurement item.	Complete section A
<input type="checkbox"/>	Transitional costs are a significant consideration in selecting a procurement item and the results of a cost-benefit analysis demonstrate that transitional costs are unreasonable or cost-prohibitive, and that the award of a contract without engaging in a standard procurement process is in the best interest of the procurement unit	Complete section B
<input checked="" type="checkbox"/>	The award of a contract is under circumstances, described in Utah Administrative Code R33-8, that make awarding the contract through a standard procurement process impractical and not in the best interest of the procurement unit.	Complete section C

SECTION A: ONLY ONE SOURCE

1.	What is unique about this procurement item to justify an award of contract without engaging in a standard procurement process? (Explain in detail why the service or product is only available from a single supplier.)
2.	Could the procurement item be reasonably modified to allow for competition?
3.	Explain the market research performed.
4.	What research have you conducted to ensure the requested procurement item is not available on an existing district or state cooperative contract?
5.	If there is only one source for the procurement item, list the names of other similar vendors contacted, contact person, and a summary of their response,

SECTION B: TRANSITIONAL COSTS – If you have selected Section B you must also complete Attachment A – Cost Benefit Analysis

1.	Describe the existing equipment, technology, software, accessories, replacement parts, or service, hereafter referred to as equipment; include the original purchase price and date of purchase for the existing equipment.
2.	Please supply the following: <ul style="list-style-type: none"> a. Procurement method that was used to purchase the existing equipment/service? (IFB, RFP, Sole Source): b. Bid number, P.O. number, Requisition number, or sole source number for the existing equipment/service: c. Contract number for the existing equipment/service:
3.	Complete “Attachment A - Cost-Benefit Analysis”, as required by Utah Procurement Code §63G-6a-802 that demonstrates transitional costs are unreasonable or cost-prohibitive.

SECTION C: STANDARD PROCUREMENT PROCESS IMPRACTICABLE

1.	<p>Cite the applicable rule from Utah Administrative Code R33-8 that provides awarding the contract through a standard procurement process as impractical and not in the best interest of the procurement unit under the circumstances; including any supporting documentation.</p> <p>Cache County School District has an existing contract with BYU Independent Study to provide online coursework as part of our district’s virtual learning program. Over the course of our partnership, significant time and effort have been invested to:</p> <ul style="list-style-type: none"> • Align BYU Independent Study courses with state standards and district graduation requirements • Customize implementation and support systems • Develop enrollment, tracking, and reporting tools integrated into our student information systems • Provide professional development and technical support for staff and families <p>Currently, hundreds of students across our district have active accounts and are enrolled in BYU Independent Study courses. These courses are central to their academic progress, with many nearing course completion or actively working toward graduation credits.</p> <p>Per Utah Administrative Code R33-8-101c(1)(c), a contract may be awarded without standard procurement procedures when:</p> <p style="text-align: center;"><i>"The award of a contract for a procurement item is for... an item where compatibility is the overriding consideration."</i></p>
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In this case, compatibility with existing systems, course progress, and student access is paramount. Awarding the contract to any vendor other than BYU Independent Study would present the following risks:

- Loss of access to student coursework: Disruption to student learning and potential loss of academic credit
- Incompatibility with current systems: Our current system is tailored to BYU's platform and would require redevelopment with any other vendor
- Implementation timeline impracticality: Identifying, vetting, contracting with, and onboarding a new vendor before the upcoming school year is not feasible
- Unreasonable cost and effort to transition: A new implementation would require significant staff time, training, and technical integration

Given these factors, pursuing a new vendor through a standard procurement process is not only impractical, but it is also not in the best interest of the district or the students we serve.

In alignment with Utah Administrative Code R33-8-101c(1)(c), the unique compatibility needs and operational realities of our virtual program support the award of a new contract to BYU Independent Study outside the standard procurement process. This determination ensures continuity for students and preserves the integrity of our virtual learning program.

2.	Please supply the following, if applicable:
a.	Procurement method that was used to purchase the existing equipment? (IFB, RFP, Sole Source):
b.	Bid number, P.O. #, Requisition #, or sole source number for the existing equipment/services:
c.	Contract number for the existing equipment/services

Administration Approval:	
Authorized Department/School Administrator	Date

Recommend Award:		Final Approval by Purchasing Director:	
CCSD Purchasing Agent	Date	Karma Leatham, Purchasing Manager	Date

THIS SECTION TO BE FILLED OUT BY CCSD PURCHASING DEPARTMENT

The public notice period shall be (Check the box that applies):

a.	If the cost of the procurement exceeds \$50,000 then the publication of the notice must be made in accordance with Section 63G-6a-112. <input type="checkbox"/>
b.	Procurements under \$50,000.00 are not required to be published, but may be published at the discretion of the CCSD Director of Purchasing Published: <input type="checkbox"/> Not Published: <input type="checkbox"/>
c.	Publication is not required for a procurement pursuant to a trial use contract. <input type="checkbox"/>
d.	Publication is waived for an award of contract without engaging in a standard procurement process procurement: <input type="checkbox"/> For any procurement item identified in Utah Administrative Code R33-8-101(7)(b)(i-viii); <input type="checkbox"/> For award to a specific supplier, service provider, or contractor is a condition of a donation that will fund the full cost of the supply, service, or construction item; <input type="checkbox"/> For other circumstances as determined in writing by the chief procurement officer or head of a procurement unity with independent procurement authority.

The Terms and Conditions that will be attached to the awarded agency contract/purchase order:

District Contract:	<input type="checkbox"/> Goods <input type="checkbox"/> Services <input type="checkbox"/> IT for DTS only <input type="checkbox"/> Att. B IT Non-DTS (include DTS Exception Form, if applicable)
Purchase Order:	<input type="checkbox"/> Goods <input type="checkbox"/> Services <input type="checkbox"/> IT for DTS only <input type="checkbox"/> Att. B IT Non-DTS (include DTS Exception Form, if applicable)

For Purchasing Department Use After the Public Posting Period: Agent:

Notice#:	
Commodity Code(s):	
# of Vendors Sent To:	
Additional Research & Comments:	
Summary of Contest(s) Received & Determination:	