

## SOLE SOURCE DETERMINATION FORM

A sole source determination is not effective until the determination has been approved, in writing, by the Executive Director of Procurement or designee even if signed by the department and/or school, or prospective contractor.

I. Name of Department or School: Science Distribution Center  
Contact Person: Yvette Dodge-Supervisor \_\_\_\_\_  
Telephone No.: (505)883-9148 \_\_\_\_\_ Fax No.: (505)767-2604 \_\_\_\_\_  
E-Mail Address: Dodge\_y@aps.edu \_\_\_\_\_

II. Name of prospective contractor: Center for Hands-On Learning \_\_\_\_\_  
Address: 206 Frontage Road NE \_\_\_\_\_  
City, State, ZIP Code Rio Rancho, New Mexico 87124 \_\_\_\_\_  
Telephone No.: (505)896-1122 \_\_\_\_\_ Fax No: (505)892-6375 \_\_\_\_\_  
Email Address: [www.handsonlearning.org](http://www.handsonlearning.org) \_\_\_\_\_

**Descriptive Title and use of proposed Sole Source:**

Custom Science Kits manufactured, sold and distributed exclusively by Center for Hands-On Learning for Science Instructional programs for K-5. Establish consistent science curriculum across district and ensure all state/CCSS standards are met. \_\_\_\_\_

**APS employees involved in determination:**

| Name             | Phone number  | E-mail Address   |
|------------------|---------------|--|
| Steven Carpenter | (505)878-6112 | <a href="mailto:carpenter_st@aps.edu">carpenter_st@aps.edu</a> |
| Geraldine Jones  | (505)878-6119 | <a href="mailto:maestas_gd@aps.edu">maestas_gd@aps.edu</a>     |
| Yvette Dodge     | (505)883-9148 | <a href="mailto:Dodge_y@aps.edu">Dodge_y@aps.edu</a>           |

III. An explanation of the criteria developed and specified by the department and/or school as necessary to perform the contract and upon which the state agency reviewed available resources. (Please do not use "technical jargon"; use plain English. Also, please do not tailor the criteria simply to exclude other contractors if it is not rationally related to the purpose of the contract.)

The district must establish consistent science curriculum across the district, ensure that all state/CCSS science standards are met and in the interest of efficiencies and cost savings, we will move all the elementary schools to the Center for Hands-On Learning for the school year. Kits include different items for each grade, K-5, and has four different kits (Earth/Space, Life/Healthy, and two physical science kits). Each teacher receives each kit for their grade every year.

- IV. A detailed, sufficient explanation of the reasons, qualifications, proprietary rights or unique capabilities of the prospective contractor that makes the prospective contractor the **ONLY** source capable of providing the required professional service. (Please do not state the source is the “best” source or the “least costly” source. Those factors do not justify a “sole source.”)

As per attached letter Center for Hands-On Learning products (see attached letter for products) are manufactured, sold and distributed exclusively by Center for Hands-On Learning. As the letter states there are no agents, or dealers authorized to represent this product. Additionally, competitions is precluded because Center for Hands-On Learning is the manufacturer, and have the exclusive right to market this product.

Please reference the attached email and Sole Source Letter from Patrick Garcia, CEO & Managing Director for Center for Hands-On Learning for further details and justification.

- V. A narrative description of the procedures used the department and/or school to conduct a good faith review of available sources, including researching trade publications, industry newsletters and the internet; reviewing telephone books, and other advertisements; contacting similar service providers; and reviewing the Procurement Executive Director’s vendor list.

The District referenced the Common Core State Standards (CCSS) for science curriculum developed for the state of New Mexico through the New Mexico Public Education (NMPED). Resources from Center for Hands-On Learning have been used by some of the schools in the district in the past and have been successful in learning science.

- VI. A list of all businesses contacted (**do not state that no other businesses were contacted**), date of contact, method of contact (telephone, mail, e-mail, other), and documentation demonstrating and explanation of why those businesses could not or would not, under any circumstances, perform the contract or provide goods; or an explanation of why the department and/or school has determined that no businesses other than the prospective contractor can perform the contract.

As per the letter attached Center for Hands-On Learning is the copyright holder for the printed materials in the kits. Center for Hands-On Learning has Copyrights registered with the U.S. Patent and Trademark Office for all their products.

- VII. A four (4) year plan from the department and/or school stating the steps being taken to resolve the need for a Sole Source. (Not applicable for professional services Sole Source.)

Since Center for Hands-On Learning Science Kits (see attached letter) are manufactured, sold and distributed exclusively by the company and competition is precluded because Center for Hands-On Learning has the exclusive rights to market this product.

The use of the copyrighted material eliminates the use of other sources.

The Science Kits for the science learning curriculum are updated/revised for each school year based on current standards.

CERTIFIED BY:

Yvette Dodge  
Requestor

7/30/14  
Date

DEPARTMENT OR SCHOOL APPROVAL

Paul M. Herman  
Principal or Site Administrator

7/31/14  
Date

APPROVED

Steven Carpenter  
Buyer

7/30/14  
Date

FINAL APPROVAL

[Signature]  
Executive Director or Designee

7/30/14  
Date

*If this sole source relates to a procurement of Albuquerque Public Schools:*

- 1) the signature of the Executive on this form certifies the sole source has been posted for thirty (30) calendar days and has received no challenges;
- 2) the sole source is granted as of the date of signature by the State Purchasing Agent; and
- 3) the signature of the Executive Director on this form is the final signature required for this sole source procurement.
- 4) this sole source is granted as of the date of signature by the Executive Director of Procurement or designee.

APPROVED:

[Signature]  
Executive Director of Procurement or Designee

7/30/14  
Date



206 Frontage Road NE  
Rio Rancho, New Mexico 87124  
A 501c3 – Non Profit

Founded in 1994 by Teachers for Teachers

*"Dedicated to providing resources to teachers everywhere"*

## **SOLE SOURCE LETTER**

July 29, 2014

Albuquerque Public Schools  
Geraldine Jones – Instructional Materials Technician  
Procurement Division  
6400 Uptown Blvd NE, Suite 500 East  
Albuquerque, New Mexico 87110

This letter is to confirm that the *Journey into Science, its refill kits, Teacher Guides and consumables* are sole source products, manufactured, sold and distributed exclusively by **Center for Hands-On Learning**. No other division of **Center for Hands-On Learning**, nor any other company, makes a similar or competing product. This product must be purchased directly by institutions from **Center for Hands-On Learning** at the address listed above. There are no agents or dealers authorized to represent this product. Additionally, competition is precluded because we are the manufacturer, and have exclusive right to market this product.

There is no other like item(s) or product(s) available for purchase that would serve the same purpose or function and there is only one price for the above names item(s) or product(s) because of exclusive distribution or marketing rights. Center for Hands-On Learning has Copyrights registered with the U.S. Patent and Trademark Office for all of our products.

If you have further questions or need additional information, please contact me at (505) 896-1122 at any time or visit our website(s) at [www.handsonlearning.org](http://www.handsonlearning.org), [www.standards-toolbox.org](http://www.standards-toolbox.org) and [www.energy2040.org](http://www.energy2040.org). Thank you for your interest in our products.

Very Respectfully,

A handwritten signature in black ink, appearing to read "Patrick Garcia", written over a horizontal line.

Patrick Garcia  
CEO & Managing Director



## Carpenter, Steven

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**From:** Maestas, Geraldine D  
**Sent:** Wednesday, July 30, 2014 7:32 AM  
**To:** Heckart, Mark E; Carpenter, Steven  
**Subject:** FW: APS CCSS Science Kits  
**Attachments:** APS 2014 Sole Source Letter.pdf

**Importance:** High

*Geraldine D. Jones*  
*Instructional Materials Technician*

APS Procurement Division | 6400 Uptown Blvd NE, Suite 500East | Albuquerque, NM 87110 | T: 505.878.6119 | F: 505.830.1161

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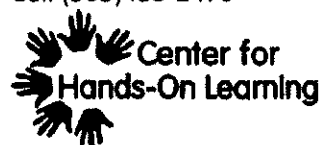
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**From:** Patrick Garcia [<mailto:patrick@centerforhandsonlearning.org>]  
**Sent:** Tuesday, July 29, 2014 4:17 PM  
**To:** Maestas, Geraldine D  
**Subject:** RE: APS CCSS Science Kits  
**Importance:** High

No problem, yes we are the copyright holder for the printed materials in the kits and I can send you copies of the Copyright's should you need them. I have attached a sole source letter for you. Please let me know if there is anything else I can provide for you. Thank you again.

Very Respectfully,  
Patrick

Patrick Garcia  
CEO & Managing Director  
Center for Hands-On Learning  
Work (505)896-1122  
Fax (505)892-6375  
Cell (505)453-2479



**From:** Maestas, Geraldine D [[mailto:maestas\\_gd@aps.edu](mailto:maestas_gd@aps.edu)]  
**Sent:** Tuesday, July 29, 2014 12:43 PM  
**To:** Patrick Garcia  
**Subject:** RE: APS CCSS Science Kits

Hi Patrick,

Thank you for the information you have provided so far.

In efforts to insure we are in compliance with State Procurement Code, I will need a bit more information please...

Is Center for Hands on Learning the copyright holders of the printed materials included in the kits?

We had a sole source/copyright holder letter on file for previous purchases. Are the current kits a sole source and/or copyrighted and if so, will you provide me with a letter stating so?

Thanks again!

*Geraldine D. Jones*  
*Instructional Materials Technician*

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**From:** Patrick Garcia [<mailto:patrick@centerforhandsonlearning.org>]  
**Sent:** Tuesday, July 29, 2014 12:10 PM  
**To:** Maestas, Geraldine D  
**Subject:** RE: APS CCSS Science Kits  
**Importance:** High

Hi Geraldine, please see attached bill of materials. Please let me know if you have any questions or need more information. Thank you!

Very Respectfully,  
Patrick

Patrick Garcia  
CEO & Managing Director  
Center for Hands-On Learning  
Work (505)896-1122  
Fax (505)892-6375  
Cell (505)453-2479





**From:** Maestas, Geraldine D [[mailto:maestas\\_gd@aps.edu](mailto:maestas_gd@aps.edu)]  
**Sent:** Monday, July 28, 2014 3:27 PM  
**To:** [patrick@centerforhandsonlearning.org](mailto:patrick@centerforhandsonlearning.org)  
**Subject:** APS CCSS Science Kits

Good afternoon Patrick,

Can you provide me with a couple examples of science kits (component breakdown) on the attached quote please?

Thanks,

*Geraldine D. Jones*  
*Instructional Materials Technician*

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