

**Agency:** Mississippi Department of Education

**Agency Contact:** Walt Drane/Jennifer Robinson

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**Contractor Name:** ACT, Inc.

**Contract Address:** 500 ACT Drive, Iowa City, IA 52243-0168

**Service Type:** Assessment

**Date of Contract:** September 1, 2018 - June 30, 2019

**Length of Initial Contract:** 10 Months

**Number of Renewals:** 4

**Total Value of Contract including Renewals:** \$6,840,000

**Why is the personal or professional service the only one that can meet the needs of the agency?**

Section 45 of House Bill 1592 (Regular Session 2018) requires the Mississippi Department of Education (MDE) to administer the “ACT” test for the college readiness portion of the state accountability model. The “ACT” is a wholly owned product of ACT, Inc. (See Affidavit dated March 2, 2018, attached hereto).

**Why is the source the only person or entity that can provide the required personal or professional service?**

ACT, Inc. is the sole owner and administrator of the ACT assessment.

**Why is the amount to be expended for the personal or professional service reasonable?**

Purchasing this assessment for a statewide administration is less expensive than the price a student would pay to take the ACT during a typical Saturday assessment.

**What efforts were made to ensure the best possible price for the services was obtained?**

ACT, Inc. offers a fixed price for all states that use the ACT as a statewide assessment.

**Instructions for filing objections:**

If any person or entity objects and proposes that the personal or professional service published is not a sole-source service and that the service can be provided by another person or entity, the objecting person or entity shall notify the Mississippi Department of Education and the Public Procurement Review Board in writing with an explanation of why the personal or professional service is not a sole-source service. The objection must be submitted by May 31, 2018 at 5:00 p.m.

**AFFIDAVIT**

STATE OF IOWA           )  
                                      )  
COUNTY OF JOHNSON    )

I, Paul J. Weeks, being duly sworn, or having duly affirmed to tell the truth, stated personally before me:

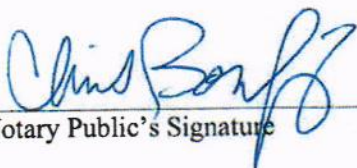
1. I am employed by ACT, Inc. ("ACT") as Senior Vice President for Client Relations.
2. ACT, Inc. is the sole owner and distributor of the ACT® assessment, and it may not be purchased or acquired from any other supplier or entity.
3. The ACT assessment is proprietary to ACT, Inc. protected by copyright and trademark, and must be ordered directly from ACT, Inc.

  
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Paul J. Weeks

**Notary**

State of Iowa           )  
                                      )  
County of Johnson     )

Sworn and subscribed before me on the 2 day of March, 2018.

  
\_\_\_\_\_  
Notary Public's Signature

Notary Stamp/Seal

My Commission Number is: 763133  
My Commission Expires: 7/13/19

