

RIVERSIDE COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. 06-19/20

RESOLUTION TO APPROVE SOLE SOURCE PROCUREMENT OF NUVENTIVE SOFTWARE MAINTENANCE AND FUTURE PRODUCT ENHANCEMENT SERVICES THROUGHOUT THE DISTRICT AND TO AWARD A MASTER SOFTWARE AND PROFESSIONAL SERVICES AGREEMENT TO NUVENTIVE, INC. BASED UPON THE FINDING THAT COMPETITIVE BIDDING WOULD NOT PRODUCE ANY ADVANTAGE

WHEREAS, Nuventive Improve provides a flexible framework to assist the Riverside Community College District academic community to organize, align, document, report, and take effective actions for improvement; and

WHEREAS, Nuventive Improve service demonstrates a unique concept to support the District's efforts in data-informed strategic planning, program review, accreditation, and managing academic and administrative outcomes; and

WHEREAS, Nuventive Improve supports a broad range of activities including academic outcomes, operational performance improvements, and strategic planning and program review; and

WHEREAS, Nuventive Improve provides a clear picture of progress through easily accessible evidence, including both quantitative and qualitative documentation of outcomes; and

WHEREAS, Nuventive Improve measures and summarizes achievement from multiple departments by linking data to the District's strategic objectives; and

WHEREAS, Nuventive Improve combines all parts of the strategic planning and program review processes into a single system to optimize reporting and tracking, making data-informed planning and outcomes assessment simple and more efficient for the District as a whole; and

WHEREAS, Nuventive Improve offers an extensive level of integration by aggregating all assessment, program review and planning information into a single platform which no other solution offers; and

WHEREAS, using Nuventive would allow the District to plan more consistently, collaborate more effectively, and make smarter decisions for the institution in an efficient manner; and

WHEREAS, California Public Contract Code Section 20651 requires the District to advertise publicly for bids for the purchase of goods or services involving an expenditure which exceeds the state-mandated bid limit; and

WHEREAS, sufficient evidence exists for the Board of Trustees to support a finding that a competitive bidding process is not feasible or practical, and that a sole source procurement is in the best interest of the District, permitting an exception to be allowed under these circumstances; and

WHEREAS, the District has undertaken research into various other online strategic planning

and assessment providers, none of which can match the unique system capabilities that would properly serve the District's strategic planning purposes; and

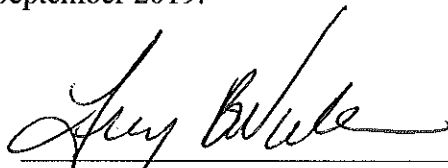
WHEREAS, it is in the best interest of the District to let a purchase order contract without formal, public advertising and receiving of bids.

WHEREAS, Meakin v. Steveland (1977) 68 Cal.App.3d 490 and Los Angeles Dredging v. Long Beach (1930) 210 Cal. 348 hold that statutes requiring competitive bidding do not apply when competitive bidding would work an incongruity and not produce any advantage; and

NOW, THEREFORE, IT IS RESOLVED THAT, the District requests to enter into a Service Agreement between Riverside Community College District and Nuventive, Inc.

IT IS FURTHER RESOLVED THAT, the foregoing reasons are sufficient to support a finding by the Board of Trustees that it is in the District's best interest to authorize the letting of sole source contracts, as needed, to Nuventive, Inc.

ADOPTED this 17th day of September 2019.



Tracey Yackar
President of the Board of Trustees
Riverside Community College District