

SOURCE JUSTIFICATION FORM

Bureau of Procurement

The objective of this form is to capture all relevant documentation an Agency may have to assist the Department of General Services ("DGS"), Bureau of Procurement, in expediting the source justification review process. This form must be completed electronically, signed, and submitted with all relevant documentation to DGS. If a question is neither mandatory nor applicable, please indicate "N/A". Please use standard terminology and define acronyms.

SECTION A

1. Agency Name:	Game Commission		
2. Procurement Description: This description will appear on the eMarketplace website for public viewing	PGC is interested in securely writing and administering online test items for their Hunter Education classes that are taught throughout the state. These classes are traditionally taught in person, but due to the current pandemic that has plagued our country, the classes and associated test must be delivered through Zoom or another video conferencing set-up compatible with Kalkomey hunter Ed Classes delivered through Zoom. Online security is of the utmost importance in providing this service for the PGC.		
Materials Description:			
Services Description:			
3. Materials Shopping Cart # or Services SPR#	Estimated Cost:	\$5K - \$10K	
	Initial Contract Term:	03/01/2021 - 02/28/2022	
	Renewals:	5 Total Annual Segment	
4. Supplier - Name:	Caveon LLC		
Full Address:	6905 South 1300 East #468, Midvale, Utah 84047		
Contact Name:	Walt Drane, Ed.S. Director of Educational Services		
Telephone:	601-968-7873	FAX:	801-437-3319
E-mail:	waltdrane@caveon.com		
SRM Supplier #:			
5. Delivery or service location:	PA Game Commission, 2001 Elmerton Ave. Harrisburg,		

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SECTION B

- 1. Sole Source:** Only known source - Not available from another supplier.
- 2. Material/Repair/Maintenance:** Material or service MUST be compatible with existing equipment. Documentation must be provided from the manufacturer.
- 3. Used Equipment:** Value set by 2 independent 3rd party appraisals.
- 4. Professional Expert:** Describe in detail in Section C.
- 5. Exempt (Law):** A federal or state statute or regulation exempts the procurement from the competitive procedure. Any applicable information precluding the procurement from competitive procedures must be attached.
- 6. Feasibility:** Clearly not feasible to award the contract on a competitive basis.

SECTION C

1. Describe the unique features of this procurement that prohibit a competitive environment. If applicable, attach a Statement of Work ("SOW").

See Attached Statement of Work (SOW).

2. Document and attach the research that has been conducted to date to verify the supplier is the only known source.

See Attached Sheet.

3. Does the supplier utilize distributors, dealers, resellers, etc.? If "Yes," please identify.

No.

4. Are there compatibility requirements or compliance requirements with a warranty or service agreement? If "Yes," please explain.

Yes, Internal State Vetting, PA Office of Administration, Compatibility Requirements.

5. How has the material or service been procured in the past? Please provide previous source justifications, contracts, & PO's for this material or service.

This service is new Due to Covid Pandemic lockdowns and need to provide a work around situation as classroom testing situation is not permitted.

6. If procured through the IT ITQ process, please provide original \$ amount and contract period of order. Is this the final phase of the project?

This is a cloud system application already tested and approved by OA. See attached Sheets. Final Phase as existing product.

7. If this is an upgrade, addition, alteration, etc., to an earlier procurement, please describe in detail.

N/A

8. What are the consequences of not approving this procurement?

The PGC will lose out as will customers, on having any new hunters certified in order to hunt this coming year beginning July 1, 2021.

Section B 5. Exemptions and Section C 2. Supplier Information Research

For the reasons set forth below, the purchase of the Caveon software meets the statutory exemptions to the bid process contained in PA STATUTE, Title 62, Chapter 5, section 515, (62 PA Cons Stat § 515 (2016)).

The first statutory exemption applies in situations when it is determined that, “Only a single contractor is capable of providing the supply, service or construction.” In this instance, Caveon is the only contractor that can provide the service of allowing the Game Commission to develop a paper test which matches the existing curriculum and presentation used in the in-person classes. In March of 2020, due to COVID-19 and the resulting cancelation of in-person Hunter-Trapper Education classes, staff from the Research & Education Division within the Bureau of Information and Education immediately began exploring options for holding classes virtually and still providing the tests that are essential to the hunter-trapper education program. Caveon is the only entity we have found who can provide this service of using the Commission’s established testing materials for virtual classes. Using the service of another contractor would require the Commission to not only develop a new test, but to retrain the more than 1800 volunteer Hunter-Trapper Education Instructors who have experience teaching the course and administering the established test.

The second statutory exemption applies in situations in which, “The total cost of the supply, service or construction is less than the amount established by the department for small, no-bid procurements...” In this instance, the cost of the service provided by Caveon will be less than \$10,000.00 per year based on the contractual provisions to setup, license, host and administer tests. Furthermore, based on our analysis of the demographic of new hunters in the Commonwealth demonstrated over the past several years, i.e. rural areas with little to no internet, communities that do not use modern technology, the traditions and culture related to the Hunter-Trapper Education class experience, it is anticipated the costs related to the number of students per-year will not exceed the \$10,000 threshold.

The final section of the statute which applies in this case provides an exception to the bid process when “it is clearly not feasible to award the contract for supplies or services on a competitive basis.” The Game Commission is one of the few state agencies that does not receive an appropriation from the Commonwealth’s general fund. Rather, the Commission is funded primarily through the sale of hunting and trapping licenses. Under Title 34, which establishes and governs the Commission, an individual is not eligible to purchase a hunting or trapping license without first having completed the Hunter-Trapper Education program administered by the Commission. Thus, the Hunter-Trapper Education program is critical to the ability of the Commission to receive the funding it needs to fulfill its mission. Furthermore, the Hunter-Trapper Education program is funded by Federal Grant monies, the formula for distribution which takes into account the number of hours the Hunter-Trapper Education Instructors have taught classes. Accordingly, the widespread cessation of in-person classes as a result of the COVID-19 pandemic has the potential to result in a drastic decrease of funding for the Commission and threatens the future of the Hunter-Trapper Education program. As a result, the Commission has been required to develop alternative means of providing instruction to certify new hunters to purchase Hunting and Trapping licenses in a timely basis. Based on these factors

and the immediacy involved in developing an alternative system for delivering the Hunter-Trapper Education program, it is not feasible to go through the competitive bid process, as the time delay in doing so has the potential to cause significant harm to the Commission and decrease the services it can provide to residents of the Commonwealth.

With regard to Zoom, that would be used to present the Hunter Education PowerPoint presentation and videos to the students streamed over the internet with instructors participating to present the information and direct discussion of the materials:

The Zoom platform provides the educational format imperative to conduct Hunter/Trapper Education classes in a web conference setting, including breakout rooms to work with students needing test assistance on a more individualized basis. Another reason for the need for Zoom rather than other established platforms used by the Commonwealth is that polling during the class sessions to check student attention and retention, reaction buttons for students that aid in the flow of information and questioning, breakout rooms and other features are presented in a layout and framework that is much more user friendly. Our volunteer instructors, most of whom are older and lacking in computer technology experience, as well as the students, most of whom are pre-teen and early teen aged, need that ease of use.

Also, we will be presenting to students from across the Commonwealth, mixing minors and adults in the same session rather than having all similarly aged students of the same peer group who know each other; the features and simplicity of Zoom help protect our students. As the pandemic related needs have necessitated distance learning education in schools, many children are just now becoming familiar with web-based training and education.

The simplicity of use and ease of instruction for connectivity purposes combined with the features in Zoom offer a platform to provide a means of instruction for the varied Instructors and attendees that cannot be found with Skype, GotoMeetings, Microsoft Teams, Webex or other platforms that have been reviewed. If the Game Commission Volunteer Instructors and/or students for certification find the platform of the class presentation too complicated or lacking in features, attendance will be adversely affected and thereby affect the overall mission and goals of Pennsylvania's Hunter Education program.

Section C 1. Attached Statement of Work

Qualifications and Expertise

In 2003, a group of test industry veterans founded Caveon for one sole purpose: to help protect the items, programs, and reputations of our clients—including the largest, most important high stakes test programs in the world—by enhancing test security.

Over the years, we have worked closely with many testing programs, large and small including leading companies in the educational assessment testing domain. Most recently, Caveon has been involved in several high-profile investigations of testing irregularities and possible cheating. Because of the work Caveon has done in recent years, we are keenly aware of the issues related to test security and their connection to testing program procedures, policies, and the materials used. Caveon staff and consultants have a great deal of experience and expertise working with assessment program managers on a variety of issues, as well as with major testing vendors and other organizations involved in high stakes testing.

Caveon Scorpion and Secure Exam Interface (SEI)

Caveon has developed a seamless, secure, and cutting-edge test development, delivery, and response repository platform. This platform includes two components to provide integration of functions for collaborative item development, delivery, and scoring. Caveon's Test Development and Delivery Platform is comprised of two (2) components – Caveon Scorpion (Development) and Caveon SEI (Secure Exam Interface – Test Delivery). Together, these systems will give PGC developers, reviewers, and skills evaluators the ability to remotely and securely write, review, deliver, and evaluate high/low/no stakes exams with ease. Together with the security functionality built into the test development and delivery platform and the simple integration API, Caveon can offer PGC a product that is unrivaled in the industry.

Caveon Scorpion Item Development Tool

Scorpion is an item and test development tool, with a particular focus on security. Scorpion was developed to allow a testing program to build security into the design of its items and tests. It does this by permitting the creation of item and test features that are intended to thwart the two main forms of test fraud: theft, and cheating. Scorpion includes the development of items and tests that are designed specifically to counter challenging threats against a testing program. Scorpion can manage the access rights of various user types including item writers, psychometricians, subject matter experts, and editors.

Through its invitation-based portal, Scorpion provides targeted entry for these various roles in order to shepherd items through the quality assurance process safely and securely. Scorpion users can create a variety of items in raw form, refining them through a series of reviews, and then combining them into tests that are ready to be published in SEI. Specifically, Scorpion organizes and facilitates:

1. The creation of a domain of skills (often called a job or practice analysis) upon which a test or tests will be based.
2. The creation of a test blueprint, which is a document that assigns importance to the skills and

contains the assignment of items to writers.

3. The authoring of items of in these formats, including the use of graphics and exhibits: a. Traditional single correct multiple-choice, b. Traditional multiple correct multiple-choice, c. Discrete Option Multiple Choice (DOMC), d. Short answer, e. Essay f. Matching, g. True/False, h. Build List (Ordered drag and drop), i. Hot-Spot, j. Likert/Scale, k. SmartItem.
4. The various reviews of items including technical review, psychometric review, and standard setting.
5. The development of reserve forms and additional items to support the program in the event a test breach.
6. The inclusion of non-scored items in the tests to facilitate item calibration and test security actions.
7. Automates rapid item cloning to support bank expansion and reserve forms
8. Creates multiple equivalent forms to provide consistent testing experiences while reducing exposure rates of items.
9. Provides rapid and immediate re-publication of items, creating new tests “on the fly” to thwart test thieves.

In addition, Scorpion uses multi-factor authentication, making access by unauthorized individuals to the item and test database almost impossible. Users are restricted to access only those assigned projects and processes for which they are allocated. Data produced by or provided to Scorpion are protected by strong IT security equipment and procedures.

Caveon Secure Exam Interface

In addition to performing the functions of a typical test delivery engine, Caveon’s Secure Exam Interface (SEI) can be viewed as a protective “shell” around a set of items, making it more difficult to steal them or to cheat during test administration. Publishing a test using SEI limits item exposure by defining who can see important test data. When a client uses SEI, the live proctor does not handle exam items or receive and handle test results, providing another level of security. Using SEI, clients publish and manage exams and can access their testing data directly and at any time. Without additional software, SEI is able to administer low/no stakes unproctored tests, as well as secure tests (high stakes) for use with a live proctor.

Prominent Features of SEI

SEI publishes tests that are “self-contained”. All of the logic for item presentation is available, along with the rules for scoring and reporting scores. SEI can deliver tests that are created in Scorpion, or another test development tool and provides self-publication. Rather than relying on Test Administration Providers (TASPs) to collect test results (responses to items, latencies, order, etc.), the results are collected and reside in the SEI database. The SEI Console allows Caveon clients to publish exams, manage them, access/export data, run standard reports, etc. SEI provides a ubiquitous interface.

SEI facilitates the following security features at both the item and test levels:

1. Includes the ability to stop test early if it is clear from a test taker’s responses that the test has already been passed or failed, which reduces unnecessary item exposure.
2. Allows the use of Computer Adaptive Testing (CAT), which reduces item exposure,

- preventing, and deterring item harvesting.
3. Randomizes items to make copying difficult.
 4. Randomizes options for multiple choice items to make answer copying difficult.
 5. Supports insertion of data forensics tools, such as Embedded Verification Tests (EVTs) and Trojan Horse items to detect cheating.
 6. Provides rapid and immediate re-publishing of an exam, which allows a program to replace a compromised or otherwise broken exam.
 7. Provides rapid and immediate re-publication of items, creating new tests “on the fly” to thwart test thieves.
 8. Supports individualizing exams through the use of unique identifiers and “content fingerprinting” to facilitate exam security breach investigations, allowing quick detection of an item thief and gathering evidence for program sanctions or legal steps.
 9. Emulates a lockdown browser using a typical browser by intercepting browser events and taking action, including the blocking of common methods of screenshot, disabling text highlight and right click functions, and creating logs of “suspicious” events such as potentially nefarious keystrokes and the opening of other windows/exterior navigation/removal of focus on the test window.
 10. Digitally watermarks each test screen so that content can be traced to a specific exam instance in the event that a candidate is able to overcome the multiple levels of security, both system and proctor.

IT Security

All Caveon data is stored in remote SSAE16/SOC2 Type II certified secure data centers, encrypted in-transit and server side, and replicated to a remote standby server for disaster recovery. Logical backups are made daily, encrypted, and stored remotely at a separate geographically disparate location. Caveon employs encryption in-transit and at rest.

Access is granted by single-sign-on through CaveonID and can be protected by 2-factor authentication.

Caveon is a SOC2 type II certified organization, compliant with AICPA best practice in information security. Caveon maintains SOC2 type II certification on an annual basis.

Annually, Caveon completes third party web-application penetration testing. The controls in place to prevent unauthorized access to web-based systems have been deemed sufficient to protect client data. Caveon performs internal penetration testing on a monthly basis.

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9. If timing is a factor, what is the time factor and why?

Timing is a factor as an existing vendor, Kalkomey is already under contract and providing online courses We currently have no entity online to provide an online testing platform for certification of students to become new hunters in FY 2022.

10. List any other information relevant to the acquisition of this procurement here or as an attachment.

This platform system has been approved by PGC Chief Technical Services in conjunction with PA office of Administration. Cloud Use Case Review SR11316.

11. For requests > \$100,000, has the supplier signed cost or pricing data certification and is the pricing breakdown attached?

N/A.

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SECTION D

IMPORTANT: The printed names on this form shall constitute the signatures of these individuals. Agencies must insure that these individuals review the completed form and give their consent to apply their printed name on this form. No handwritten signatures shall be required in order for the form to be considered "signed" by those individuals whose names appear in the signature section of the form.

Shopping Cart Contact Person (Person whom DGS will contact regarding the Shopping Cart):

Name:	James Harbert	P-Group:		Date:	02-22-21
Title:	Bureau I&E- Clerk Typist 3	Telephone:		Fax:	

Agency Contact Person: Person in your agency that DGS can contact for additional information, etc.

Name:	Bobbi Mercer	Title:	Procurement Division Chief	Date:	02-22-21
Telephone:	717-787-6594	Fax:	717-787-2613	Email:	bmercer@pa.gov

Approving Authority (Agency Head or Deputy reviewing and approving this request): Approving Authority connotes approval of the source justification and the cost or pricing data certification.

Name:	Daniel C Dunlap	Title:	Director, Admin Services	Date:	2-26-21
Telephone:	717-787-4280 ext 73200	Fax:			

Additional Approvals (if required by Agency):

Name:		Title:		Date:	
Telephone:		Fax:		Email:	
Name:		Title:		Date:	
Telephone:		Fax:		Email:	
Name:		Title:		Date:	
Telephone:		Fax:		Email:	
Name:		Title:		Date:	
Telephone:		Fax:		Email:	
Name:		Title:		Date:	
Telephone:		Fax:		Email:	