

Sole Source CONTRACT Filing Justification Template

What is a sole source contract?

"Sole source" means a contractor providing goods or services of such a unique nature or sole availability at the location required that the contractor is clearly and justifiably the only practicable source to provide the goods or services. (RCW 39.26.010)

Unique qualifications or services are those which are highly specialized or one-of-a-kind.

Other factors which may be considered include past performance, cost-effectiveness (learning curve), and/or follow-up nature of the required goods and/or services. Past performance alone does not provide adequate justification for a sole source contract. Time constraints may be considered as a contributing factor in a sole source justification however will not be on its own a sufficient justification.

Why is a sole source justification required?

The State of Washington, by policy and law, believes competition is the best strategy to obtain the best value for the goods and services it purchases, and to ensure that all interested vendors have a fair and transparent opportunity to sell goods and services to the state.

A sole source contract does not benefit from competition. Thus the state, through RCW 39.26.010, has determined it is important to evaluate whether the conditions, costs and risks related to the proposal of a sole source contract truly outweigh forgoing the benefits of a competitive contract.

Providing compelling answers to the following questions will facilitate the evaluation.

Specific Problem or Need

- What is the business need or problem that requires this contract?

The Washington State Office of Equity worked with four consultants to create the state's Pro-Equity Antiracism (PEAR) Ecosystem Plan & Playbook. The Governor signed Executive Order 22-04 on March 21, 2022, requiring all state agencies and executive branch boards and commissions to implement the PEAR Plan & Playbook. Successful implementation of PEAR requires a focused online destination (or hub) that promotes access and belonging for all and enables deep engagement between the state, its agencies, community partners, and community leaders. The Washington State Office of Equity needs to create a pro-equity antiracism (PEAR) focused online destination (or hub) that promotes access and belonging for all and enables deep engagement between the state, its agencies, community partners, and community leaders. Washington's PEAR Hub will collect and share critical information about demographics, community

and organizational determinants, the state's PEAR-related plans and activities, and supported and infused with geospatial data and geospatial visualizations. To ensure the success of our PEAR Hub, the state requires a design and implementation partner who is familiar with the state's PEAR-related work and vision, intersectionality, antiracism, belonging, access, geospatial technology, and other enterprise technology.

Sole Source Criteria

- Describe the unique features, qualifications, abilities or expertise of the contractor proposed for this sole source contract.

NorthStar of GIS, one of the four-member consultant development team that created the state's Pro-Equity Antiracism (PEAR) Ecosystem Plan & Playbook, is required to continue and complete the online performance dashboard and hub site work associated with making it easy for state agencies to implement their responsibilities associated with developing, implementing, and reporting their PEAR progress.

NorthStar of GIS was originally selected to be a part of the Office of Equity's PEAR-development team because the organization was created, in large part, for purpose of helping create a more racially-just world through intersectional, antiracist applications of geographic information systems (GIS). Their team applies their expertise in diversity, equity, inclusion, belonging, justice, and GIS to advance racial equity and belonging at the intersection of all other systems of oppression.

- What kind of market research did the agency conduct to conclude that alternative sources were inappropriate or unavailable? Provide a narrative description of the agency's due diligence in determining the basis for the sole source contract, including methods used by the agency to conduct a review of available sources such as researching trade publications, industry newsletters and the internet; contacting similar service providers; and reviewing statewide pricing trends and/or agreements. Include a list of businesses contacted (if you state that no other businesses were contacted, explain why not), date of contact, method of contact (telephone, mail, e-mail, other), and documentation demonstrating an explanation of why those businesses could not or would not, under any circumstances, perform the contract; or an explanation of why the agency has determined that no businesses other than the prospective contractor can perform the contract.

While there are other, more expensive organizations that specialize solely in GIS or technology, and other organizations that specialize in Diversity, Equity, Inclusion (DEI), Justice, Equity, Diversity, Inclusion (JEDI), or antiracism, there are no other organizations with all of the relevant expertise with an expressed focus and strong understanding of the state's PEAR-related values, mission, purpose, and vision. Bringing together the combination of skillsets and expertise needed to address our business needs from a combination of organizations would significantly increase risks and costs.

For instance, while Esri is the global leader in GIS technology, they lack the PEAR-related expertise to design a PEAR-focused hub that aligns with our values, mission, and vision. Moreover, they have very high rates. Esri's 2022 Service Packages offer their consulting resources in 20-hour increments at \$340/hour or \$6,800 per increment. Not only would we have to pay for Esri to implement the solution, we would also have to allot additional time to account for the steep learning curve related to their lack of expertise in antiracism, intersectionality, belongingness, and access.

- What considerations were given to providing opportunities in this contract for small business, including but not limited to unbundling the goods and/or services acquired.

NorthStar of GIS is a small, Black-owned business.

- Provide a detailed and compelling description that includes quantification of the costs and risks mitigated by contracting with this contractor (i.e. learning curve, follow-up nature).

There is no learning curve required when it comes to the topics of intersectionality equity, antiracism, access, belonging, our values, GIS, and NorthStar's values. NorthStar of GIS has the desire, knowledge, and skills to address our needs. Our contacts at NorthStar have certifications in DEI, decades of experience with GIS, and years of experiences advancing antiracism intersectionality.

Additionally, NorthStar of GIS has worked with the Office of Equity, OFM, OCIO, and GIS users in state agencies to ensure that the work they perform for the Office of Equity is compatible with and connects to the rest of the state's system, thus, mitigating major obstacles that could occur during implementation absent this groundwork.

- Is the agency proposing this sole source contract because of special circumstances such as confidential investigations, copyright restrictions, etc.? If so, please describe.

Yes. The Office of Equity is proposing this sole source contract because of special circumstances, such as continuity of the PEAR work, completion of work associated with the pro-equity anti-racism knowledge required to do the work, smooth transfer of work, and the relationships this contractor has already established with state entities to successfully provide the infrastructure and information agencies will need to implement Executive Order 22-04 to implement PEAR Plan & Playbook.

- Is the agency proposing this sole source contract because of unavoidable, critical time delays or issues that prevented the agency from completing this acquisition using a competitive process? If so, please describe. For example, if time constraints are applicable, identify when the agency was on notice of the need for the goods and/or service, the entity that imposed the constraints, explain the authority of that entity to impose them, and provide the timelines within which work must be accomplished.

No.

- Is the agency proposing this sole source contract because of a geographic limitation? If the proposed contractor is the only source available in the geographical area, state the basis for this conclusion and the rationale for limiting the size of the geographical area selected.

No.

- What are the consequences of not having this sole source filing approved? Describe in detail the impact to the agency and to services it provides if this sole source filing is not approved.

The consequences of not having this sole source filing approved include:

- Inability to implement requirements delineated in Executive Order 22-04 referenced above;
- Inability to select the right mix of vendors to combine and coordinate skill sets to fulfill the business need;
- significant cost increases associated with the assortment and coordination of expertise;
- the risk of delivering a hub that fails to meet the business needs; and
- the risk of delivering a hub with content that fails to account for the sensitive and critical nature of the subject matter and data.

Reasonableness of Cost

Since competition was not used as the means for procurement, how did the agency conclude that the costs, fees, or rates negotiated are fair and reasonable? Please make a comparison with comparable contracts, use the results of a market survey, or employ some other appropriate means calculated to make such a determination.

While Esri is the global leader in GIS technology, they lack the PEAR-related expertise that NorthStar of GIS has to finish building, connecting, and delivering a fully operational PEAR-focused hub that aligns with our values, mission, and vision, and have very high rates.

For example, Esri's 2022 Service Packages provides service in 20-hour increments at \$340/hour or \$6,800 per increment. Esri's cost for installing the software and telling us how to use it is four such packages ($\$6,800 \times 4 = \$27,200$), or a total of up to 80 hours of remote support or four days onsite.

The work that needs to be completed on this contract requires more than Esri is able to provide.

Listed below are the services NorthStar of GIS will provide to complete the PEAR-related work it has already begun, work that requires more than just installing the software and telling us how to use it.



Washington State Department of **Enterprise Services**

Contracts & Procurement

- 1) **\$12,000 - Single Online PEAR Destination** - Design integrated online equity hub that publishes statewide equity information and agency-specific equity information, encompassing existing state web content (up to 110 web pages including existing graphics and text content) and PEAR performance dashboards, maps, and data visualizations.
- 2) **\$14,000 - Online Playbook** - Design statewide online pro-equity antiracism (PEAR) plan and playbook incorporated into the **Single Online PEAR Destination** that publishes for the public an interactive and accessible web-based version of the state's PEAR plan, approaches, and actions.
- 3) **\$14,000 - Online Playspace** - Design statewide online pro-equity antiracism (PEAR) plan and playbook incorporated into the **Single Online PEAR Destination** that publishes to internal agencies and authorized partners an interactive and accessible web-based version of the state's agencies proposed PEAR plan, approaches, actions, measures, and status updates.
- 4) **\$20,000 - Community Engagement Capabilities** - Design statewide online pro-equity antiracism (PEAR) community engagement capabilities incorporated into the **Single Online PEAR Destination** that enable the states employees and community members to provide feedback, insights, and participate in the states PEAR plans and actions.
- 5) **\$10,000** - Transfer deliverables and provide appropriate training to agency staff, as well as assist with determining software license fee, service maintenance agreements, warranty, fees, and all other requirements for maintaining and sustaining the online destination hub site.