



Sole Source CONTRACT Filing Justification Template

Use the following justification template for preparing to file sole source contracts in the [Sole Source Contracts Database \(SSCD\)](#). Once completed, copy and paste the answers into the corresponding SSCD question and answer fields. You will also need to include a copy of this completed form in the documents you post to your agency website and in [WEBS](#).

What is a sole source contract?

"Sole source" means a contractor providing goods or services of such a unique nature or sole availability 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 DES' evaluation.

Specific Problem or Need

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

The Department of Archaeology and Historic Preservation does not have the staff capacity to support adequate quality for administering our mandatory program areas,



and therefore elects to contract with the Trust to conduct education and outreach activities. These activities include planning and executing a week-long immersive heritage program with other partners that is free for high-school aged students, completing periodic publications highlighting preservation throughout the state, planning a strategic management plan for the Maritime Washington National Heritage Area, and other miscellaneous outreach and education projects and activities. As Codified in Title 54 of the United States Code: § 302304(a): “Any State may carry out all or any part of its responsibilities under this subsection by contract or cooperative agreement with any qualified nonprofit organization or educational institution.”

Sole Source Criteria

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

The Washington Trust for Historic Preservation is the only statewide non-profit historic preservation organization. The Trust also possesses all of the required qualifications, abilities and expertise to be able to carry out the duties of this contract. These include: a) previous experience managing a statewide historic preservation educational programs in partnership with the Department and the National Park Service; b) employing staff who meet the *Secretary of the Interior Professional Qualification Standards* for History, Architectural History, and Historic Architecture; c) employing staff with nationally recognized leadership and experience in historic preservation, possessing extensive experience providing technical assistance and facilitating strategic plans in order to assist in planning and development of education and outreach projects and activities; d) possessing notable and extensive working relationships with all of the following: Certified Local Governments, Main Street communities, non-profit historical societies, non-profit organizations dedicated to historic preservation, private development community, County Commissioners, national non-profit organizations dedicated to historic preservation, and Federal agencies; and e) having experience planning a strategic management plan for a National Heritage Area.

- 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. Use DES’ Market Research Template if assistance is needed.

The Washington Trust for Historic Preservation is the only statewide historic preservation non-profit with expertise in historic preservation. We are a niche field and



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there are no other historic preservation non-profits whose service area includes the whole state. There are local preservation organizations but none that are statewide.

- As part of the market research requirements, include a list of statewide contracts reviewed and/or businesses contacted, 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.

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- Per the Supplier Diversity Policy, DES-090-06: was this purchase included in the agency's forecasted needs report?

Yes, this purchase is part of the agency's forecasted needs report since this is a requirement of our federal grant for Historic Preservation Fund for State Historic Preservation Offices.

- Describe what targeted industry outreach was completed to locate small and/or veteran-owned businesses to meet the agency's need?

The Washington Trust for Historic Preservation is a small business.

- What considerations were given to unbundling the goods and/or services in this contract, which would provide opportunities for Washington small, diverse, and/or veteran-owned businesses. Provide a summary of your agency's unbundling analysis for this contract.

The Washington Trust for Historic Preservation is a non-profit small 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).



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The Trust has extensive experience and demonstrated a high level of quality execution with several activities, including organizing and executing the annual Youth Heritage Project, planning a strategic management plan for the Maritime Washington National Heritage Area, and understanding the nuances and pressing issues in the preservation field to be able to communicate effectively and with relevance. Any organization that does not have similar exposure to the field would not be well suited or prepared to be able to execute this contract. Furthermore, the Trust employs the necessary staff with expertise required to understand and educate others about the profession. We would not have the capacity to be able to educate another organization to achieve the same high quality of service that the Trust provides given its outstanding and notable nationally recognized leadership.

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

No.

- 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.

- 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.

Education and outreach was one of the top priorities identified in our Statewide Preservation Plan 2021-26, which included input from hundreds of stakeholders throughout the state over a two year planning period. Ignoring our constituents' prioritized strategic direction would be detrimental to our integrity and reputation.



Sole Source Posting

- Sole Source Posting on Agency Website - Provide the date in which the sole source posting, the draft contract, and a copy of the Sole Source Contract Justification Template were published on your agency's website.

9/3/2024

- If failed to post, please explain why.

- Provide the date in which the sole source posting, the draft contract, and a copy of the Sole Source Contract Justification Template were published in WEBS.

9/10/2024

- If failed to post, please explain why.

- Were responses received to the sole source posting in WEBS?

Time has NOT expired for responding to posting and will notify DES when time expires.

- If one or more responses are received, list name of entities responding and explain how the agency concluded the contract is appropriate for sole source award.

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.

The National Park Service through the Historic Preservation Fund provides DAHP with over \$1 million annually to be able to administer our mandated program areas and conduct activities related to historic preservation, such as education and outreach. DAHP will use a small portion of this annual allocation to leverage the services of the Trust, the costs of which are based on previous planning budgets.