

# 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 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.***

### 1. Specific Problem or Need

- **What is the business need or problem that requires this contract?**
  - The Alliance for Rights and Recovery (previously known as New York Association of Psychiatric Rehabilitation Services (NYAPRS)) will provide HCA technical assistance and will collaborate with HCA to develop one online curriculum module and convert an existing PowerPoint curriculum to a virtual module for stock training in a Learning Management System (LMS) format. The results will make these virtual online modules

accessible to Foundation Community Supports (FCS) providers/agencies that provide Supported Employment (SE) or Supportive Housing (SH) services.

HCA has two SE trainers that are responsible for providing skills training to FCS providers/agencies. The FCS provider network is made up of over 200 agencies including behavioral health providers, substance use disorder providers, Tribal partner providers, nonprofits, and housing authorities alike. FCS services are available at more than 400 sites statewide that have the potential to request trainings.

The overall goal of these services is to teach FCS program staff attendees skills that will enhance their ability to increase outcomes of the services, successful job placements for SE and successful housing placements for SH. The HCA trainers provide individualized training upon request from the FCS provider/agencies that have specific questions or when they have difficulties with aspects of providing high quality services. This will also give the HCA trainers the opportunity to provide more individualized trainings based on provider/agency needs.

These services require high-level subject matter expertise in working with individuals with behavioral health conditions in SE to be able to convert and enhance content provided to them by the HCA. They must have full knowledge of Individual Placement and Support, (IPS) the evidence-based practice of SE to successfully convey the meaning of each principle, and real-life examples that clarify why services are provided as outlined in the fidelity scale. The Contractor must be timely and responsive, and able to produce a product that requires limited editing to maximize the time of the HCA Contract Manager.

## 2. Sole Source Criteria

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

The Alliance for Rights and Recovery is a nationally known expert in SE of people with serious mental illness and disabilities, therefore achieves exceptionally high-performance levels within all the subject matters required for these services. They are a national change agent dedicated to improving services, public policies, and social conditions for people with mental health, substance use and trauma-related challenges, by promoting health, wellness, and recovery, with full community inclusion so that all may achieve maximum potential in communities of choice. The Alliance for Rights and Recovery is a statewide coalition of people who use and/or provide recovery-oriented community based mental health services and is dedicated to improving services and social conditions for people with psychiatric disabilities or diagnoses, and those with trauma-related conditions by promoting their recovery, rehabilitation, and rights so that all people can participate

freely in society. The Alliance for Rights and Recovery specializes in a wide variety of training in SE, mental health clinic conversion, outreach and engagement, trauma informed care, cultural competence, and technical assistance.

- a. The Alliance for Rights and Recovery possesses high-level subject matter expertise in working with individuals with behavioral health conditions in SE including principles of IPS.
- b. The Alliance for Rights and Recovery has an extensive history providing HCA with excellent high-quality finished product and services including but not limited to as follows:
  - Developing the statewide approach to the Peer Bridger model. The Alliance for Rights and Recovery has demonstrated this unique personal level of support and service adds a crucial element to each state and local mental health system's joint efforts to effectively engage and provide consistent, uninterrupted, quality care to individuals during the key period of transition back into the community from long or frequent stays at hospitals, substance use disorder treatment agencies, and juvenile detention facilities.
  - Washington State implemented the Peer Bridger Program in 2016 and has had great success. This success is in part due to the technical assistance received from The Alliance for Rights and Recovery.
  - The Alliance for Rights and Recovery has the proven ability to expand on and provide HCA valuable recommendations and content improving the quality of the product and these services.
  - The Alliance for Rights and Recovery has multiple staff with expertise in SE that are always available to HCA as needed to provide additional technical assistance to HCA.
  - The Alliance for Rights and Recovery has continuously provided HCA with a high-quality product and services for a reasonable cost.

3. 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.

HCA conducted extensive research via the internet searching for other vendors that could perform these services in the timeframe required. No other vendors would be up to speed and would require a learning curve and would not be able to complete these services by the due date required.

The Alliance for Rights and Recovery has proven time and time again they can produce exceedingly high quality virtual training modules; always responding promptly to all of HCA's requests, meets HCA due dates, which in turn requires HCA staff to use less of their valuable time and resources for intervention.

Previously, HCA had contracted with different contractors for these same and services. These contractors required an excessive amount of review of materials and feedback from HCA because of the high number of errors. Even though the contractors were recognized experts in SE, they proved to not have sufficient knowledge of IPS and SE that they professed to have. The draft products required many revisions to bring them up to an acceptable level of quality. It cost HCA an exceptionally high amount of hours by two HCA staff to review and critique the modules due to the number of corrections that were required. They did not meet HCAs due dates/timelines for review of the module drafts.

4. 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.

There is no other organization in the United States with comparable experience and expertise that can provide the range expertise of these services needed for this project. HCA requires an organization with experience organizing a spectrum of services to ensure

successful implementation. The Alliance for Rights and Recovery is a small business with approximately 15 employees and is the only organization able to provide these services within the required timeframe and reasonable costs because of their expertise and familiarity.

5. 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).

The Alliance for Rights and Recovery will not require a learning curve since they created and produced the original material (training modules) and possess the skills and knowledge of national and state requirements in the subject matter of individuals dealing with serious mental illness.

The Alliance for Rights and Recovery agreed to produce two virtual modules for \$42,000. Since the federal grant funds for these services end March 14, 2024, it would add a significant amount of time and HCA would run the risk of the of a new contractor not providing satisfactory work. The Alliance for Rights and Recovery has proven to produce high quality work in HCAs expected timelines.

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

N/A

7. 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.

N/A

8. 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.

N/A

9. 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.

If these services are not provided within the required timelines, HCA will lose the federal block grant funding provided for these services. Poorly trained staff would not be able to provide adequate SE and SH services, which detrimentally impacts mental and physical quality of life for individuals receiving FCS services. Having The Alliance for Rights and Recovery provide these services guarantees a successful product and outcomes for these individuals.

FCS agencies are experiencing behavioral workforce shortages. There has been a significant turnover when it comes to SE direct service staff and supervisors. The result is that many of the FCS agencies don't have experienced staff to train employees in orientation, which is why there is a need to provide access for SE on demand training. The two HCA SE trainers can't keep up with the volume of training needs in addition to other duties, which can result in FCS agencies failing. There have been several agencies that have ceased to provide SE services in the last two years. Some areas in the state have few or no SE providers to serve individuals.

10. Sole Source Posting

- 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.
  - If exempt from posting in WEBS, please provide which exemption.
  - If failed to post, please explain why.
- Were responses received to the sole source posting in WEBS?
  - 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.

11. 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.

- HCA has provided current and previous HCA contracts for similar services regarding fees and rates are as follows:
  - The Alliance for Rights and Recovery agreed to produce two (2) virtual modules for \$42,000, while a different entity quoted one (1) virtual module for \$60,000.
  - The Alliance for Rights and Recovery charges \$500 per hour verses a previous HCA contractor that charged \$1,125 per hour for a “virtual online training modules.
  - The Alliance for Rights and Recovery charges \$200 per hour for technical assistance, while a previous HCA contractor charged \$250 per hour.