

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.

Specific Problem or Need

- **(#1) What is the business need or problem that requires this contract?**

RCW 41.05.750, WAC 182-100-0100, & WAC 246-341-1200 require that HCA provides prevention, awareness, outreach, education, and clinical training about problem gambling and Gambling Disorder, as well as treatment to individuals in need of problem gambling or Gambling Disorder treatment, including assessments. To best provide these required services, HCA contracts for some of these needs with vendors.

Sole Source Criteria

- **(#2) Describe the unique features, qualifications, abilities or expertise of the contractor proposed for this sole source contract.**

The Washington State Council on Problem Gambling dba the Evergreen Council on Problem Gambling (ECPG) is the Washington State-approved credentialing body for Certified Gambling Counselors who treat individuals with problem gambling and Gambling Disorders. ECPG has been providing training, outreach, research, Gambling Counselor certification and prevention services in Washington State since 1991. ECPG's clinical trainings are nationally approved by the National Council on Problem Gambling (NCPG)/International Gambling Counselor Certification Board (IGCCB), and counselors can receive credits toward both Washington State and NCPG/IGCCB Gambling Counselor Certification. ECPG is well-respected for the staff's depth of knowledge and is considered an expert authority on problem gambling-related clinical training, prevention (including Youth) and outreach. ECPG produces high-quality resources, including both in-person and online trainings: Core Counselor Training, Advanced Counselor Training, and monthly 'mini' trainings so that clinicians can continue to can CE credits. In addition, ECPG holds two conferences a year: Focus on the Future (co-hosted with ECPG and the Oregon Problem Gambling Council) and Four Directions (which has a focus on Tribal Health & Healing, including problem gambling). ECPG collaborates for training and conferences across not just the Northwest, but also with the British Columbia problem gambling program. They also contract with international leaders who are specialists in problem gambling to provide in-depth clinical and prevention trainings. ECPG has served on the Problem Gambling Task Force, and maintains long-term partnerships with Tribes, school districts (as part of their Youth Prevention work), state agencies (WSGC and HCA), and other stakeholders such as Recovery Café. The collaborative efforts between ECPG and the State Problem Gambling Program have allowed both entities to work effectively together to maximize existing funding and resources in the State, including initiatives to increase the number of Certified Gambling Counselors and to coordinate with prevention activities within the Health Care Authority.

- **(#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.

Discussions with the WA State Gambling Commission (WSGC), the National Association of Administrators for Disordered Gambling Services (NAADGS), and other partners confirmed that ECPG is the only provider within the state that is qualified to provide for the needs described in the Contract.

Due to an ongoing lack of funding, the State Program (started in 2005) has been unable to increase staffing or services and does not have the expertise in-house that ECPG can provide. ECPG receives funding from additional sources (including Tribes) that allows it to have a much larger reach than the State Program can maintain or provide, including for clinical training and credentialing of Certified Gambling Counselors. This work is overseen by the WA State Gambling Counselors Certification Committee (WSGCCC), an independent board that is staffed by ECPG (non-voting). The State Problem Gambling Program Manager also serves on the WSGCCC to coordinate clinical provider requirements with this certification process that ECPG administers on behalf of the State. This process is the only method within the state to certify gambling counselors as required by WAC 246-341-1200. Perhaps one day there will be a competing entity that would be able to handle these tasks, but this simply does not exist at this time.

- **(#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.**

The comprehensive problem gambling services that ECPG provides are unique in the field of problem gambling in WA State, and the State Program relies upon ECPG to provide services that are required by RCW and WAC, but, due to a lack of funding, the State Problem Gambling Program is unable to provide. For example, the State Problem Gambling Program has only one FTE currently; ECPG has five full-time staff that are supported through private contributions by Tribes and others. To take this work 'in-house' at HCA would be cost-prohibitive at this point. As far as contracting with other providers for specific services such as directly hiring trainers or media consultants, this doesn't make sense as ECPG already has those contacts, trainers, and knowledge to run trainings and media campaigns effectively.

Starting 7/2023, due to a bill just passed by the Legislature, the funding coming into the State Program (from an increase in business and occupation tax on commercial gambling and contributions from the Lottery) will increase over the 2023-2025 biennium. This will eventually allow HCA to add additional prevention activities NOT currently contracted for with ECPG (in an integrated behavioral health approach). These

activities may require HCA to contract with external professional services providers at a later date, most likely through the Division of Behavioral Health & Recovery.

Note: ECPG is a 501(c)3 with both executive positions (Executive Director and Assistant Director) filled by women. Four out of five current employees are women, and the ECPG board is evenly divided between women and men. Located in Olympia, WA, the organization contracts with many South Puget Sound businesses, including media services in Tacoma.

- **(#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).**

As is now required in WAC, all commercial gambling venues must train their entire workforce annually on *Responsible Gaming*. ECPG provides this training to these venues, as well as offering this training to Tribal casinos. Due to their extensive understanding of problem gambling/Gambling Disorder treatment, ECPG staff train students at colleges and counselors nationally as well as statewide. ECPG is a not-for-profit 501(c)(3) that has been working in the problem gambling field since 1991.

As the administrator of the Certified Gambling Counselor program, ECPG has been providing these training services for HCA's Division of Behavioral Health and Recovery (formerly of Department of Social and Health Services) for many years, evolving to meet changes in the field of problem gambling as/when needed.

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

NO

- **(#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.**

NO

- **(#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.**

Providers of problem gambling clinical training and prevention, outreach, awareness, and education services are few and far between, both nationally and within WA State. One reason for this is that there is NO federal funding at all for problem gambling services, and within WA State, no state general funds either.

The National Council on Problem Gambling (NCPG) has non-profit affiliates in many states, including WA State (since 1991). Each state council has unique knowledge and experience within that state about the specific gambling environment and how to work with all stakeholders within the state, including challenges and barriers. State-sponsored problem gambling programs frequently rely upon and partner with the state councils to provide specific services and resources. Many of the state problem gambling councils (as is the case in WA State) pre-date the start of state-sponsored problem gambling programs. As entities with deep experience and a national network, there simply is no other competing organization within WA State that can provide the depth of experience and knowledge that ECPG provides as our state council on Problem Gambling/Gambling Disorder. This partnership in our state allows HCA to be good stewards of the limited funding that is available for problem gambling from a small business and occupation tax on net revenue for commercial gambling and contributions from the Lottery.

- **(#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.**

Without the Contract, HCA will not be able to meet its requirements to provide services (including treatment) and train and credential Certified Gambling Counselors, as set forth in RCW 41.05.750, WAC 182-100-0100, and WAC 246-341-1200. Problem gambling and Gambling Disorder treatment providers would not be able to receive the training required for their certification, which would decrease the number of providers available for clients. In turn, clients would not be able to get the treatment they need due to a lack of trained and certified providers. Outreach, prevention and training activities would be curtailed, which in turn would lead to a lack of access to services for individuals seeking treatment for problem gambling, as well as broad knowledge that the services exist within Washington State. Finally, the State Problem Gambling Program relies upon this contract to provide support and knowledge about problem gambling, Gambling Disorder, and related issues.

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.

Reasonableness of Cost

(#10) 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.

Each state council is uniquely positioned to offer trainings for Certified Gambling Counselors or similar certifications within their states. The National Council on Problem Gambling, which the state councils are members of, provides a framework to guide state councils on creating clinical trainings.

The costs for training proposed in this contract are competitive with similar trainings offered through the Oregon Council on Problem Gambling, the Nevada Council on Problem Gambling, and the International Gambling Counselor Certification Board, and other state non-profit councils. Enhanced online trainings, developed by ECPG during the pandemic, are also offered as a less-expensive alternative, as well as free monthly online trainings and podcast that are available for download. In addition, the ECPG Exec. Director and Asst. Director are often contracted by other state councils to offer trainings for their states. ECPG combines state funding with contributions from Tribes, and other organizations to offer affordable, relevant training that is specifically tailored for WA State clinicians and other professionals working with individuals and families impacted by Problem Gambling/Gambling Disorder. HCA provides funding for partial and full scholarships, training days, and for focused media campaigns for prevention and early intervention.

Examples of training comparisons:

- [WA State Council on Problem Gambling \(dba Evergreen Council on Problem Gambling/ECPG\):](#)
 - [Gambling Counselor Core Training \(30 hours\)](#) – online ([Jan 2023](#)) and hybrid (July 2023) \$250/\$225 (general/members)– note: scholarships are funded by HCA



Washington State Department of Enterprise Services

Contracts & Procurement

- Advanced Gambling Counselor Core Training (July 2023) up to 24 hours -- \$75/day or \$180 for all 3 days
- Regional -- [Focus on the Future Conference \(May 2023\)](#) – Four days -- \$320/\$285/\$195 (general/ECPG member/student) – note: scholarships are funded by HCA (hosted by ECPG & Oregon Council on Problem Gambling)
- Foundations of Gaming Disorder (Parts 1,2,3) 30 hours -- \$399/\$350 (general/agencies with 10 or more staff)
- [Foundation in Gaming Disorder \(collaboration with Massachusetts Council on Gaming & Health & reSTART\)](#)—online – Part 1 only -- \$125 (self-directed)
- [IGCCB Exam Prep eCourse](#) – online self-directed -- \$25/\$22 (general/member)
- [Topical webinars: Feb 2023 – Screening for Problem Gambling in Asian Communities](#) – Free to all
- Kaleidoscope – Free online trainings available to all
- [Connections podcast – Season 4/Episode 1](#) – free & available to all
- [Oregon Council on Problem Gambling \(via Acorn\)](#)—these are all ONLINE only
 - Problem Gambling Counselor Precertification (30 hours) online -- \$195
 - Problem Gambling Counselor Advanced Training (16 hours) online -- \$195
 - [On-demand topical courses \(2 hours each\) – Gambling & Co-occurring Disorders](#) (free to all)
- [Nevada Council on Problem Gambling](#) (via CASAT Learning):
 - [Problem Gambling Intern Readiness: Self-Paced Online](#) (30 hours) -- \$340
 - Gambling Disorder Overview: Self-Paced Online (2 hours) -- \$40 (note: this is taught by the WA ECPG staff)
 - [Gambling & Opioid Use Disorder: Self-Paced Online](#) (2 hours) -- \$40
- [International Gambling Counselor Certification Board \(30 hours online – generic training for Gambling Counselors](#) -- \$200 (online—no local or regional unit option)