

## Source **CONTRACT** Filing Justification Template

Use the following optional 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.

### **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.**

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### **Specific Problem or Need**

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

Health Care Authority (HCA) needs to contract with Cornell University (Contractor) Work Incentive Support Center to receive technical assistance and training to develop a cohort of credentialed benefit planners. These credentialed benefit planners will serve enrolled participants in HCA's [Foundational Community Supports \(FCS\)](#) program in Washington State. HCA needs to send approximately 35 supported employment staff to take the *WIP-C™ Full Credentialing* course that is owned and offered exclusively by the Contractor to increase the limited number of certified benefit planners. Once certified, these benefit planners will work to educate and support job seekers in the transition to competitive employment with the goal of attaining self-sufficiency while decreasing reliance on public entitlement programs.

## Sole Source Criteria

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

The Contractor is the only one in the country to offer the trademarked *WIP-C™ Full Credentialing* training that allows benefit planners to become certified. They have provided their training and technical assistance to over 2500 credentialed benefit planners, the largest work incentive cohort in the nation. The Contractor also offers a condensed in-person eight and a half week training that meets HCA's goal and funding source requirements of having these benefit planners trained and certified by September of 2023.

The Contractor has advanced knowledge, policies, and social inclusion practices to support people with disabilities in workplaces, schools, and communities. The Contractor is unique in that one third of the faculty and staff report having lived experience of having a disability. The Contractor has consulted with business and industry, policy makers, educators, disability advocates and rehabilitation practitioners to develop inclusive communities for people with disabilities for over 60 years. The Contractor's faculty have over 100 years of combined expertise working directly with applicants and recipients of Social Security benefits based on disability and over 20 years of providing both online and on-site based training platforms.

- **What kind of market research did the agency conduct to conclude that alternative sources were inappropriate or unavailable?**

Outreach in the form of phone calls and emails to known trainers as well as an internet search was conducted to locate providers of benefit planners training and credentialed work incentive planning trainings. This search resulted in a non-certified training program, state specific training opportunities, as well as the credentialed training offered by Cornell University and Virginia Commonwealth University. The non-certified/non credentialed training program was nonresponsive to numerous email and phone calls and the trainings needs to cover Social Security benefits not State specific ones.

The only other potential certified training source was The Virginia Commonwealth University training program. Since they are sponsored through the Social Security Administration they have multiple limitations, prerequisites, and a list of prioritized attendees for enrollment for their credentialed training opportunities such as being a federal contractor. These rigorous pre-requisites limit the ability of supported program staff to access work incentive planning training through this Contractor and would not suit the needs of HCA. The Virginia Commonwealth course is also a 10-month program compared to the Contractor's eight-week program which does not fit into the timeline HCA needs to have the benefit planners trained and certified by September 30, 2023.

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

Risk Mitigation:

- The Contractor has provided training and technical assistance to over 2500 credentialed planners, the largest work incentive cohort in the nation.
- The Contractor is the largest benefit planning program in the nation.
- The Contractor provides a platform to obtain ongoing training for benefit planners to maintain their credentialing.
- The Contractor contributes to developing inclusive workplace systems.
- The Contractors condensed training and lack of prerequisites/priority list will ensure that HCA gets the most amount of individuals trained and certified.

Cost Analysis:

- The Contractor has offered HCA a discounted flat rate of \$23,500 for 35 participants (\$671.50 per person) to take the *WIP-C™ Full Credentialing* course rather than their standard rate of \$1,575 a participant.
- Having new certified benefit planners to educate the Medicaid population about how earned income will impact entitlement programs will decrease the cost burden to the state by reducing emergency department usage, inpatient hospitalizations, overall usage of emergency services, as well as rates of recidivism by individuals. However, this is a new program for the State so actual data on cost savings is limited in scope but initial findings are promising. ([Link to preliminary evaluation findings](#))
- HCA has selected the compressed version of this training from a 3-month program into a 40 hour training for additional cost savings.

- **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.

- **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.

This is the only contractor that can provide the level of service HCA needs at this price point within the 4-month timeline. If this sole source is not approved, HCA will not certify ~35 benefit planners, and will not provide services to improve program participant outcomes.

The evidence-based practice (EBP) Individual Placement and Supports (IPS) model of supported employment identifies that ‘benefit planning’ is an key element of this model of supported employment. Research reflects that job seekers who receive entitlements are fearful of losing these life sustaining benefits, and without education and guidance, choose not to seek our employment as a service outcome. In general, opportunities to scale-up competitive work opportunities have a positive impact on an individual’s behavioral health, physical health, and overall well-being.

- What considerations were given to providing opportunities in this contract for small businesses, including but not limited to unbundling the goods and/or services acquired? No small businesses were identified who have the expertise and recovery knowledge were revealed in the internet search of the market research phase.

### **Sole Source Posting**

- Provide the date in which the sole source posting was published in WEBS.

May 10, 2023

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

This is currently posted in WEBS. We will notify your team if any vendors claim/express concern that they can do the work and will reconsider the Sole Source contracting route.

### **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 selected the compressed version of this training from a 3 month program into a 40 hour training for cost savings. The Contractor has offered HCA a discounted flat rate of \$23,500 for 35 participants (\$671.50 per person) to take the *WIP-C™ Full Credentialing* course rather than their standard rate of \$1,575 a participant.