

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

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

Washington State has seen a significant increase in people needing to access behavioral health services. Consequentially, there is an increased need for Certified Peer Counselors (CPCs) as they provide a unique service which compliments clinical behavioral health services, and evidence shows CPCs greatly increase positive outcomes for individuals with behavioral health challenges. This, in turn, creates a greater need to provide comprehensive training for CPCs so they have effective tools to support people in crisis.

Wellness Action Recovery Plans (WRAP)© is a SAMHSA recognized evidence-based practice which provides a specific tool for people to recognize when they are entering crisis, and thus allows them to divert or reduce the impacts of crisis. This sole source contract will allow HCA to create a new e-learning training which would provide the foundational elements of WRAP© to CPCs. People who enter into behavioral health crisis utilize emergency room and crisis services and have a higher opportunity of ending up in a psychiatric inpatient setting. This results in both high financial cost to the state and high trauma to the individuals. By learning the basic principles of WRAP©, Certified Peer Counselors will be better able to support the people they serve, resulting in less cost to the state and less trauma to the person, their families, and their community. By making this training available in an e-learning environment, HCA will be able to reach more CPCs (who might not be able to travel to a physical location for an in-person training) and allow them the flexibility to take the training when it is convenient to them, further increasing the number of CPCs who would be able to participate and thus support people in a behavioral health crisis.

Sole Source Criteria

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

Advocates for Human Potential, Inc. (AHP) owns the copyright for the WRAP© training, so are the only Contractor able to create the e-learning program based on their copyrighted material. Additionally, AHP is uniquely situated to develop the virtual Principles of WRAP© trainings, as AHP has been conducting similar trainings and technical assistance projects for many years in Washington State, and throughout the nation. They are subject matter experts in the areas of Peer Support, continued education, and behavioral health. AHP is expert in virtual training, developing, producing, and hosting hundreds of virtual events each year.

They know what needs to be taught, have a complete understanding of the WRAP© principles and measures, have the virtual staff to produce and create the eLearning modules, and expert instructors who are sought-after trainers in the field of Peer Support and behavioral health for vulnerable populations.

- 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.

Since AHP owns the rights to the WRAP© training, there are no other alternate sources that could legally create the e-learning program based on their copyrighted material.

- 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.

No other considerations were given due to the fact that AHP owns the copyright to Wellness Recovery Action Plans©.

- 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).

AHP owns the copyright to the WRAP© training and associated materials, so would be the only contractor able to create the e-learning and support the training program. Additionally, they have extensive experience providing trainings for CPCs and creating e-learning programs, so would be able to quickly and efficiently complete deliverables, allowing HCA to implement the training in a very short amount of time. As previously described, WRAP© will decrease the cost burden to the state by reducing hospitalizations, and usage of emergency services, as well as rates of recidivism by individuals who are supported by CPCs who have utilized this training.

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

Yes, AHP owns the rights to the Wellness Recovery Action Plan ©.

- 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

- 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

- 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.

Since AHP owns the copyright to WRAP®, not approving this sole source filing would mean HCA would not be able to create an e-learning program for the Principles of WRAP ©, which would give CPCs critical tools for supporting people in a behavioral health crisis. As an evidenced-base practice, WRAP© provides the most effective way of preventing people who are experiencing a behavioral health crisis from entering psychiatric inpatient settings, and reducing usage of emergency rooms and crisis services.

Additionally, Peer Support and Continued Education for CPCs is a key element in the state's ongoing directive to have behavioral health needs met through the partnership and collaboration of peer support. Easily accessed continued education is vital; due to schedules and funding, many Certified Peer Counselors may not be able to travel to participate in continuing education trainings provided in person. Consequently, if this sole source is not approved, CPCs would lose a valuable continuing education opportunity in a SAMSHA recognized modality.

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

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.

Cost is comparable to other LMS learning module trainings purchased in the past by the Division of Behavioral Health and Recovery. Previous contracts to create



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e-learning trainings have ranged from \$30,000 to \$143,729, putting the \$70,000 cost of this contract in the same range as other comparable contracts. Funding for this project comes from the SAMHSA Substance Abuse Block Grant – COVID Enhancement program, which approved the proposed use of grant dollars for this training program.