

Sole Source Contract Filing

Department of Licensing Number: K7995
Contractors Name: RVC Seattle dba Mujer al Volante

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 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?
 - According to ESSB 1125 section 28, subsection 208 (2023), "\$2,000,000.00 of the highway safety account—state appropriation is provided solely to expand driver's license assistance and support services in King County with an existing provider that is already providing these services to low-income immigrant and refugee women. The contracted provider must submit information on the annual budget in the preceding year; information regarding private and other governmental support for the activities of the provider; and a description of the number of people served, services delivered, and outcome measures."

Sole Source Criteria

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

- After an exhaustive search, it has been found that this is the only contractor in King County that provides these services to low-income immigrant and refugee women, as required in the Bill.
- 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.
 - Department of Corrections, Department of Social and Health Services, and Department of Enterprise Services Policy were all consulted for the proper implementation of the bill regarding procurement type and sole source was the advised path to follow.
 - DOL consulted the King County Health Department for available contractors in King County who serve low-income, immigrant, and refugee communities. Through King County Health Department's documented research, it was found that Mujer al Volante is the sole source in the County providing these services for low-income immigrant and refugee women in King County. King County Health Department: <https://kingcounty.gov/depts/health/locations/health-insurance/access-and-outreach/~media/depts/health/health-insurance/documents/resource-guide-for-undocumented-immigrants.ashx>
- 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.
 - Leg pretty much directed us to Mujer...
- 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).
 - We have been legislatively mandated to contract with this contractor, as they are the only ones in King County who provide these services and meet the legislative mandate. The Contractor will receive a total of \$2,000,000.00 from the highway safety account to complete this work.
- Is the agency proposing this sole source contract because of special circumstances such as confidential investigations, copyright restrictions, etc.? If so, please describe.
 - ESSB 1125, a legislative mandate.
- 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.

- According to ESSB 1125, sec. 28, the final report from this contractor is due by December 1, 2023. Since the bill was narrowly tailored to a provider who performs expansion of driver's license assistance and support services in King County for low-income and immigrant women, it only applies to this contractor as the only provider in King County for these services.
- 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.
 - ESSB 1125, sec. 28 directs DOL to contract with a contractor in King County that performs expansion of driver's license assistance and support services. Mujer al Volante is the only provider in King County that provides the services as mandated. The geographic limitation was imposed by the 2022 WA State Legislature.
- 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 this sole source is not approved, DOL will fail to fulfill a legislative mandate.

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.