



CENTRAL CONTRACTS AND LEGAL SERVICES (CCLS)  
**Sole Source Contract Justification**

TO:	
CONTRACT NUMBER	TODAY'S DATE
SELECT CONTRACT SERVICE DESCRIPTION / SUB-OBJECT CODE <b>Choose one.</b>	

**Contractor Information**

CONTRACTOR'S LEGAL NAME	TAX IDENTIFICATION (TIN) OR UNIFORM BUSINESS IDENTIFICATION (UBI) NUMBER
ADDRESS	

**Contract Purpose**

**Contract Funding**

FEDERAL FUNDING \$	STATE FUNDING \$	CONTRACT TOTAL \$
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**Contract Dates** \* Start Date must be more than 15 business days from date of request to CCLS.

*START DATE	END DATE
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AMENDMENT OPTIONS

**Sole Source Definition and Guidelines**

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 39.26.0101)

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 sufficient justification.

Why is a sole source justification required?

The State of Washington, by law and policy, 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.

## Sole Source Justification

To expedite CCLS and DES review of this sole source contract, please provide **clear and compelling** answers to the following justification questions.

1. What is the business need or problem that requires this contract?
2. Describe the unique features, qualifications, abilities or expertise of the contractor proposed for this sole source contract.
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.
4. Per the Supplier Diversity Policy, DES-090-06 and A.P. 13.27: Was this purchase included in the agency's forecasted needs report?
5. Describe what targeted industry outreach was completed to locate small and/or veteran-owned businessman to meet the agency's need?
6. What considerations were given to unbundling the goods and/or services in this contract, which would provide opportunities for Washington small, diverse, and/or veteran-owned businesses. Provide a summary of your agency's unbundling analysis for this contract.
7. Provide a detailed and compelling description that includes qualification of the costs and risks mitigated by contracting with this contractor (i.e., learning curve, follow-up natures)..

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

**Not applicable.**

9. 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 which work must be accomplished.

**Not applicable.**

10. 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.

**Not applicable.**

11. 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.

12. 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 or a market survey, or employ other appropriate means calculated to make such a determination.

Confirm Program and Contractor agree that the drafted Contract Amendment document is in final form.

If filing is considered late, obtain your Division Director and Fiscal Approvals.

**If the filing is "late" (where the Amendment start date is less than 15 business days from date sent to CCLS for review, approval, and submission to DES), you must also complete and attach the Late Filing Justification form.**