



Washington State Department of
CHILDREN, YOUTH & FAMILIES

SOLE SOURCE FILING JUSTIFICATION

TO: Rachel Denney
CONTRACT # 2222-43537
TODAY'S DATE: 8/11/2022
CONTRACT SUB OBJECT CODE: CD - Computer & Info Serv
TIN/UBI NUMBER 604 766 773

CONTRACTOR'S LEGAL NAME	TIN/UBI NUMBER
M2P2 LLC/Patrick Maloy	604 766 773

ADDRESS	407 San Mar Dr. NE Olympia, WA 98506
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CONTRACT PURPOSE
Purpose: Development of an updated, cloud-based Education and Training Voucher (ETV) database and creation of a student portal, including data migration from existing Microsoft Access based application. Maintenance of this application for the three year period following delivery of the application.

FUNDING	
FEDERAL FUNDING \$116,800	STATE FUNDING \$
CONTRACT TOTAL \$116,800	OTHER FUNDING \$

CONTRACT DATES	
START DATE: 8/26/2022	END DATE: 7/31/2026

SOLE SOURCE CRITERIA

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 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 for going the benefits of a competitive contract.

SPECIFIC PROBLEM OR NEED

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

The business problem requiring this contract is that ETV is currently dependent on the antiquated Microsoft Access software for the program's daily work functions. Technical support was formerly through a contractor that is no longer available. DCYF IT knowledge of the current Access database functions are limited as well as their staff capacity.

Completing the current ETV database project (contract number 2231-37811) will increase ETV staff and user productivity and keeping the current developer under contract will create ease of maintenance and cost savings for the agency.

ETV staff rely on a fully functioning database to operate the program and provide support to students under the care and authority of DCYF. Completion of the new database will remove the risk of having no database if the current Access database becomes inoperative.

This contract will enable the contractor to complete the database and student portal project so it's functional for ETV program staff; and provide routine maintenance and technical assistance when needed.

PROVIDING COMPELLING ANSWERS TO THE FOLLOWING QUESTIONS WILL FACILITATE THE EVALUATION

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

Because the proposed contractor designed and developed the new software, they have a depth of knowledge that is unsurpassed. Additionally, they have thorough program knowledge of specific (and numerous) ETV program activities in the existing Access database and what is needed in the new database/student portal; therefore, they require no time to analyze the current system or the one being developed before beginning work.

The proposed contractor is a self-certified small business offering custom development services. They've successfully completed several small projects.

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

The pandemic has resulted in widespread shortages of qualified developers both internally and contracted. The general shortage of skilled programmers in the required technologies makes programmers very difficult to find, and very expensive - if you can find them. DCYF has struggled to obtain experienced web developers using the FTE recruitment process for years – currently carrying about a 30% vacancy rate in these positions. None of the DCYF in house developers have any direct experience with the technology stack involved in this application. This Contractor also has created a cost savings via rate charged, which makes this a good use of state resources.

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

The proposed contractor has invested many hours meeting with ETV program staff and consequently has a depth of program knowledge, requiring no need for orientation to discover additional business requirements. The proposed contractor literally requires zero lead time to orient and become familiar with the system before he could begin work. The proposed contractor's rate is much lower than we expected we'd have to pay to have someone perform this work.

5. 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

6. 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

7. 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.

NOT APPLICABLE

8. 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.

ETV is a federally mandated program and relies on an aging unsupported database to function properly. Without this work, DCYF risks the failure of this asset. Completion of an updated, cloud-based solution which includes a student portal allows for DCYF to continue this critical business function.

Not having a sole source approved would lead to additional time and costs - increasing the time necessary for discovery and onboarding. Any other procurement mechanism increases the project timeline and leaves ETV staff dependent on poorly performing, out of support software; which ultimately causes students in care to not be served as efficiently.

9. 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.

This proposal is for a narrowly scoped contract to engage a self-certified small business to deliver the required service.

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 comparison with comparable contracts, use the results or a market survey, or employ other appropriate means calculated to make such a determination.

The contracts we have with South Puget Sound Community College allows us to reach general web application developers for \$115.00 per hour. This proposed contractor has directly applicable niche experience as the Laravel developer involved in its original creation – both are factors that traditionally demand higher hourly costs – however the proposed contractor’s costs in this case come out far below what SPSCC bills for its contractors. This is strong evidence that the costs of this contractor are actually quite a value for DCYF.