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| CENTRAL CONTRACTS AND LEGAL SERVICES (CCLS)  **Sole Source Contract Justification** | | TO: | | |
| CONTRACT NUMBER  **2443-55417** | | TODAY’S DATE  **04/09/2024** |
| SELECT CONTRACT SERVICE DESCRIPTION / SUB-OBJECT CODE | | |
| **Contractor Information** | | | | |
| CONTRACTOR’S LEGAL NAME  **Workforce Software, LLC** | | | TAX IDENTIFICATION (TIN) OR UNIFORM BUSINESS IDENTIFICATION (UBI) NUMBER  **603-204-578** | |
| ADDRESS  **38705 Seven Mile Road, Suite 300, Livonia, Michigan 48152** | | | | |
| **Contract Purpose** | | | | |
| **This request is for the purchase of 100 time clocks that will be used to support The Department of Social & Health Services (DSHS) implementation of the integrated leave, attendance, and scheduling system (SILAS).** | | | | |
| **Contract Funding** | | | | |
| FEDERAL FUNDING  **$53,251** | STATE FUNDING  **$213,000** | | CONTRACT TOTAL  **$266,251.00** | |
| **Contract Dates \* Start Date must be more than 10 business days from date of request to CCLS.** | | | | |
| \*START DATE  **06/01/2024** | | END DATE  **05/31/2025** | | |
| 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?   **The Department of Social & Health Services (DSHS) in the process of implementing a new integrated leave, attendance, and scheduling system (SILAS) across the agency. With each deployment, time clocks are being installed for employees to punch in and out using their badge to record their time worked. The time clocks are a key component of this highly integrated system and automates the posting of time data directly to employee’s timesheets for payroll. The clocks being considered are a similar model to those the agency purchased from Workforce for the first and current SILAS deployments. Additional clocks are needed for the next phase of implementation.** | | | | |
| 1. Describe the unique features, qualifications, abilities or expertise of the contractor proposed for this sole source contract.   **The agency will leverage the existing DES contract for WorkForce software K1693 (formerly DES Contract 2336). In addition, below are the unique features specific to Workforce:**  **• Vendor supports the software on the clocks that speaks directly to the application**  **• Messages from vendor's software appear on the clocks**  **• Data selection elements appear on the clocks automatically**  **• Clocks interact real-time with the Time and Attendance module**  **• Clocks are centrally managed by the vendor**  **• Upgrades to clock software are included in the support plan and allow for DSHS to receive additional enhancements during the lifetime use that would not be available with another vendor** | | | | |
| 1. 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.   **Clocks purchased from another vendor would not be integrated with the Workforce Time and Advanced Scheduling system. DSHS would need to build out and manage an interface, thus losing out on interoperability. Security would be minimized depending on the interface set up whereas security is already built in with Workforce’s clocks. Automated features such as checking field values, displaying messages, etc. would not be available. Interaction with the software would not be real-time.** | | | | |
| 1. 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.   **The time clocks interface with the Time and Attendance module and the highly integrated configuration that supports it does not make it possible to separate the hardware and software components.** | | | | |
| 1. 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)..   **Purchasing clocks through Workforce supports the integrated terminal system with the current time and attendance platform. Implementing another product would require the agency to build and manage its own interface to any third party clock which would lose some of the integration value such as limited features with the full system compared to clocks sold by Workforce. Any software updates that require changes to the clock interface would have to be managed by DSHS. DSHS would need to route their own security integration whereas it is built in with existing system.** | | | | |
| 1. 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.** | | | | |
| 1. 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.** | | | | |
| 1. 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.** | | | | |
| 1. 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 sole source is not approved, it will impact the rollout of SILAS across DSHS. The time clocks being considered have proven to be effective and meet the agency’s needs to complete the rollout of the leave, attendance, and scheduling system in a timely manner. There is no guarantee that any other contractor can offer the same hardware and software integration and support. | | | | |
| 1. 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.   The rates are fixed based on the rate card inlcuded in the Workforce state contract that is currently managed by WaTech. | | | | |
| 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 10 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.** | | | | |