



CENTRAL PURCHASING UNIT (CPU)

Sole Source Filing Justification

PURCHASING COORDINATOR: Zane (Tim) Scott	
PR NUMBER 2423619	TODAY'S DATE 11/6/2024
SELECT SERVICE/PRODUCT DESCRIPTION / SUB-OBJECT CODE EA A410	

Vendor Information

VENDOR'S LEGAL NAME Day Management Corporation (dba Day Wireless Systems)	TAX IDENTIFICATION (TIN) OR UNIFORM BUSINESS IDENTIFICATION (UBI) NUMBER 930681623
ADDRESS 6430 SE Lake Rd, Milwaukie, OR 97222	

Purpose of Purchase

Upgrade the existing 2-way radio network at Maple Lane to facilitate the purchase of 175 Mototrbo Capacity Plus radios and ancillary equipment needed by DSHS Behavioral Health Treatment Facility (BHTC) to run and operate in support of living units (Cascade, Columbia, Oak, Baker, Chelan, Olympic Rainer, and Pacific) for mental health patients on the Maple Lane Campus.

Funding Source(s)

FEDERAL FUNDING \$	STATE FUNDING \$463,154.47	CONTRACT TOTAL \$463,154.47
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Proposed Purchase Dates *** Start Date must be more than 20 business days from date of request to CPU.**

*START DATE 12/5/2024	END DATE 12/31/2025
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AMENDMENT OPTIONS

Sole Source Definition and Guidelines

What is a sole source filing?

“Sole source” means a vendor 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 filing. 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 filing 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 filing truly outweigh the benefits of a competitive procurement.

Sole Source Justification

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

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

DSHS is mandated by the courts, under threat of continued court fines that run in the millions of dollars, to establish a Residential Treatment Facility (RTF), referred to as Maple Lane Campus (MLC).

MLC will need approximately 175 Mototrbo Capacity Plus radios in order to conduct daily business for communications within the 7 Living Units and multiple buildings campus wide. MLC Department will provide monitoring and security for the entire campus to ensure building occupants (staff, patients' and visitors') safety and to respond to emergency situations (e.g., combative patient).

The existing system and equipment needs to be expanded to cover the entire MLC but cannot be expanded without an upgrade because the system is antiquated. The Mototrbo Capacity Plus radios needed for this upgrade are not covered under the current DES Statewide Naspo Contract (05819), nor are these radios available under the DES Statewide Motorola Contract (00318).

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

Day Wireless is uniquely qualified, as they built, implemented and supported the entire existing radio system currently in place at Maple Lane. The system is proprietary. This is an enterprise system because of the linking of systems.

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 filing, 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, fulfill the procurement; or an explanation of why the agency has determined that no businesses other than the prospective vendor can provide or perform the goods and/or services needed.

BHA has determined that the cost to upgrade the existing system is the most cost-effective and suitable solution.

4. What considerations were given to unbundling the goods and/or services in this procurement, which would provide opportunities for Washington small, diverse, and/or veteran-owned businesses. Provide a summary of your agency's unbundling analysis for this procurement.

It was determined that unbundling is not an option because this is a proprietary system that can't be unbundled.

5. As part of the market research requirements, include a list of statewide contracts reviewed and/or businesses contacted, 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, fulfill the procurement; or an explanation of why the agency has determined that no businesses other than the prospective vendor can perform or provide the goods and/or services needed.

Vendor and DES contract POC were contacted to identify alternatives. None were identified.

6. Per the Supplier Diversity Policy, DES-090-06 and A.P. 13.27: Was this procurement included in the agency's forecasted needs report?

No, as we recently learned that the existing system needs to be upgraded to allow radio expansion to the entire Maple Lane Campus.

7. Describe what targeted industry outreach was completed to locate small and/or veteran-owned business to meet the agency's need?

BHA reviewed small businesses available under DES Statewide Naspo Contract (05819) and the DES Statewide Motorola Contract (00318) and was unable to locate a diverse vendor that could meet the system requirements.

8. Provide a detailed and compelling description that includes qualification of the costs and risks mitigated by purchasing with this vendor (i.e., learning curve, follow-up natures).

Day Wireless is intimately familiar with MLC and its existing system. In addition, Day Wireless understands the technical requirements and specifications to complete the system expansion and upgrade. To start with a new vendor would not be good or efficient use of state time and resources.

Due to the nature of this existing system at other DSHS facilities, training, trouble shooting, and operations will be expedited and the upmost efficient.

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

Not applicable.

10. Is the agency proposing this sole source filing 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.

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.

If this sole source is not approved, DSHS will be unable to meet the demands of the courts and OFMHS will be unable to establish and operate this Behavioral Health Treatment Center.

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 procurements, use the results of a market survey, or employ other appropriate means calculated to make such a determination.

The estimated cost to replace the entire existing system is somewhere between \$1,500,000 to \$2,100,000. The cost to upgrade the existing system is fair and reasonable in comparison to replacing the entire existing system.

If filing is considered late, obtain your Division Director and Fiscal Approvals.
If the filing is "late" (where the purchase start date is less than 20 business days from date sent to CPU for review, approval, and submission to DES), you must also complete and attach the Late Filing Justification form.

This purchase is exempt from Sole Source filing.

The following exemption applies: _____

This purchase does not need to be filed as a sole source.

Completed by: _____

Date: _____