Sole Source CONTRACT Filing Justification Template

*Use the following justification template for preparing to file sole source contracts in the* [*Sole Source Contracts Database*](https://sscd.des.wa.gov/Logon/Logon.aspx?ReturnUrl=%2f) *(SSCD). Once completed, copy and paste the answers into the corresponding SSCD question and answer fields. You will also need to include a copy of this completed form in the documents you post to your agency website and in* [*WEBS*](https://pr-webs-customer.des.wa.gov/)*.*

# 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 forgoing 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?
	+ Our current Braillo 200 (from the mid-1990’s) is outdated and is no longer in production. Due to a significant increase in repairs, we believe it’s time to replace/upgrade the machine. We currently have to fly a technician in house from California whenever it needs repairing, so to upgrade to the proposed embosser would drastically cut costs and lead times.

## Sole Source Criteria

* Describe the unique features, qualifications, abilities or expertise of the contractor proposed for this sole source contract.
	+ Braillo is a braille embosser production company based in Norway that is the only company that builds braille embossers to meet the rigorous demands of high speed, high volume braille production. American Thermoform is the only US distributor of this company of who we may purchase through. As opposed to personal use (desktop) braille embossers, a production braille embosser is designed to not only emboss braille quickly but built for continuous operation to withstand our production quantities– as in 15+ hours of use at a time, with the user only stopping to reload paper no more than once per hour. This link - <https://braillo.com/see-feel-braillo-difference/> - will show you the side by side “mechanical” comparison of the Braillo’s versus the competitor embossers (designed for home, classroom, office use).
		1. Production braille printers need industrial level motors to meet the heavy demands of braille production. Braillo uses a powerful main motor to operate the printing mechanisms and a separate and smaller motor to run the paper handling component. In contrast, the competition uses a single, small, lightweight stepper motor to run all of its operations.
		2. The timing wheel is part of what controls the entire operation of a braille printer – an essential component to ensure proper spacing and dot alignment. Braillo uses (2) timing wheels made of case-hardened steel and are significantly larger in size compared to the (1) small wheel made of lightweight aluminum used by the competition.
		3. Keeping the drive belt taught ensures proper braille line and dot spacing. A loose belt will result in errors in braille production, incorrect braille dot height and location, as well as potentially damaging the braille printer. Braillo uses a thick, heavy-duty steel belt tensioner that provides constant pressure, while the competitor uses a thin plastic tensioner susceptible to bending and breaking while under the lightest stress.
		4. Running a production printer for numerous hours each day causes heat build-up – something which can potentially harm electrical components or cause the user to stop production to allow the printer to cool. Braillo uses (2) heavyweight metal fans to remove hot air, while the competition uses only (1) lightweight plastic fan.
		5. Tractor belts feed the braille paper through the printer. It is essential that the paper is fed through the printer accurately. Braillo uses heavy-duty tractor feed units with 6 steel contact points and a durable belt mechanism, while the competition uses a thin plastic belt with just 4 small plastic contact points, making the paper susceptible to misalignment and tearing.
		6. Braillo braille is known as the easiest to read and the reason is simple, our braille is perfectly aligned and the dots are where they’re supposed to be. They meet government standards – others do not.
		7. Braillo builds heavy-duty, high quality, durable embossers for true, large-scale braille production. Braillo’s competitors assemble personal braille embossers with consumer-grade parts.
		8. Braillo braille printers are constructed with precision-engineered, strong metal components and fixed embossing pins. This combination means that there is virtually no lateral movement while embossing, which allows you to print at extremely high speeds 24/7, while still maintaining superior braille alignment and height. With Braillo, you will not get wavy braille and uneven dot heights.
* 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.
	+ The Ogden Resource Center (ORC) is sub-entity of the Washington State School for the Blind (WSSB). Our agency has been in the braille business for 31 years (opened our doors in 1992) and have stayed apprised of the newest technology that is available for embossing. Unlike the school, who produces minimal braille for their students, the ORC produces textbooks for schools throughout the state. We have used many brands of embossers through the years and continue to use other brands for other braille embossing features (such as braille labels & braille business cards). But when it comes to our daily production of textbooks, state documents (in past years the voter’s pamphlet), we have only been able to rely on our Braillo’s for speed and quality. Our braillo’s are running 6-8 hours a day unstop (except to add more paper). We “burned” through 2 other branded desktop embossers within a few weeks one year when our Braillo was down and our IT person was unavailable to immediately to help us. Here is a link to available embossers in the US - <https://www.loc.gov/nls/resources/blindness-and-vision-impairment/devices-aids/braille-embossers/#braille-embossers>. There you can see the quick comparison of the CPS (Characters Per Second). The CPS is critical when you produce close to half a million braille pages every year (2019 - 495,487 / 2020 - 464,686 / 2021 – 481,629). Speed (CPS) and braille dot quality are a key component to our success and ability to get volumes of textbooks out to students throughout the state in a timely manor.

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| **Model** | **CPS** | **Price** | **Dealer** | **note** |
| Braillo 600 SR2 | 600 |  $ 75,500.00  | American Thermoform | uses a continuous roll of paper / need a larger room for this. This goes the same for the 650 SF2 and 650 SW 2 |
| Braillo 600 S2 | 600 |  $ 45,000.00  | American Thermoform | have 1 of these |
| Braillo 450 S2 | 450 |  $ 35,000.00  | American Thermoform | have 1 of these |
| BrailleBox | 300 |  $ 15,995.00  | Humanware | we had one of these and surplused it. Tried to use for braille business cards since it is for cut paper only. Because of its design, it was inconsistent with every page where the braille was formatted. |
| Braille Place | 300 |  | Enabling Technologies |  |
| Braillo 300 S2 | 300 |  $ 25,000.00  | American Thermoform |  |
| Elite 200 | 200 |  $ 14,995.00  | ViewPlus |  |
|  |  |  |  |  |
|  |  |  |  | They just get smaller from here … |

* + We have not personally contacted any other companies as the link provided above and our personal experience with various brands speaks for itself.
* 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.
	+ Since there are no other companies in the US that carry commercial grade braille embossers, we were unable to look at other small businesses.
* 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).
	+ The initial cost of the embosser is $42,000 (which includes the stand that usually ads an additional $2,500) plus $3,000 for freight charges. This brings the total to $45,000.
	+ Since American Thermoform has their supplier is in Norway, prices are continuing to increase due to the current nature of exchange rates, which makes this matter all the more pressing.
	+ This machine embosses interpoint braille onto continuous/fanfold braille paper at 600 CPS (1,800 pages an hour) with 168 electro-isolated printing systems. Can emboss 10 to 42 characters per line. Built on a chassis that can be adapted for a Braillo 600 SR should the user’s needs expand. Weighs 254 lb.
	+ We haven’t experienced learning curve since we have been running older models.
	+ This is the only embosser to meet National Braille Authority height and alignment standards. Furthermore, it’s the only embosser manufacturer that offers backwards compatible upgrades.
	+ Warranty - For all Braillo models, the standard warranty covers any defective mechanical and electrical component from the date of delivery throughout the first three years, or up to 8,000 hours, whichever comes first. This amounts to up to 15.6 million braille pages. Braillo adds an additional 1 year for using Braillo/American Thermoform braille paper – which we use.
* Is the agency proposing this sole source contract because of special circumstances such as confidential investigations, copyright restrictions, etc.? If so, please describe.
	+ No
* 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.
	+ No
* 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.
	+ Yes, American Thermoform is the only US distributor for the Norwegian made product. It is not reasonable to go outside of the US.
* 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.
	+ We typically run 2 Braillo’s in our Vancouver office and another in Gig Harbor (our prison program). Spring/Summer/Fall are our busiest times of the year for braille production. This is when we are really ramping up to get school textbooks/resource materials out to students. We need to have the replacement here before then, so students and other state agencies do not have to suffer with late materials. If one goes down, our production slows until repairs can be made. If we had to purchase a desktop embosser versus a commercial embosser, we would be in a constant slow and run behind on deadlines.

## 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.

 Since American Thermoform is the only company that sells the commercial grade embossers that meet our needs, we did not have any comparable companies to look at. However, they are throwing in the stand ($2500 value) like they did in 2021 when we last purchased one. The freight charges are only estimated as they change daily.