



Sole Source CONTRACT Filing Justification Template

Use the following justification template for preparing to file sole source contracts in the [Sole Source Contracts Database](#) (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](#).

What is a sole source contract?

"Sole source" means a contractor providing goods or services of such a unique nature or sole availability 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 DES' evaluation.

Specific Problem or Need

- **What is the business need or problem that requires this contract?**

The Washington Department of Fish and Wildlife (WDFW) requests to enter into a Sole Source contract with Seattle Seaplanes, LLC. WDFW uses aircraft to do aerial surveys to count or conduct telemetry locating on wildlife, fish redds (fish egg nests), fishing boats, and shellfish harvesting buoys, to assess populations and estimate each season the number of animals harvested. The surveys are critical for gathering information on many species managed by WDFW. This includes species listed under the Endangered Species Act (ESA).



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Without the surveys to determine the populations, some species could become extinct due to over harvesting. The impact of species going extinct creates harsh economic impacts, reducing by a magnitude of millions of dollars the amount of money that goes into the state's general fund. This reduction reduces the amount of money available for WDFW as well as other agencies.

Without these surveys, WDFW would be in violation of legal agreements with Washington State Tribes who co-manage fish and wildlife with WDFW, and other state and international co-managers.

The one DES statewide contract vendor that meets the specific aviation survey needs is not available during WDFW's busy survey time periods for weeks and months at a time.

The current DES statewide contract vendor is on a reduced schedule and not available on Fridays in April-June. They are also not available from July through mid-August. Having more diversity in the statewide contract with types of aircraft and availability would be invaluable to WDFW.

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

WDFW's specific needs are:

- Be available year-round, seven (7) days a week.
- Experience conducting biological surveys. Biological surveys observe and collect data on fish and wildlife, including their reproduction, and these require some level of expertise in biology and animal habitats, including migratory behaviors.
- The use of a twin-engine or a single-engine with floats because we are flying over open water and for safety reasons we need to have a "spare" engine or the ability to land on water. A single-engine plane must fly too high for our visual needs to allow for a longer glide path in case of engine failure. This vendor has a float plane, and can fly between 500 and 1,200 feet above ground-level; which is optimal for visual identifications of survey subject matter.
- Pilots must have 1,000 hours of flight time and over 50 hours of flight time in the specific plane being used for the biological surveys. This is a requirement from the WDFW Aviation Policy.
- Located in Puget Sound. This eliminates the need to contract with non-local vendors and the increase in the costs of conducting the surveys due to the need for overnight stays. They are also familiar with the Puget Sound area, fueling locations and the safe water ways to land on.
- Able to pick up passengers in Olympia and other areas in Puget Sound, and this reduces our staff travel time.
- Available throughout day light hours.
- Must be a high winged plane for visibility to conduct surveys unobstructed by the plane wings.



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- Must have a three-year (3-year) clean safety record with the Federal Aviation Administration (FAA), National Transportation Safety Board (NTS), and in news reports.
- **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. Use DES' Market Research Template if assistance is needed.
 - Reviewed the statewide vendor contract and found no other twin-engine planes available in the Puget Sound region.
 - Conducted a Google search of aviation vendors within Puget Sound. We found four companies.
 - Contacted the non-contract float plane vendors within Puget Sound to determine their fee rate, availability, plane availability, and accident history within the last 3 years.
 - Checked the Federal Aviation Administration (FAA) and National Transportation Safety Board (NTSB) websites for accidents and near miss history.
 - Checked news reports on the internet.
 - The one other company we are aware of in this area had a serious safety issue as described below and documented in the linked article. Due to this serious safety concern, WDFW Safety Office recommends we not use this company. WDFW has experienced two employee fatalities in the recent past and has increased their focus on safety.
 - Of the three companies contacted, only the one we propose to contract with meets WDFW's criteria. The other two companies have had accidents or safety incidents within the last three years.
- **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, 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 one float plane on state contract (Kenmore Air) is rarely available in July and August.
 - Checked the internet for available non-contract vendors within the Puget Sound Area.
 - We Contacted Seattle Seaplanes, LLC, Northwest Seaplanes and Seaplane Scenics by phone for type of planes available and hourly flight rate.
 - 5/2025. Contacted Northwest Seaplanes. The planes available were larger than we require, which increases costs and reduces our ability to adequately survey. Also, on 9/4/2022 one of their planes was involved in a fatal crash due to a mechanical failure. (NTSB accident number: DCA22MA193)



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- 6/2022. Contacted Seaplane Scenics. We flew with them and had a near miss incident. Due to safety concerns we no longer fly with this company.
(https://myedmondsnews.com/2022/09/seaplane-pilot-lands-at-marina-beach-after-running-low-on-fuel/?utm_source=chatgpt.com)
- 7/2022. Contacted Seattle Seaplanes and flew with them. They have been a safe, available and accommodating charter service.
- These are the only float plane charter companies within a reasonable flight distance of Olympia.
- **Per the Supplier Diversity Policy, DES-090-06: was this purchase included in the agency's forecasted needs report?**
 - Yes.
- **Describe what targeted industry outreach was completed to locate small and/or veteran-owned businesses to meet the agency's need?**
 - We conducted a search of float plane businesses listed in Puget sound. This is a small business.
- **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.
 - Unbundling consideration is not necessary as most of these are small businesses, and there are too few vendors to allow us to have multiple vendors on a contract.
- **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 proposed company has experience conducting biological surveys. This allows the surveys to be conducted in a timely and efficient manner thereby saving airtime and money. This contractor has a good safety record and no history of accidents or incidents. Their pilots meet the minimum of 500 hours of flying time and at least 50 hours of flying time in the plane they use for the biological surveys.
 - This company meets our WDFW policy and safety needs and is available during the timeframes we must conduct our surveys.
 - WDFW has contracts with aviation companies that complement the DES statewide contract. This company is not on the DES statewide contract because they did not provide a bid at the time we published our solicitation.



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Below find the costs of the planes I found while doing this research. WDFW based this pricing comparison on four hours of flight time. The flight time does not include travel time to Puget Sound for the out-of-state vendors.

Business	Location	Registration Number	Aircraft Make/ Model/ Series	Description	Wet Hourly Rate w/Pilot	Overnight Flight Fee	Standby hourly Rate	Total Fee
In State – non Contract								
Seattle Seaplanes	Seattle, WA	N8397Q	Cessna U206F	Single engine float plane	\$1,100	\$0	\$0	\$4,400
	Seattle Seaplanes does not require overnight travel and the extra flight hours that the non-local aviation companies will require. The Total Fee pricing does not include the extra costs of travel. For example, Owyhee Air likely will require a 2.5 hour round-trip flight of approximately \$2,000 on top of their Total Fee, and that does not also include per diem.							
Out of State WDFW Contract								
Elkhorn Aviation/Baker Aircraft, Inc	Baker City, Oregon	N8PQ	AC-690-A	Gulfstream Twin Commander twin-engine	\$1,800	\$220	\$65	\$7,420
Owyhee Air Research, LLC	Nampa, Idaho	N17ZX	P-68_Observer 2	Partenavia P68 twin-engine	\$810	\$0	\$350	\$3,240
		N170WL	P-68_C	Partenavia P68 twin-engine	\$780	\$0	\$350	\$3,120
Out of State DES Contract								
Hillsborro Aviation, Inc	Hillsboro, Oregon	N964GB	King Air C90	Multi-engine	\$2,271.82	\$334.10	\$0	\$9,087.28
		N515CK	King Air B200	Multi-engine	\$2,672.72	\$334.10	\$0	\$10,690.88



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

The special circumstances are that there are few vendors who can do this work. WDFW needs another contract vendor. There are no local twine engine planes available for charter. The one local contract float plane vendor is not available consistently and sometimes for weeks at a time. We need a safe reliable vendor that meets the agencies safety standards.

WDFW is required to conduct biological surveys to meet agreements with other states, federal, international and tribal comanagers. In some cases, if the surveys are not conducted it would be a breach of agreement with other states, federal, international and tribal comanagers and could cause fisheries and hunting seasons to close. Closing these fisheries and hunting seasons would have a profound economic impact on Washington state, diverting millions of dollars away from the state's general fund. Such losses directly threaten the stability of the state's biennial budget and could undermine essential service funded by these revenues.

- **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.

- **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.

Immediate impact:

- WDFW cannot do the necessary surveys to manage fish and wildlife properly.

Longer-term impact:

- WDFW is violating agreements with tribal co-managers, other states, federal and international co-managers.
- WDFW may have to close fisheries and close or reduce hunting seasons and this impacts the recreational activities of our citizens as well as impacts those who use these activities to feed their families.
- Closing fisheries and closing or reducing hunting seasons will have a profound economic impact on Washington State's general fund revenue, diverting millions of dollars elsewhere and could threaten the stability of the state's biennial budget.



Sole Source Posting

- **Sole Source Posting on Agency Website - Provide the date in which the sole source posting, the draft contract, and a copy of the Sole Source Contract Justification Template were published on your agency's website.**
 - If failed to post, please explain why.
- **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 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.

No other float plane companies are available on state contract.

The proposed company has experience conducting biological surveys. This allows the surveys to be conducted in a timely and efficient manner thereby saving airtime and money. This contractor has a good safety record and no history of accidents or incidents. Their pilots meet the minimum of 500 hours of flying time and at least 50 hours of flying time in the plane they use for the biological surveys.

This company meets our WDFW policy and safety needs and is available during the timeframes we must conduct our surveys.

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