

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 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

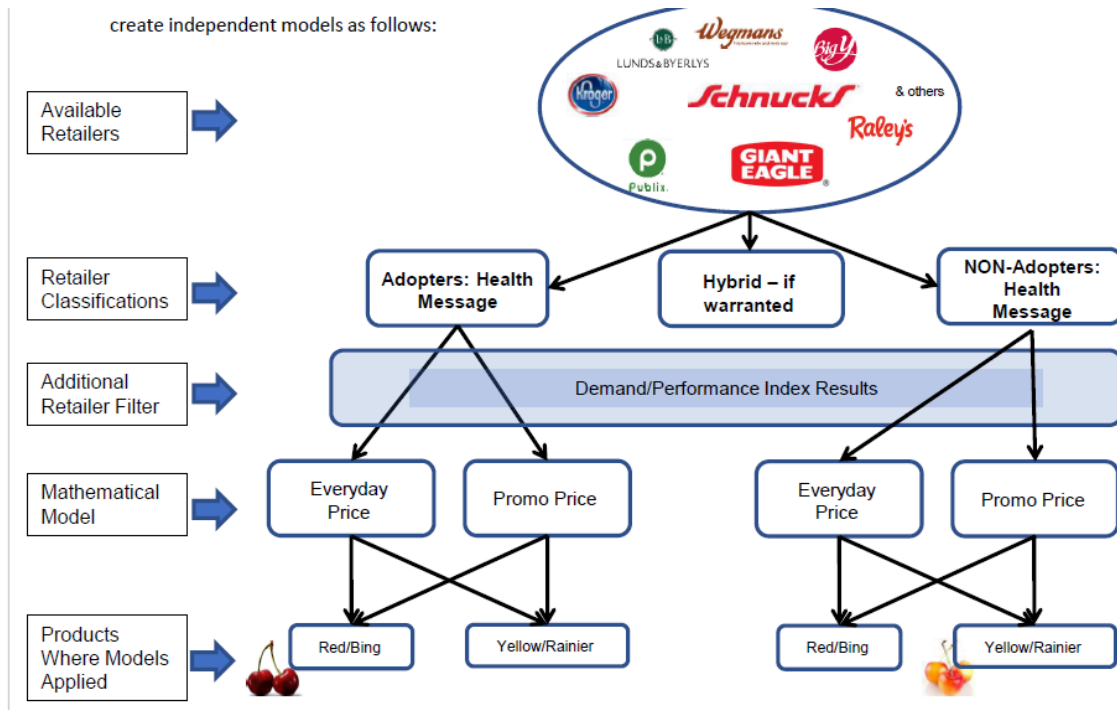
- **What is the business need or problem that requires this contract?**
The Washington State Fruit Commission requires this contract to supply the Washington State Fruit Commission (Northwest Cherries) with health messaging analyzation in order to determine the impacts that health messaging has on Northwest Cherry sales in the retail channels and to continue its priority to drive grower/shipper value by extending its industry leadership position in the business insights space during the 2025 Northwest Cherry season.

This partnership will allow the Washington State Fruit Commission to determine if, or to what extent, cherry associated health messages drive sales and/or higher prices through independent models that will isolate, and predict, volume gains and losses as everyday retail and promo prices are adjusted. This partnership will also supply the Washington State Fruit Commission's (Northwest Cherries) Reps with access to materials to help retailers understand the unique opportunities for growth in the 2025 retail cherry market and provide actionable steps to improve their respective cherry sales and understanding of the impacts of health messaging at the retail level. This will support insights and marketing aimed at promoting and increasing consumption of fresh Northwest Cherries across the United States.

Sole Source Criteria

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

Luminary Insights is unique in the fresh foods insights space – No other company possesses the internal advanced modeling capabilities (including AI) and cherry industry experience. They can identify and quantify the impact on retail sales and/or velocity of health messaging by retailer classification. Luminary Insights possesses the skills to manage, manipulate, and customize raw data while bringing it to life in graphically pleasing visualizations while advanced analytic skills are used to build price-to-volume relationships and promotional optimization insights. Luminary Insights has built detailed production forecast models that help perishable producers better predict crop timing and production volume.



- **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.**

After researching Luminary Insights, LLC and trying to see if there is any other company that provides the services and products they offer to their partners, there is no match. As previously mentioned no other company possesses the internal advanced modeling capabilities and cherry industry experience that Luminary Insights can provide.

We found that there are a number of companies and consultants that can execute limited portions of what is needed. For example, some companies can take multiple data sources and integrate, align and publish the "raw data" needed as project inputs. However, they do not possess the internal capability to build the statistical models required and feed the data into those models to yield the necessary results.

Other consultants and academics can create needed statistical models, but do not possess the data management skills and tools to properly acquire and integrate the critical data inputs.


The fresh cherry industry is unique in the highly specialized and unique fresh produce industry. Assumptions evaluation on the front end and creation and evaluation of results on the backend require extensive knowledge of the unique nature of the industry. The team at Luminary Insights, LLC has decades of data analytics experience in the fresh produce industry.






Market Research Techniques

1. Reviewing past solicitations

On April 17, 2024, our agency posted a legal notice of intent to award a Sole Source Contract to Luminary Insights, LLC to provide health messaging analyzation in order to determine the impacts that health messaging had on Northwest Cherry sales in the retail channels during the 2024 Northwest fresh cherry season.

WEBS Sole Source Notification

 webcustomerservice@des.wa.gov
To: Legal WSF

 Reply  Reply All  Forward  

Wed 4/17/2024 4:26 PM

It is the intent of Washington State to promote transparency for all contracts for goods and services. As per Policy #DES-140-00, notice of all intended agency sole source contracts must be posted on the state's enterprise vendor registration and bid notification system (currently the Washington's Electronic Business Solution (WEBS)) for at least five (5) working days. Our records indicate that your firm is registered to receive WEBS notices from one or more categories listed in this sole source notification:

Pending approval by the WA Department of Enterprise Services, the posting organization listed below intends to award a sole source contract for the following goods or services:

Title: Health Messaging Analyzation
Description: Provide health messaging analyzation in order to determine the impacts that health messaging has on Northwest Cherry sales in the retail channels during the 2024 Northwest fresh cherry season.
Estimated Value: 113,550
Customer Reference Number: 2024-LUMIN
Close Date: Wednesday, April 24, 2024
Posting Organization: Fruit Commission, Washington State

The definition of a sole source contract, as per RCW 39.26.010, is one where the 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.

Although this sole source notification is not an invitation to bid, if you feel your firm is able to provide the goods or services listed above, please review this sole source notice by logging in at:

https://or-webs-vendor.des.wa.gov/Search_BidDetails.aspx?ID=52415

Based on this sole source posting and evidence provided to DES it was determined there was only one (1) responsive/responsible vendor which was clearly and justifiably the only practicable source to provide the services needed – no other company possesses the internal advanced modeling capabilities and cherry industry experience.

Our Agency's mission tasks us with promoting Washington Stone Fruit in a way that creates opportunities for the highest possible returns for our growers, and to assure and support the long-term viability of the industry. To educate growers, retailers, and consumers about the production and benefits relative to tree fruit.

By not having this contract approved, our Agency would be unable to continue our priority to drive growers/shipper value by extending our industry leadership position in the business insights space with our continued emphasis on health messaging for the 2025 Northwest Cherry season.

SSCD: Filing Decision: 4/17/2024 3:33:00 PM - Decision Date: Apr 30 2024 12:00AM .

DE des.contracting@des.wa.gov
To: Tammy Marquis

You forwarded this message on 4/30/2024 11:39 AM.

This email is being sent because you were identified as the person to be contacted after a decision was made by DES on this filing.

Decision: Approved
By: Brooke Jensen
Filing Number: 49008-00

Contractor Legal Name: Luminary Insights, LLC

Agency: 515
Agency Contract #: 2024-LUMIN
Filed Date: 04/17/2024
Start Date: 05/06/2024
Filed By: Tammy Marquis

Contract Value: \$113,550

Decision Comments: DES approves this contract as it meets the criteria, definition, and justification for a "Sole Source", per RCW 39.26.140. Any relevant contract terms that are retained are kept at agency's risk and discretion.

Please retain the Filing Number listed above for any later query purposes or to use to file any amendments to the contract in the SSCD. If you have any questions or concerns about this filing, please contact DES at des.contracting@des.wa.gov.

Thank you,

Enterprise Procurement Policy
Contracts and Procurement Division
Department of Enterprise Services

2. Database searches

DES Statewide Contracts

Search Contracts

Select Contracts:
All Active Contracts

Contracts Search:

All Active Contracts

Showing 0 to 0 of 0 Contracts
(filtered from 182 contracts)

Show: Contracts Per Page

Contract Number	Contract Title	Effective Date	Term Date	OMWBE Certs	Small	Veteran	Considerations & Preferences	Green
<p>Your search did not match any contracts.</p> <p>Didn't find what you were looking for?</p> <p>The Contracts Resource Center is here to help.</p> <p>(360) 407-2210 Email Find a Contracts Specialist</p>								

☐ Preference Contract w/ Green Recycled Content
☐ Contract With Certified Small Business
☐ Preference Electronic Products Purchasing

MW/MW = MW: Minority Women Certified Business;
 M: Minority Certified Business; W: Women Certified Business
☐ Contract With Vet-Owned Certified Business
 HFC = *Preference Hydrofluorocarbons Products

☐ Two Tier Contract
☐ *Preference Executive Order 18-03
☐ *Preference Nonmercury-Added Products

- **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 award is being offered to a small business in Idaho as they can provide the services our Agency needs which will support insights and marketing aimed at promoting and increasing consumption of Northwest Cherries. Unbundling opportunities do not apply to this contract – it would not be cost effective for our Agency. Great efficiency – both cost and project execution - is gained across the project by having a single agency managing all aspects of this data collection, integration, modeling, and analysis.

- **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).**

There are no risks in working with this contractor, only benefits to promoting Northwest Cherries. The team at Luminary Insights, LLC has decades of data analytics experience in the fresh produce industry. Specifically, the team members have extensive experience in supporting the fresh cherry industry.

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

N/A

- **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.**

No, there are no geographic limitations.

- **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.**

By not having this sole source approved, we would be unable to continue our priority to drive grower/shipper value by extending our industry leadership position in the business insights space with an emphasis on health messaging in 2025 which will lead to negative impacts to the state of Washington and our industry's growers and shippers. The promotion of Northwest Cherries is our job and duty to the growers and shippers that we represent in the industry.

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.

The services provided by Luminary Insights is custom to Northwest Cherries for the 2025 season:

2025 Budget	
Incremental Data Inputs	\$22,680
Field Agent audits	\$22,680
Annual Reports	\$4,500
Year End Report	Included
Top 25 Retailers	Included
Ad Dashboard	\$14,700
Ad Counts	Included
Health Ad Counts	Included
In-Season Tracker	Included
Rep Support & Retailer Insights	\$34,750
Pre-season Rep Reports	Included
Research Summary	Included
Seasonal Transition (cherries & grapes)	Included
Retailer & Consumer Research	\$38,750
Merchandising Factors	Included
Retailer & Consumer Research	\$24,600
Promos 1: Descriptive (What's Happening)	Included
Promos 2: Evaluative (Impacts)	Included
Total (Data, Research and Reports)	\$139,980