



## Filing Summary

Approval - Contract should be filed a minimum of 15 working days prior to the proposed start date of services.

Agency: 477 - Department of Fish and Wildlife  
 Filing Number:  
 Reference Number: 90718  
 Agency Contract Number: 24-25186  
 Filed By: Deanna Luque  
 DES Decision Date:

## Contractor Information

Legal Name Natural Systems Design  
 DBA  
 UBI  
 Address 1900 N Northlake Way, Suite 211, Seattle, WA USA 98103

## Contract Information

Procurement Sole Source  
 Service Description EZ Other Goods and Services

Contract Purpose Natural Systems Design will continue and complete the feasibility study and conceptual design for DeBay Slough Restoration that they started with Skagit County. Tasks include integrating fish use data into feasibility, developing three conceptual design alternatives, choosing a conceptual design to move forward and completing a basis of design report. The feasibility study has already been started with some of the deliverables already created by Natural Systems Design (NSD), who was the contractor hired by Skagit County. Because they are already familiar with the project, the stakeholders, and have completed some deliverables and have started (and not completed) others, it makes the most financial sense to hire NSD to complete their work on the feasibility study rather than have the project go out to bid.

## Fund Source

Filing Number	Federal	State	Other	Total
This Filing		\$58,130		\$58,130
Contract Total				\$58,130

## Contract Dates

Filed Date	Start Date	End Date
06/21/2024	08/01/2024	12/31/2025

## Contacts

Deanna Luque	(360)902-8358	deanna.luque@dfw.wa.gov	In Process
Deanna Luque	(360)902-8358	deanna.luque@dfw.wa.gov	Processed

## Current State Employees

Not Applicable

## Former State Employees

Not Applicable

## Filing Justification

### Specific Problem or Need

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

In January 2024, WDFW finalized the contract to take over a feasibility study from Skagit County for potential restoration on our DeBay Slough Wildlife Area Unit. The feasibility study has already been started with some of the deliverables already created by Natural Systems Design (NSD), who was the contractor hired by Skagit County. Because they are already familiar with the project, the stakeholders, and have completed some deliverables and have started (and not completed) others, it makes the most financial sense to hire NSD to complete their work on the feasibility study rather than have the project go out to bid. Natural Systems Design (NSD) was hired in February of 2022 by Skagit County to complete the feasibility assessment for DeBay Slough Restoration. They completed the Site Assessment and Existing Conditions Analysis, and held several public meetings to inform neighbors and interested parties about the project and gather information. NSD is familiar with the site, with the stakeholders, and with the project and can complete the remaining tasks with the time and funding allocated in the grant award.

## Sole Source Criteria

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

Natural Systems Design (NSD) was hired in February of 2022 by Skagit County to complete the feasibility assessment for DeBay Slough Restoration. They completed the Site Assessment and Existing Conditions Analysis, and held several public meetings to inform neighbors and interested parties about the project and gather information. NSD is familiar with the site, with the stakeholders, and with the project and can complete the remaining tasks with the time and funding allocated in the grant award.

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.

Other alternative sources would push the project over budget and the project would not be completed in the time left in the grant. If we had to start completely over with a new company, completing the feasibility study would not be possible.

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.

Consideration was not given to other opportunities or contractors for this particular project.

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.

NO

Per the Supplier Diversity Policy, DES-090-06: was this purchase included in the agency's forecasted needs report?

NO

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

No

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).

Because Natural Systems Design will be picking up the feasibility study from where they left off, contracting directly with them rather than someone else will save both time and money. They will not need to use as much staff time getting familiar with the project and will be able to incorporate the work they've already completed into the final product. Unfortunately, while transferring the project from Skagit County to WDFW, the amount of funding available to Natural Systems Design was reduced. This was due to the need to contract with Skagit River System Cooperative to do fish sampling for the project, and the need to allocate some funding to WDFW's Restoration Project Manager to cover staff time. This has reduced the amount of remaining funding in the contract from almost \$80,000 down to just over \$58,000. Natural Systems Design has agreed to work within this remaining funding to complete the project.

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 Special circumstances do exist because this contractor was already hired to work on this project, except they were hired by Skagit County before Skagit County transferred the project and the grant award to WDFW.

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.

Yes. Skagit County was awarded a SRFB grant in 2020 to complete a feasibility study for restoring DeBay Slough. They hired Natural Systems Design to work on the feasibility study in 2022. The grant funding was transferred to WDFW in 2024 and expires at the end of December 2025. If we had to hire a new contractor through a competitive bid process to start over, we would quickly run out of both time and funding before completing the feasibility study.

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 we cannot approve this sole source filing, we will likely need to return the remaining grant funding back to RCO and not finish the feasibility study.

#### [Sole Source Posting](#)

##### Agency Website Information

Posted to Agency Website on 6/21/2024.

##### WEBS Information

Posted to WEBS on 6/21/2024.

##### Response(s) to Posting on WEBS

Time has NOT expired for responding to posting and will notify DES when time expires.

#### [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.

While transferring the project from Skagit County to WDFW, the amount of funding available to Natural Systems Design was reduced. This was due to the need to contract with Skagit River System Cooperative to do fish sampling for the project, and the need to allocate some funding to WDFW's Restoration Project Manager to cover staff time. This has reduced the amount of remaining funding in the contract from almost \$80,000 down to just over \$58,130.88. Natural Systems Design has agreed to work within this remaining funding to complete the project. The reimbursement rates by task are based on hourly rates that are comparable to the hourly rates charged by other consultants for other WDFW services contracts.

#### [Attachments](#)

24-25186-DeBay Slough Feasibility Study and Conceptual Design (1).pdf - 875094kb

24-25186 SoleSourceLegalNotice (2) (004).pdf - 97702kb

24-25186 DeBay Slough Feasibility Study Justification .pdf - 237172kb

Are any documents being sent that are not attached via this system? No

Is the contract or amendment document attached or listed above? Yes