



# 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 purpose of this procurement is to purchase four Grimm EDM 264 instruments and one Grimm 11-D spectrometer to support the Department of Ecology's (Ecology's) fine particulate matter (PM2.5)



Washington State  
**DEPARTMENT OF  
ENTERPRISE SERVICES**

monitoring program. Ecology received an Inflation Reduction Act Air Monitoring Grant for Fenceline and Multipollutant Monitoring from the U.S. Environmental Protection Agency (EPA), with project period October 1, 2024 – September 30, 2027 (Grant 5T-02J72201). One of the component projects funded through this grant is “Replacement instruments for smoke monitoring” (Component 3).

The Grimm EDM 264 is specified in Ecology’s Workplan and Budget for this grant. This Workplan and Budget was agreed to between Ecology and EPA prior to EPA awarding the grant. Because Ecology received specific grant funding for the purchase of the EDM 264, Ecology is required to purchase this specific instrument in order to fulfill the Workplan funded by the grant. The additional 11-D spectrometer is a spare part for the EDM 264, which is needed as a backup instrument for operations.

As stated in the Workplan and Budget, Ecology regulates agricultural burning, outdoor and pile burning in central and eastern Washington. Ecology operates a network of nephelometers to measure visibility and fine particulate matter (PM2.5) in order to effectively manage smoke and monitor the impacts of burn decisions on local communities. Most nephelometers are 15-20 years old, no longer manufactured or supported, and are past their useful life. EPA funded Ecology to purchase four Grimm EDM264 instruments and evaluate their use for smoke monitoring.

## Sole Source Criteria

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

DURAG INC is the exclusive distributor of Grimm instruments in the United States. There is no other vendor from whom we could purchase the equipment specified in the grant Workplan and Budget.

- 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.

DURAG INC is the exclusive distributor of Grimm instruments in the United States. DURAG INC provided Ecology with a Sole Source of Supply Confirmation Letter on March 5, 2026 verifying that they are the sole source of supply for all Grimm products including instruments, spare and replacement parts, and service operations in the United States.

Prior to negotiating the Inflation Reduction Act Air Monitoring Grant Workplan with EPA, Ecology conducted extensive market research on available PM2.5 monitoring instruments approved for reporting non-regulatory data to EPA. Ecology conducted this research by reviewing the list of approved method codes in EPA’s Air Quality System database, discussions with other Western U.S. air monitoring agencies (Oregon, Idaho, Alaska, Colorado), review of other agencies’ ambient air monitoring network plans, and review of registered equipment in EPA’s Air Quality System database. Ecology determined that the EDM 264 instrument was the only EPA-approved instrument that could meet Ecology’s specific



Washington State  
**DEPARTMENT OF  
ENTERPRISE SERVICES**

business needs for smoke monitoring, conducted a 10-month evaluation of a loaned EDM 264, and received EPA funding specifically to purchase the EDM 264 based on the results of this 10-month evaluation.

- 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.
1. Reviewed past Ecology solicitations. Ecology made two recent solicitations (RFQ-2117-AQP in 2021 and RFQ-2332-AQP in 2023) for PM2.5 monitoring instruments. Both RFQs had only one responsive vendor; that vendor does not currently have a non-regulatory PM2.5 instrument approved by EPA for public reporting
  2. Searched the list of EPA-approved manufacturers listed for instruments that can report to EPA Parameter Code 88502 (<https://www.epa.gov/aqs/aqs-code-list>). Filtered for instruments that report at a 1-minute resolution (necessary for smoke monitoring) and do not require site-specific correlation to report PM2.5 mass concentrations (necessary for accuracy). There are three vendors that meet this criteria; Ecology determined that the other two did not meet the business need for smoke monitoring.
  3. Searched DES Statewide Contracts for the search terms “PM2.5”, “fine particle pollution”, “air monitoring”. There were no results.
  4. Searched WEBS for similar solicitations by other agencies. Only Ecology has solicited for ambient PM2.5 monitoring instruments that meet EPA requirements for ambient air monitoring and data reporting.
  5. Searched for vendors in WEBS. While there are a number of vendors for the applicable commodity code, they are not able to provide the Grimm EDM 264 instruments because Durag Inc is the sole North American vendor.
  6. Reviewed peer agencies’ Ambient Air Monitoring Network Plans and registered monitoring methods in EPA’s Air Quality System database. Discussed PM2.5 monitoring methods with peer agencies (Oregon Department of Environmental Quality, Alaska Department of Environmental Conservation, Idaho Department of Environmental Quality, Colorado Department of Public Health and the Environment).
- Per the Supplier Diversity Policy, DES-090-06: was this purchase included in the agency’s forecasted needs report?

No, as this is a federally-funded purchase where the specific product is required by the federal grant terms.

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



Washington State  
**DEPARTMENT OF  
ENTERPRISE SERVICES**

Since there is only one vendor of this product in the United States, there were no opportunities to promote procurement from small and/or veteran-owned businesses.

- 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.

Since there is only one vendor of this product in the United States, there were no opportunities for unbundling or other measures to promote procurement by 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).

Since DURAG INC is the exclusive distributor of Grimm instruments in the United States, there is no alternative to contracting with this contractor. Therefore such a quantification of costs and risks would have no comparison.

- 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.

- 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.

Ecology must purchase the Grimm EDM 264 instruments from DURAG INC, the exclusive vendor in the United States, in order to fulfill the grant requirements agreed to with EPA in the Inflation Reduction Act Air Monitoring Grant for Fenceline and Multipollutant Monitoring Workplan and Budget. If Ecology were unable to make this purchase, we would be unable to fulfill the workplan we committed to in accepting



Washington State  
**DEPARTMENT OF  
ENTERPRISE SERVICES**

EPA funding for this grant award. Failure to fulfill our obligations under the grant would put us at risk of cancellation and rescission of this grant award and would likely jeopardize future grant opportunities as well.

## 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.

There is a small number of PM2.5 monitoring instrument models approved by EPA for submission of PM2.5 data to EPA's national Air Quality System database. The Air Quality Sensor Performance Evaluation Center routinely publishes the costs of the reference instruments they use for evaluation. The three models for which they have published costs in the past three years were between \$20,000 and \$25,000 each. Ecology has purchased two other models of PM2.5 monitoring instruments in the past three years that have cost \$26,700 and \$22,305, respectively. The cost of the Grimm EDM264 instruments that Ecology plans to purchase in this procurement are quoted at \$22,738, which is within the cost range of evaluated alternatives and below the median cost of comparable instruments.