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| Contracts Database System |

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| **Filing Summary** |
| Approval - Contract should be filed a minimum of 10 working days prior to the proposed start date of services. |

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| **Agency:** | 477 - Department of Fish and Wildlife |
| **Filing Number:** |  |
| **Reference Number:** | 90621 |
| **Agency Contract Number:** | 24-24876 |
| **Filed By:** |  |
| **DES Decision Date:** |  |
|  | |
| **Contractor Information** | |
| **Legal Name** | Rite Bros. Aviation, Inc. |
| **DBA** |  |
| **UBI** |  |
| **Address** | 1402 Fairchild Airport Road, Port Angeles, WA USA 98363 |
| **Contract Information** | |
| **Procurement** | Sole Source |
| **Service Description** | CZ Other Professional Svcs |
| **Contract Purpose** | Contractor will provide specific aerial surveys with a low flight pattern over water for shellfish counts. |
| **Fund Source** | |
| |  |  |  |  |  | | --- | --- | --- | --- | --- | | **Filing Number** | **Federal** | **State** | **Other** | **Total** | | This Filing |  | $206,730 |  | $206,730 | | **Contract Total** | **$206,730** | | | | | |
| **Contract Dates** | |
| |  |  |  | | --- | --- | --- | | **Filed Date** | **Start Date** | **End Date** | |  | 05/20/2024 | 12/31/2029 | | |
| **Contacts** | |
| |  |  | | --- | --- | |  | | | Theresa Walker | (360)902-2439 | walketjw@dfw.wa.gov | In Process | | Theresa Walker | (360)902-2439 | walketjw@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?** | |
| Estimates of shellfish harvester effort produced from aerial surveys are a critical co-management responsibility of WDFW, as outlined and agreed in state/tribal bivalve, crab, and shrimp management plans. Consistency and accuracy in data collection is essential in fulfilling our obligations to co-managers. Approved vendors on the master contract list cannot fully meet our plane charter needs. Without access to Rite Bros. Aviation as a flight provider, WDFW will be in default of signed co-management agreements with the Treaty Tribes. The Contractor will provide air charter services to WDFW in order to support aerial shellfish surveys as mutually agreed upon by the Contractor and the WDFW Project Manager. | |
| **Sole Source Criteria** | |
| **Describe the unique features, qualifications, abilities or expertise of the contractor proposed for this sole source contract.** | |
| Rite Bros. Aviation meets all the survey needs and requirements of the Puget Sound Shellfish Program and fills a critical gap in coverage that cannot be met by any other vendor on the master contract list. Rite Bros. Aviation has the proper equipment, training, experience, safety protocols, and availability to meet program needs. • Rite Bros. Aviation has over 20 years of experience with these specific surveys, including a high level of familiarity with the flight routes and survey protocols, allowing for efficient and effective operations. Lead Pilot Jeff Well helped develop some of the survey routes over time and he functions as second surveyor supporting WDFW survey staff. • Surveys are flown in fixed-wing, high-wing aircraft, which is necessary for unobstructed viewing below the aircraft. Aircraft must be of sufficient size to provide more room within the fuselage and increased stability during flight. The front seat position must be available for the biologist/surveyor to ensure optimal viewing to the sides and forward of the aircraft. Aircraft must be able to maintain an airspeed of 120 knots (minimum control speed of 65 knots) necessary for maneuvering shorelines of Puget Sound at speeds that allow for accurate counts of people and fishing buoys. • Vendor must be located west of the Cascade Crest; aircraft having to cross mountain ranges to get to survey areas greatly increases risk that the mission will not be able to meet time-sensitive elements of the survey design. • Pilot must be familiar with flying surveys in the Class C controlled airspace of Navy airports at Bangor, Whidbey Island, and Indian Island, and in proximity to commercial airspace under control of SeaTac Airport. • Home port proximity is a factor when flights are available and when flights need to be re-scheduled due to last-minute weather delays, which are common. Continuous modifications to the flight schedule are made throughout the year as fishery seasons and weather cancellations dictate. Often, weather delays require scheduling flights with 24-hours’ notice. • Vendors with planes based in Snohomish, King and Thurston Counties increase flight costs by charging for flight time to pick-up surveyors at their home airport in Port Townsend. Rite Bros. is based in Port Angeles, adding minimal charter fees for pick-up. • Weather patterns in the Puget Sound basin, particularly marine fog that tends to clear from north to south, favors use of the Port Angeles and Port Townsend airports. Rite Bros. can often be cleared for takeoff while vendors operating at Paine Field, or in Olympia, may sit under a blanket of fog well into the afternoon. This is an especially important factor due to the nature of shrimp fishery surveys and bivalve effort surveys that are time sensitive in relation to tidal timing. Master contract list vendors are often unavailable to schedule make-up flights given the short time window we have for re-scheduling flights as we adapt to weather cancellations. • Weekend sampling is a critical component of harvest estimation in all fishery types surveyed by air. Rite Bros. has greater charter availability during weekends and holidays when the vendors based in metropolitan areas are often booked with other commercial traffic. The other main vendor, Regal Air, uses the same planes for WDFW surveys as for student instruction. This is another element that makes it harder for Regal Air to accommodate last-minute scheduling changes. • Rite Bros. Aviation has been the vendor providing 50-60% of annual shellfish survey flights over the past 9 years. Although many state-chartered flights may rely on the few vendors on the existing master contract, this is not representative of the Puget Sound Shellfish Program’s needs based in remote Port Townsend. The program has relied on Rite Bros. for a significant portion of its flights for over 20 years. • Aircraft require regular maintenance per FAA regulations. Use of a single provider increases the risk that aircraft will not be available when needed due to routine maintenance. Rite Bros. Aviation has two aircraft that meet program specification; Regal Air has one. • Shellfish Program fiscal resources cannot meet the anticipated increased costs of chartering solely with master contract list vendors who can meet program needs, and those vendors cannot supply enough aircraft to meet survey targets. | |
| **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 master contract vendor list was reviewed and there are no other vendors who can fully meet all aerial survey needs as detailed in section 4.2.1. Charter hourly rate comparisons have been conducted and are as follows: • Rite Bros $275 per hour • Regal Air $367.50 per hour • Kenmore Air ranges from $708.27 per hour to $928.77 per hour, depending on aircraft. | |
| **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.** | |
| Rite Bros. Aviation Inc. is registered as a small business. | |
| **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 contractor has been working with WDFW on these specific surveys since 2020 so there would not be a learning curve. WDFW requires consistency to ensure accuracy in data collected. | |
| **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 which work must be accomplished.** | |
| Rite Bros. Aviation missed the application window for the current master contract list. For the 2023/2024 season, Rite Bros. was charted under contract 23-20210 but the cap on that contract has been met before the 2024 survey work has been completed. | |
| **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.** | |
| • Vendor must be located west of the Cascade Crest; aircraft having to cross mountain ranges to get to survey areas greatly increases risk that the mission will not be able to meet time-sensitive elements of the survey design. • Home port proximity is a factor when flights are available and when flights need to be re-scheduled due to last-minute weather delays, which are common. Continuous modifications to the flight schedule are made throughout the year as fishery seasons and weather cancellations dictate. Often, weather delays require scheduling flights with 24-hours’ notice. • Vendors with planes based in Snohomish, King and Thurston Counties increase flight costs by charging for flight time to pick-up surveyors at their home airport in Port Townsend. Rite Bros. is based in Port Angeles, adding minimal charter fees for pick-up. • Weather patterns in the Puget Sound basin, particularly marine fog that tends to clear from north to south, favors use of the Port Angeles and Port Townsend airports. Rite Bros. can often be cleared for takeoff while vendors operating at Paine Field, or in Olympia, may sit under a blanket of fog well into the afternoon. This is an especially important factor due to the nature of shrimp fishery surveys and bivalve effort surveys that are time sensitive in relation to tidal timing. Master contract list vendors are often unavailable to schedule make-up flights given the short time window we have for re-scheduling flights as we adapt to weather cancellations. | |
| **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.** | |
| WDFW will not be able to meet federally mandated requirements to co-manage shellfish resources with 14 Treaty Tribes across 3 fisheries. There are no alternate catch estimation methods for these fisheries that replace aerial surveys. Current master contract vendors cannot fully meet our aerial survey needs due to geographical and weather considerations detailed above, and a lack of available aircraft when charters are needed. | |
| **Sole Source Posting** | |
| **Agency Website Information** | |
| Posted to Agency Website on 05/03/2024. | |
| **WEBS Information** | |
| Posted to WEBS on 05/03/2024. | |
| **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.** | |
| The master contract vendor list was reviewed and there are no other vendors who can fully meet all aerial survey needs as detailed in section 4.2.1. Charter hourly rate comparisons have been conducted and are as follows: • Rite Bros $275 per hour • Regal Air $367.50 per hour | |
| **Attachments**   |  | | --- | | Rite Bros Contract 24-24876 - unsigned.docx - 103752kb | | 24-24876 WEBS Notification.docx - 87559kb | | |
| Are any documents being sent that are not attached via this system? No | |
| Is the contract or amendment document attached or listed above? Yes | |