



**STATE OF WASHINGTON
DEPARTMENT OF COMMERCE**

REQUEST FOR PROPOSALS (RFP)

RFP NO. 23-36501-001

NOTE: Revision to the RFP. In the event it becomes necessary to revise any part of this RFP, amendments will be posted on Washington's Electronic Bid System (WEBS) at <https://fortress.wa.gov/ga/webs/> and the Commerce website at [Contracting with Commerce - Washington Department of Commerce](#). For this purpose, the published questions and answers and any other pertinent information shall be provided as an addendum to the RFP and will be placed on these websites. Interested applicants are responsible for checking the website(s) for any amendments prior to submitting an application. COMMERCE reserves the right to cancel or to reissue the RFP in whole or in part, prior to execution of a contract.

Questions. Questions about this RFP must be submitted to the RFP Coordinator via email between April 15, 2022 and May 3, 2022 at 5:00 p.m. Pacific Time. COMMERCE will post answers on the Commerce website at [Contracting with Commerce - Washington Department of Commerce](#) on Fridays with a final Q&A document to be posted no later than May 6, 2022 at 5:00 p.m. Pacific Time. For this purpose, the published questions and answers shall be provided as an addendum to the RFP.

PROJECT TITLE: Community-Based Reentry Services Support

LETTER OF INTENT DUE: May 9, 2022, 5:00 PM, Pacific Time

PROPOSAL DUE: May 16, 2022, 5:00 PM, Pacific Time

ESTIMATED TIME PERIOD FOR CONTRACT: July 1, 2022 – June 30, 2023

PROPOSER ELIGIBILITY: This procurement is open to those proposers that satisfy the minimum qualifications stated herein and that are available for work in Washington state.

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- A. Certifications and Assurances
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- C. Workers' Rights Certification
- D. Service Contract Template with General Terms and Conditions

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1. INTRODUCTION

1.1 PURPOSE AND BACKGROUND

The Washington State Department of Commerce hereafter called "COMMERCE," is initiating this Request for Proposals (RFP) to solicit proposals from community-based organizations to provide reentry services for formerly incarcerated persons and supports to facilitate successful transitions to the community.

Awards will be tiered and focused towards the Proposers' size and service areas. The two award categories for which Proposers can apply are:

- Category 1: Small-to-Medium-sized Organizations with under \$500,000 annual operating expenditures for the period from July 1, 2021 to June 30, 2022, typically serving limited geographic locations or target populations and relying heavily on volunteers to operate, with limited full-time employees. Maximum award: \$120,000.
- Category 2: Medium-to-large-sized organizations with over \$500,000 annual operating expenditures for the period from July 1, 2021 to June 30, 2022, typically with significant experience and capacity to implement complex programs over a larger geographical service area. Maximum award: \$220,000.

As this is a competitive application process, it is incumbent on the Proposer to select the proper category. COMMERCE will not pre-determine which category an organization qualifies for, but may verify this information through the review process.

At least 30 percent of the funding will be allocated to Proposals delivering services in rural counties.

COMMERCE intends to award multiple contract(s) to provide the services described in this RFP.

1.2 OBJECTIVES AND SCOPE OF WORK

The objective of this RFP is to fund expanded reentry-related services for individuals who have or will be exiting Washington's prisons and jails. Proposals will be considered that include plans to provide housing, case management and navigators, employment services, family reunification, transportation, communication, increased access to higher education, and other basic needs and support for currently and formerly incarcerated people in Washington state. Proposals to provide legal services to respond to collateral impacts of reentry will also be considered.

1.3 MINIMUM QUALIFICATIONS

To be considered responsive to this RFP and to be evaluated, organizations submitting Proposals must clearly meet or exceed the following Minimum Qualifications:

- Be licensed to do business in the state of Washington or submit a statement of commitment to become licensed in Washington within thirty (30) calendar days of being selected as an Apparently Successful Contractor.
- Have a primary service area within one or more communities in Washington state.
- Be a community-based, nonprofit organization with 501(c)(3) status as verified by a copy of their Internal Revenue Service (IRS) 501(c)(3) determination letter.

- Have established priorities, policies, and measurable goals - or coordinate with partners that have established priorities, policies and measurable goals - consistent with the objectives and scope of work described in section 1.2.
- Have at least one year of demonstrated experience with, or coordinate with partners that have at least one year demonstrated experience with, initiatives that serve individuals and families impacted by incarceration.

1.4 FUNDING

COMMERCE has budgeted up to \$2.375 million for this project for the contract year July 1, 2022 to June 30, 2023.

COMMERCE intends to award multiple contracts to provide the services described within this RFP.

As described in section 1.1, selected Contractors will be awarded an amount not to exceed \$120,000 for Category 1 grants, or \$220,000 for Category 2 grants in the contract year. Proposals in excess of \$120,000 for Category 1 grants, or in excess of \$220,000 for Category 2 grants, will be considered non-responsive and will not be evaluated.

Any contract awarded as a result of this procurement is contingent upon the availability of funding.

1.5 PERIOD OF PERFORMANCE

The period of performance of any contract resulting from this RFP is tentatively scheduled to begin on or about July 1, 2022 and to end on June 30, 2023. Amendments extending the period of performance, if any, shall be at the sole discretion of COMMERCE.

COMMERCE reserves the right to extend the contract for two one-year periods.

1.6 CONTRACTING WITH CURRENT OR FORMER STATE EMPLOYEES

Specific restrictions apply to contracting with current or former state employees pursuant to chapter 42.52 of the Revised Code of Washington. Proposers should familiarize themselves with the requirements prior to submitting a proposal that includes current or former state employees.

1.7 DEFINITIONS

Definitions for the purposes of this RFP include:

- **Apparent Successful Contractor:** The Proposer selected as the entity to perform the anticipated services, subject to completion of contract negotiations and execution of a written contract.
- **Contractor:** Proposer whose proposal has been accepted by COMMERCE and is awarded a fully executed, written contract. Also called Grantee, Awardee, Recipient, or Vendor.
- **COMMERCE or AGENCY:** The Department of Commerce is the agency of the state of Washington that is issuing this RFP.
- **Proposal:** A formal offer submitted in response to this solicitation.
- **Proposer:** Organization that submits a proposal to attain a contract with COMMERCE.
- **Request for Proposals (RFP):** Formal procurement document in which a service or need is identified but no specific method to achieve it has been chosen. The purpose of an RFP is to permit the proposer community to suggest various approaches to meet the need at or below a given funding level.

1.8 ADA

COMMERCE complies with the Americans with Disabilities Act (ADA). Proposers may contact the RFP Coordinator to receive this Request for Proposals in Braille or on tape.

2. GENERAL INFORMATION FOR PROPOSERS

2.1 RFP COORDINATOR

The RFP Coordinator is the sole point of contact in COMMERCE for this procurement. All communication between the Proposer and COMMERCE upon release of this RFP shall be in writing with the RFP Coordinator, as follows:

Name	Kurt Myers, RFP Coordinator
E-Mail Address	kurt.myers@commerce.wa.gov

Any other communication will be considered unofficial and non-binding on COMMERCE. Proposers are to rely on written statements issued by the RFP Coordinator. *Communication directed to parties other than the RFP Coordinator may result in disqualification of the Proposer.*

2.2 ESTIMATED SCHEDULE OF PROCUREMENT ACTIVITIES

Issue Request for Proposals	04/15/2022
Question & answer period	04/15/2022 - 05/03/2022
Answers to Q&A posted no later than	05/06/2022
Letters of Intent due	05/09/2022, 5:00 PM Pacific Time
Pre-Proposal Conference	05/02/2022, 2:00 PM Pacific Time
Proposals due	05/16/2022, 5:00 PM Pacific Time
Evaluate proposals	05/19/2022 - 06/01/2022
Conduct oral interviews with finalists, if required	06/02/2022
Announce "Apparent Successful Contractors" and send notification via e-mail to unsuccessful Proposers	06/03/2022
Hold debriefing conferences (if requested)	06/06/2022 - 06/10/2022
Negotiate contracts	06/08/2022 - 06/17/2022
Begin contract work	07/01/2022

COMMERCE reserves the right to revise the above schedule.

2.3 PRE-PROPOSAL CONFERENCE and QUESTIONS AND ANSWERS

A pre-proposal conference is scheduled to be held on **May 2, 2022 at 2:00 PM**, Pacific Time. The pre-proposal conference will be virtual only at the following link:

[\[https://wastatecommerce.zoom.us/j/87862068988?pwd=Vi9CZk9icFEOWNGUWJMSXo2SXplZz09\]](https://wastatecommerce.zoom.us/j/87862068988?pwd=Vi9CZk9icFEOWNGUWJMSXo2SXplZz09).

All prospective Proposers are encouraged to attend, however, attendance is not mandatory.

Questions about this RFP must be submitted in writing to the RFP Coordinator via email between the dates specified in Section 2.2. COMMERCE will post answers on the Commerce website at [Contracting with Commerce - Washington Department of Commerce](#) on Fridays with a final Q&A document to be posted no later than May 6, 2022 at 5:00 p.m. Pacific Time. For this purpose, the published questions and answers shall be provided as an addendum to the RFP.

COMMERCE will be bound only to COMMERCE's written answers to questions. Questions arising at the pre-proposal conference or in timely, written communication with the RFP Coordinator will be documented and answered in written form.

2.4 LETTER OF INTENT REQUIRED

A potential Proposer's Letter of Intent must be received by the RFP Coordinator at the e-mail address listed in Section 2.1 no later than **May 9, 2022 at 5:00 PM Pacific Time. Proposals received from Proposers who did not timely submit a Letter of Intent will be disqualified.** Submitting a Letter of Intent is not binding and the submitter may choose not to propose without penalty. Letters of Intent should be on organization letterhead and include the RFP number (# 23-36501-001), a statement of intent to submit a proposal in response to this RFP, and the identity and contact information for the organization's contact person.

2.5 SUBMISSION OF PROPOSALS

ELECTRONIC PROPOSALS:

Proposals must be received by the RFP Coordinator no later than **5:00 PM, Pacific Time on May 16, 2022.**

Proposals must be submitted electronically as an attachment to an e-mail to the RFP Coordinator, at the e-mail address listed in Section 2.1. Attachments to e-mail shall be in Microsoft Word format or PDF. Zipped files cannot be received by COMMERCE and cannot be used for submission of proposals. The cover submittal letter and the Certifications and Assurances form must have a scanned signature of the individual within the organization authorized to bind the Proposer to the offer. COMMERCE does not assume responsibility for problems with Proposer's e-mail. If COMMERCE's e-mail is not working, appropriate allowances will be made.

Proposals may not be transmitted using facsimile transmission.

Proposers should allow sufficient time to ensure timely receipt of the proposal by the RFP Coordinator. Late proposals will not be accepted and will be automatically disqualified from further consideration, unless COMMERCE e-mail is found to be at fault at COMMERCE'S sole determination. Requests for deadline extensions will not be granted. All proposals and any accompanying documentation become the property of COMMERCE and will not be returned.

2.6 PROPRIETARY INFORMATION AND PUBLIC DISCLOSURE

Proposals submitted in response to this RFP shall become the property of COMMERCE. All proposals received shall remain confidential until the Apparent Successful Contractors are announced; thereafter, the proposals shall be deemed public records as defined in Chapter 42.56 of the Revised Code of Washington (RCW).

Any information in the proposal that the Proposer desires to claim as proprietary and exempt from disclosure under the provisions of Chapter 42.56 RCW, or other state or federal law that provides for the nondisclosure of your document, must be clearly designated. The information must be clearly identified and the particular exemption from disclosure upon which the Proposer is making the claim must be cited. Each page containing the information claimed to be exempt from disclosure must be clearly identified by the words "Proprietary Information" printed on the

lower right hand corner of the page. Marking the entire proposal exempt from disclosure or as Proprietary Information will not be honored.

If a public records request is made for the information that the Proposer has marked as "Proprietary Information," COMMERCE will notify the Proposer of the request and of the date that the records will be released to the requester unless the Proposer obtains a court order enjoining that disclosure. If the Proposer fails to obtain the court order enjoining disclosure, COMMERCE will release the requested information on the date specified. If a Proposer obtains a court order from a court of competent jurisdiction enjoining disclosure pursuant to Chapter 42.56 RCW, or other state or federal law that provides for nondisclosure, COMMERCE shall maintain the confidentiality of the Proposer's information per the court order.

A charge will be made for copying and shipping, as outlined in RCW 42.56. No fee shall be charged for inspection of contract files, but twenty-four (24) hours' notice to the RFP Coordinator is required. All requests for information should be directed to the RFP Coordinator.

2.7 REVISIONS TO THE RFP

In the event it becomes necessary to revise any part of this RFP, addenda will be published on Washington's Electronic Bid System (WEBS) located at <https://fortress.wa.gov/ga/webs/> and on the Commerce website at [Contracting with Commerce - Washington Department of Commerce](#). For this purpose, the published Question and Answer document(s) and any other pertinent information shall be provided as an addendum to the RFP.

COMMERCE also reserves the right to cancel or to reissue the RFP in whole or in part, prior to execution of a contract.

2.8 DIVERSE BUSINESS INCLUSION PLAN

Proposers are required to submit a Diverse Business Inclusion Plan with their proposal. In accordance with legislative findings and policies set forth in RCW 39.19, the state of Washington encourages participation in all contracts by firms certified by the office of Minority and Women's Business Enterprises (OMWBE), set forth in RCW 43.60A.200 for firms certified by the Washington State Department of Veterans Affairs, and set forth in RCW 39.26.005 for firms that are Washington Small Businesses. Participation may be either on a direct basis or on a subcontractor basis. However, no preference on the basis of participation is included in the evaluation of Diverse Business Inclusion Plans submitted, and no minimum level of minority- and women-owned business enterprise (MWBE), Washington Small Business, or Washington State certified Veteran Business participation is required as a condition for receiving an award. Any affirmative action requirements set forth in any federal governmental rules included or referenced in the contract documents will apply.

COMMERCE has the following agency goals:

- 10% participation by Minority Owned Business**
- 6% participation by Women Owned Business**
- 5% participation by Veteran Owned Business**
- 5% participation by Small Businesses**

2.9 ACCEPTANCE PERIOD

Proposals must provide 60 days for acceptance by COMMERCE from the due date for receipt of proposals.

2.10 COMPLAINT PROCESS

Vendors may submit a complaint to COMMERCE based on any of following:

- A.** The solicitation unnecessarily restricts competition;
- B.** The solicitation evaluation or scoring process is unfair; or
- C.** The solicitation requirements are inadequate or insufficient to prepare a response.

A complaint may be submitted to COMMERCE at any time prior to 5 days before the bid response deadline. The complaint must meet the following requirements:

- A.** The complaint must be in writing;
- B.** The complaint must be sent to the RFP coordinator in a timely manner;
- C.** The complaint should clearly articulate the basis for the complaint; and
- D.** The complaint should include a proposed remedy.

The RFP coordinator will respond to the complaint in writing. The response to the complaint and any changes to the solicitation will be posted on WEBS. The Director of COMMERCE will be notified of all complaints and will be provided a copy of COMMERCE'S response. The complaint may not be raised again during the protest period. COMMERCE'S action or inaction in response to the complaint will be final. There will be no appeal process.

2.11 RESPONSIVENESS

All proposals will be reviewed by the RFP Coordinator to determine compliance with the Minimum Qualifications, administrative requirements and instructions specified in this RFP. The Proposer is specifically notified that failure to comply with any part of the RFP may result in disqualification of the proposal as incomplete and/or non-responsive.

Disqualified Proposers will be notified at or about the time of disqualification. Disqualified Proposers will be afforded a Debriefing consistent with Section 4.5.

COMMERCE reserves the right at its sole discretion to waive minor administrative irregularities.

2.12 MOST FAVORABLE TERMS

COMMERCE reserves the right to make an award without further discussion of the proposal submitted. Therefore, the proposal should be submitted initially on the most favorable terms which the Proposer can propose. There will be no best and final offer procedure. COMMERCE reserves the right to contact a Proposer for clarification of its proposal.

The Apparent Successful Contractor should be prepared to accept this RFP for incorporation into a contract resulting from this RFP. Contract negotiations may incorporate some, or all, of the Proposer's proposal. It is understood that the proposal will become a part of the official procurement file on this matter without obligation to COMMERCE.

2.13 CONTRACT GENERAL TERMS & CONDITIONS

The Apparent Successful Contractor will be expected to enter into a contract which is substantially the same as the sample contract and its general terms and conditions attached as Exhibit D. This sample contract is for information and review only and should not be returned with your proposal. In no event is a Proposer to submit its own standard contract terms and conditions in response to this solicitation. The Proposer may submit exceptions as allowed in the Certifications and Assurances form, Exhibit A to this solicitation. All exceptions to the contract terms and conditions must be submitted as an attachment to Exhibit A, Certifications and Assurances form. COMMERCE will review requested exceptions and accept or reject the same at its sole discretion.

2.14 COSTS TO PROPOSE

COMMERCE will not be liable for any costs incurred by the Proposer in preparation of a proposal submitted in response to this RFP, travel to or conduct of a presentation, or any other activities related to responding to this RFP.

2.15 NO OBLIGATION TO CONTRACT

This RFP does not obligate the state of Washington or COMMERCE to contract for services specified herein.

2.16 REJECTION OF PROPOSALS

COMMERCE reserves the right at its sole discretion to reject any and all proposals received without penalty and not to issue a contract as a result of this RFP.

2.17 COMMITMENT OF FUNDS

The Director of COMMERCE or delegate is the only individual who may legally commit COMMERCE to the expenditures of funds for a contract resulting from this RFP. No cost chargeable to the proposed contract may be incurred before receipt of a fully executed contract.

2.18 ELECTRONIC PAYMENT

The state of Washington prefers to utilize electronic payment in its transactions. The successful contractor will be provided a form to complete with the contract to authorize such payment method.

2.19 INSURANCE COVERAGE

The Contractor is to furnish COMMERCE with a certificate(s) of insurance executed by a duly authorized representative of each insurer, showing compliance with the insurance requirements set forth within the contract.

The Contractor shall, at its own expense, obtain and keep in force insurance coverage which shall be maintained in full force and effect during the term of the contract. The Contractor shall furnish evidence in the form of a Certificate of Insurance that insurance shall be provided, and a copy shall be forwarded to COMMERCE within fifteen (15) days of the contract effective date. Standard insurance requirements are included within the sample contract and its special terms and conditions attached as Exhibit D.

3. PROPOSAL CONTENTS

Proposals must be written in English and submitted electronically to the RFP Coordinator in the order noted below:

1. Letter of Submittal, including signed Certifications and Assurances (Exhibit A to this RFP)
2. Technical Proposal
3. Management Proposal
4. Cost Proposal
5. Diverse Business Inclusion Plan (Exhibit B to this RFP)
6. Workers' Rights Certification (Exhibit C to this RFP)

Proposals must provide information in the same order as presented in this document with the same headings. This will not only be helpful to the evaluators of the proposal, but should assist the Proposer in preparing a thorough response.

Items marked "mandatory" must be included as part of the proposal for the proposal to be considered responsive, however, these items are not scored. Items marked "scored" are those that are awarded points as part of the evaluation conducted by the evaluation team.

3.1 LETTER OF SUBMITTAL AND CERTIFICATIONS AND ASSURANCES (MANDATORY)

The Letter of Submittal and the attached Certifications and Assurances form (Exhibit A to this RFP) must be signed and dated by a person authorized to legally bind the Proposer to a contractual relationship, e.g., the Executive Director of the organization.

Along with introductory remarks, the Letter of Submittal is to include by attachment the following information about the Proposer and any proposed subcontractors:

- A. Name, address, principal place of business, telephone number, and e-mail address of legal entity or individual with whom contract would be written.
- B. Name, address, and telephone number of each principal officer (President, Vice President, Treasurer, Chairperson of the Board of Directors, etc.) and Letter of Determination confirming 501(c)(3) status of the organization and the year the entity was organized.
- C. Federal Employer Tax Identification number or Social Security number and the Washington Uniform Business Identification (UBI) number issued by the state of Washington Department of Revenue. If the Proposer does not have a UBI number, the Proposer must state that it will become licensed in Washington within thirty (30) calendar days of being selected as the Apparently Successful Contractor.
- D. Location from which the Proposer will operate
- E. Identification of the specific county and community(ies) where services will be provided.
- F. Identity of any state employees or former state employees employed or on the firm's governing board as of the date of the proposal. Include their position and responsibilities within the Proposer's organization. If following a review of this information, it is determined by COMMERCE that a conflict of interest exists, the Proposer may be disqualified from further consideration.
- G. Briefly explain how your organization meets the minimum qualifications in section 1.3 above.

3.2 TECHNICAL PROPOSAL (SCORED)

The Technical Proposal must contain a comprehensive description of services to be delivered including the following elements:

- A. **Project Approach/Methodology:** Include a complete description of the Proposer's proposed approach and methodology for the project. This section should convey Proposer's understanding of the proposed project.
- B. **Work Plan:** Include all project requirements and the proposed tasks, services, activities, etc. necessary to accomplish the objective and scope of work defined in this RFP. This section of the technical proposal must contain sufficient detail to convey to members of the evaluation team the Proposer's knowledge of the subjects and skills necessary to successfully complete the project. The work plan should describe how the Proposer will provide access to essential community-based reentry services/programs in one or more of the following areas:
 - 1. Housing: Transitional housing, rental housing, temporary shelter, etc.
 - 2. Case Management and Navigators: Peer navigators or credible messengers working inside Washington's prisons and jails to build relationships and plans prior to release and/or supporting successful transitions to the community post-release.
 - 3. Employment Services: Job and skills training, direct employment, introductions to potential employers, etc.
 - 4. Family Reunification: Family case management, mentoring programs for children of incarcerated parents, family-to-family mentoring, support with household reintegration, etc. For Proposals including these types of services it would be preferred that the organization/program already have, or be willing to build, a working relationship with Department of Children, Youth and Families and the Department of Social and Health Services.
 - 5. Transportation: Bus passes, or other transportation to connect individuals with employment, treatment and support services, or other essential activities.
 - 6. Communication: Temporary/prepaid cell phone contracts, laptop, computer access, email/internet skills trainings (i.e., LinkedIn presence, employment/education skills), etc.
 - 7. Education: Basic education, continuing education, post-secondary education, etc. This could include tools needed for educational purposes.
 - 8. Basic Needs: Hygiene essentials, clothing, shoes, etc.
 - 9. Civil Legal Services: Relief from legal financial obligations, family law issues, record vacation, etc.

Proposals that offer social growth or community building activities for individuals exiting incarceration (i.e., collective healing circles and events, restorative/racial/social justice workshops, leadership and self-advocacy trainings, etc.) will also be considered.

- C. **Project Schedule:** Include a project schedule indicating when the elements of the work will be completed. Project schedule must ensure that any deliverables requested are met.
- D. **Outcomes and Performance Measurement:** Describe the impacts and outcomes to be achieved as a result of the delivery of these services including how these outcomes would be monitored, measured and reported to COMMERCE.
- E. **Risks:** Identify potential risks significant to the success of the project. Describe how the risks would be monitored and managed, including reporting of risks to the COMMERCE contract manager.
- F. **Deliverables:** Fully describe deliverables to be submitted under the proposed contract. Deliverables must support the requirements set forth in Section 1.2, Objectives and Scope of Work.

3.3 MANAGEMENT PROPOSAL

A. Project Management (SCORED)

- 1. **Project Team Structure and Internal Controls:** Provide a description of the proposed project team structure and internal controls to be used during the course of the project, including any subcontractors. Provide an organizational chart of your organization indicating lines of authority for personnel involved in performance of this potential contract and relationships of this staff to other programs or functions of the firm. This chart must also show lines of authority to the next senior level of management. Include who within the organization will have prime responsibility and final authority for the work.
- 2. **Staff Qualifications and Experience:** Identify staff, including subcontractors, who will be assigned to the potential contract, indicating the responsibilities and qualifications of such personnel, and include the amount of time each will be assigned to the project. Provide resumes for the named staff, which include information on the individual's particular skills related to this project, education, experience, significant accomplishments and any other pertinent information. The Proposer must commit that staff identified in its proposal will actually perform the assigned work. Any staff substitution must have the prior approval of COMMERCE.

B. Experience of the Proposer (SCORED)

- 1. Indicate the experience the Proposer and any subcontractors have in the following areas; if no experience in this area, please provide a detailed startup plan that addresses the following:
 - a. Conducting collaborative resource connection and reentry-related program development.
 - b. Strong, trusted relationship and capacity-building capabilities and activities to support community-based services for youth and/or adults reentering post-incarceration.
 - c. Providing services to clients regardless of conviction type, extensive needs, ability to maintain complete abstinence, population accessibility, etc.
 - d. Providing resources and opportunities within reentry systems that are free from stigma, racial bias, and all forms of discriminatory practices and ideologies.

- e. Creating organizational sustainability and a continuum of care plans.
2. Indicate other relevant experience (including lived experience with incarceration or the criminal justice system) that indicates the qualifications of the Proposer, and any subcontractors, for the performance of the potential contract.

C. Related Information (MANDATORY)

1. If the Proposer or any subcontractor contracted with the state of Washington during the past 24 months, indicate the name of the agency, the contract number and project description and/or other information available to identify the contract.
2. If the Proposer's staff or subcontractor's staff was an employee of the state of Washington during the past 24 months, or is currently a Washington State employee, identify the individual by name, the agency previously or currently employed by, job title or position held and separation date.
3. If the Proposer has had a contract terminated for default in the last five years, describe such incident. Termination for default is defined as notice to stop performance due to the Proposer's non-performance or poor performance and the issue of performance was either (a) not litigated due to inaction on the part of the Proposer, or (b) litigated and such litigation determined that the Proposer was in default.
4. Submit full details of the terms for default including the other party's name, address, and phone number. Present the Proposer's position on the matter. COMMERCE will evaluate the facts and may, at its sole discretion, reject the proposal on the grounds of the past experience. If no such termination for default has been experienced by the Proposer in the past five years, so indicate.

D. References (MANDATORY)

List names, addresses, telephone numbers, and fax numbers/e-mail addresses of three (3) business references for the Proposer and three (3) business references for the lead staff person for whom work has been accomplished and briefly describe the type of service provided. Do not include current COMMERCE staff as references. By submitting a proposal the Proposer and any partners or agents authorize COMMERCE to contact these references and others, who from COMMERCE'S perspective, may have pertinent information. COMMERCE may or may not, at COMMERCE'S discretion, contact references. COMMERCE may evaluate references at COMMERCE'S discretion.

E. OMWBE Certification (OPTIONAL AND NOT SCORED)

Include proof of certification issued by the Washington State Office of Minority and Women's Business Enterprises (OMWBE) if certified minority-, women-, or veteran-owned firm(s) will be participating on this project. For more information please visit: <http://www.omwbe.wa.gov>.

3.4 COST PROPOSAL

The maximum costs for Proposals under this RFP must not exceed the amounts specified in section 1.4 for each category of Proposer to be considered responsive to this RFP.

The evaluation process is designed to award this procurement not necessarily to the Proposer of least cost, but rather to the Proposer whose proposal best meets the requirements of this RFP.

However, Proposers are encouraged to submit proposals which are consistent with state government efforts to conserve resources.

A. Identification of Costs (SCORED)

Identify all costs in U.S. dollars including expenses to be charged for performing the services necessary to accomplish the objectives of the contract. The Proposer is to submit a fully detailed budget including staff costs and any expenses necessary to accomplish the tasks and to produce the deliverables under the contract. Proposers are required to collect and pay Washington state sales and use taxes, as applicable.

Costs for subcontractors are to be broken out separately. Please note if any subcontractors are certified by the Office of Minority and Women's Business Enterprises.

4. EVALUATION AND CONTRACT AWARD

4.1 EVALUATION PROCEDURE

Responsive proposals will be evaluated strictly in accordance with the requirements stated in this solicitation and any addenda issued. The evaluation of proposals shall be accomplished by an evaluation team(s), to be designated by COMMERCE, which will determine the ranking of the proposals.

COMMERCE, at its sole discretion, may elect to invite the top-scoring Proposers as finalists for an oral presentation.

The RFP Coordinator may contact the Proposer for clarification of any portion of the Proposer's proposal. Proposers are not permitted to submit, or resubmit, any materials of any kind after the date and time stated in section 2.5 SUBMISSION OF PROPOSALS.

4.2 EVALUATION BREAKDOWN

The following weighting will be assigned to the proposal for evaluation purposes:

Technical Proposal – 80%

- Project Approach/Methodology
- Work Plan
- Project Schedule
- Outcome and Performance Measurement
- Risks
- Deliverables

Management Proposal – 15%

- Project Team Structure
- Internal Controls
- Staff Qualifications and Experience

Cost Proposal – 5%

- Detailed budget

Workers' Rights Certification – Those Proposers that certify they do not require their employees to sign an individual arbitration clause as a condition of employment will receive an extra 5% added to their score (see Exhibit C).

At least 30 percent of the funding will be allocated to Proposals delivering services in rural counties.

COMMERCE reserves the right to award the contract to the Proposer whose proposal is deemed to be in the best interest of COMMERCE and the state of Washington.

4.3 ORAL PRESENTATIONS MAY BE REQUIRED

After evaluating the written proposals COMMERCE may elect to schedule oral presentations of the finalists. Should oral presentations become necessary, COMMERCE will contact the top-scoring firm(s) from the written evaluation to schedule a date, time, and location. Commitments made by the Proposer at the oral interview, if any, will be considered binding.

The scores from the written evaluation and the oral presentation combined together will determine the Apparent Successful Contractor.

4.4 NOTIFICATION TO PROPOSERS

COMMERCE will notify the Apparent Successful Contractor(s) of their selection in writing upon completion of the evaluation process. Proposers who were not selected for further negotiation or award will be notified separately by e-mail.

4.5 DEBRIEFING OF UNSUCCESSFUL PROPOSERS

Any Proposer who has submitted a proposal and received notice that they were not selected for contract award may request a debriefing. The request for a debriefing conference must be received by the RFP Coordinator no later than 5:00 PM, Pacific Time within three (3) business days after the Unsuccessful Proposer Notification is e-mailed to the Proposer. The debriefing must be scheduled within three (3) business days of the request.

Discussion at the debriefing conference is strictly limited to the following:

- Evaluation and scoring of that Proposer's proposal;
- Any written comments from evaluators;
- Review of proposer's final score in comparison with the other final scores *without* identifying the other Proposers or reviewing their proposals.

Comparisons between proposals or evaluations of the other proposals is not allowed. Debriefing conferences will be conducted by telephone or virtually and will be scheduled for a maximum of thirty (30) minutes.

4.6 PROTEST PROCEDURE

Protests may be made only by Proposers who submitted a response to this solicitation document and who have participated in a debriefing conference. Upon completing the debriefing conference, the Proposer is allowed five (5) business days to file a protest with the RFP Coordinator. Protests must be received by the RFP Coordinator no later than 5:00 PM, Pacific Time on the fifth business day following the debriefing. Protests must be submitted by email.

Proposers protesting this procurement shall follow the procedures described below. Protests that do not follow these procedures shall not be considered. This protest procedure constitutes the sole administrative remedy available to Proposers under this procurement.

All protests must be in writing, addressed to the RFP Coordinator, and signed by the protesting party or an authorized Agent. The protest must state the RFP number, the grounds for the protest from the list below with specific facts and complete statements of the action(s) being protested. A description of the relief or corrective action being requested should also be included.

Only protests stipulating an issue of fact concerning the following subjects shall be considered:

- **A matter of bias, discrimination, or conflict of interest on the part of an evaluator;**
- **Errors in computing the score; or**
- **Non-compliance with procedures described in this procurement document or COMMERCE policy.**

Protests not based on procedural matters will not be considered. Protests will be rejected as without merit if they address issues such as: 1) an evaluator's professional judgment on the quality of a proposal, or 2) COMMERCE'S assessment of its own and/or other agencies' needs or requirements.

Upon receipt of a protest, a protest review will be held by COMMERCE. The COMMERCE Director or an employee delegated by the Director who was not involved in the procurement will consider the record and all available facts and issue a decision within ten (10) business days of receipt of the protest. If additional time is required, the protesting party will be notified of the delay.

In the event a protest may affect the interest of another Proposer that also submitted a proposal, such Proposer will be given an opportunity to submit its views and any relevant information on the protest to the RFP Coordinator.

The final determination of the protest shall:

- Find the protest lacking in merit and uphold COMMERCE'S action; or
- Find only technical or harmless errors in COMMERCE'S process and determine COMMERCE to be in substantial compliance and reject the protest; or
- Find merit in the protest and provide COMMERCE options which may include:
 - Correct the errors and re-evaluate all proposals, or
 - Reissue the solicitation document and begin a new process, or
 - Make other findings and determine other courses of action as appropriate.

If COMMERCE determines that the protest is without merit, COMMERCE will enter into a contract with the Apparent Successful Contractor(s). If the protest is determined to have merit, one of the options above will be taken.

5. RFP EXHIBITS

Exhibit A Certifications and Assurances

Exhibit B Diverse Business Inclusion Plan

Exhibit C Workers' Rights Certification

Exhibit D Service Contract Format with General Terms and Conditions

CERTIFICATIONS AND ASSURANCES

I/we make the following certifications and assurances as a required element of the proposal to which it is attached, understanding that the truthfulness of the facts affirmed here and the continuing compliance with these requirements are conditions precedent to the award or continuation of the related contract:

1. I/we declare that all answers and statements made in the proposal are true and correct.
2. The prices and/or cost data have been determined independently, without consultation, communication, or agreement with others for the purpose of restricting competition. However, I/we may freely join with other persons or organizations for the purpose of presenting a single proposal.
3. The attached proposal is a firm offer for a period of 60 days following receipt, and it may be accepted by COMMERCE without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 60-day period.
4. In preparing this proposal, I/we have not been assisted by any current or former employee of the state of Washington whose duties relate (or did relate) to this proposal or prospective contract, and who was assisting in other than his or her official, public capacity. If there are exceptions to these assurances, I/we have described them in full detail on a separate page attached to this document.
5. I/we understand that COMMERCE will not reimburse me/us for any costs incurred in the preparation of this proposal. All proposals become the property of COMMERCE, and I/we claim no proprietary right to the ideas, writings, items, or samples, unless so stated in this proposal.
6. Unless otherwise required by law, the prices and/or cost data which have been submitted have not been knowingly disclosed by the Proposer and will not be knowingly disclosed by him/her prior to opening, directly or indirectly, to any other Proposer or to any competitor.
7. I/we agree that submission of the attached proposal constitutes acceptance of the solicitation contents and the attached sample contract and general terms and conditions. If there are any exceptions to these terms, I/we have described those exceptions in detail on a page attached to this document.
8. No attempt has been made or will be made by the Proposer to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition.
9. I/we grant COMMERCE the right to contact references and others who may have pertinent information regarding the ability of the Proposer and the lead staff person to perform the services contemplated by this RFP.
10. If any staff member(s) who will perform work on this contract has retired from the State of Washington under the provisions of the 2008 Early Retirement Factors legislation, his/her name(s) is noted on a separately attached page.
11. I/we are not debarred from doing business with the state of Washington or the United States.

We (*check one*):

- ☐ are submitting proposed Contract exceptions. (See Section 2.12, Contract and General Terms and Conditions.) If Contract exceptions are being submitted, I/we have attached them to this form.
- ☐ are not submitting proposed Contract exceptions (*default if neither are checked*).

On behalf of the Proposer submitting this proposal, my signature below attests to the accuracy of the above statement as well as my authority to bind the submitting organization.

Signature of Proposer

Date

Printed Name

Title

DIVERSE BUSINESS INCLUSION PLAN

	Yes	No
Do you anticipate using, or is your organization, a State Certified Minority Business?	<input type="checkbox"/>	<input type="checkbox"/>
Do you anticipate using, or is your organization, a State Certified Women's Business?	<input type="checkbox"/>	<input type="checkbox"/>
Do you anticipate using, or is your organization, a State Certified Veteran Business?	<input type="checkbox"/>	<input type="checkbox"/>
Do you anticipate using, or is your organization, a Washington State Small Business?	<input type="checkbox"/>	<input type="checkbox"/>

If you answered No to all of the questions above, please explain:

Please list the approximate percentage of work to be accomplished by each group:

Minority ___%
Women ___%
Veteran ___%
Small Business ___%

Please identify the person in your organization who will manage your Diverse Inclusion Plan responsibility:

Name: _____
Phone: _____
E-Mail: _____

CONTRACTOR CERTIFICATION
EXECUTIVE ORDER 18-03 – WORKERS' RIGHTS
WASHINGTON STATE GOODS & SERVICES CONTRACTS

Pursuant to the Washington State Governor's Executive Order 18-03 (dated June 12, 2018), the Washington State Department of Commerce is seeking to contract with qualified entities and business owners who certify that their employees are not, as a condition of employment, subject to mandatory individual arbitration clauses and class or collective action waivers.

Solicitation No.: 23-36501-001

I hereby certify, on behalf of the organization identified below, as follows (check one):

☐ NO MANDATORY INDIVIDUAL ARBITRATION CLAUSES AND CLASS OR COLLECTIVE ACTION WAIVERS FOR EMPLOYEES. This organization does NOT require its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waivers.

OR

☐ MANDATORY INDIVIDUAL ARBITRATION CLAUSES AND CLASS OR COLLECTIVE ACTION WAIVERS FOR EMPLOYEES. This organization requires its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waivers.

OR

☐ This organization certifies it has no employees.

I hereby certify, under penalty of perjury under the laws of the State of Washington, that the certifications herein are true and correct and that I am authorized to make these certifications on behalf of the organization listed herein.

NAME: _____
Print full legal entity name of organization

By: _____
Signature of authorized person Printed Name

Title: _____
Title of person signing certificate Place: _____
Print city and state where signed

Date: _____

Return to Procurement Coordinator as part of your complete response.

CONTRACT TEMPLATE

Shown only so applicants will be familiar with the terms of their contract - should they be selected.

Select the appropriate link below.

Unit of Local Government or Tribal Organization:

<https://deptofcommerce.box.com/s/g3tkajxk0te684f5mlpngzjegikqj9rl>

Non-Profit and For Profit Organizations:

<https://deptofcommerce.box.com/s/gi5rimx45au1i5bcmguhh05hzpli4qv8>