



**STATE OF WASHINGTON  
DEPARTMENT OF COMMERCE**

**REQUEST FOR PROPOSALS (RFP)**

**RFP NO. S24-31456-001**

*REVISIONS 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 or using the "Contact Admin" link under the help tab in ZoomGrants. Questions must be submitted between 5/16/2023 and 5/31/2023 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 June 2, 2023 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-Law Enforcement Partnership Program**

**PROPOSAL DUE: 7/2/2023 at 11:59 P.M., Pacific Time**

**ESTIMATED TIME PERIOD FOR CONTRACT: 8/1/2023– 6/30/2025**

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

**CONTENTS OF THE REQUEST FOR PROPOSALS:**

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# 1. INTRODUCTION

## 1.1 PURPOSE AND BACKGROUND

Pursuant to [RCW 43.330.545](#), the Washington Department of Commerce, hereafter called "COMMERCE," is initiating this Request for Proposals (RFP) to solicit Proposals from those qualified and interested in participating in a project to facilitate crime prevention efforts in communities across the state through neighborhood organizing, law enforcement-community partnerships, youth mobilization, and business engagement.

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

## 1.2 OBJECTIVES AND SCOPE OF WORK

Proposals must describe a plan to facilitate crime prevention efforts using any combination of the following approaches:

### Neighborhood Organizing

- Lead and facilitate multiple neighborhood organizing initiatives throughout a two year period, including any of the following:
  - Empowering community members with tools, skills, confidence, and connections to identify, eradicate, and prevent illegal activity
  - Making neighborhood improvements to deter future criminal activity
  - Educating community members regarding how to connect with their local city, county, and law enforcement resources

### Law Enforcement-Community Partnerships

- Build and maintain substantive law enforcement-community partnerships, including any of the following:
  - Building and maintaining trust between community members and law enforcement by facilitating purposeful antiracist practices and the development of policies that lead to equal treatment under the law
  - Establishing clear expectations for law enforcement to be competent to practice fair and equitable treatment including facilitating dialogue between law enforcement and community members to increase the understanding of the impact of historical racist practices and current conflicts
  - Community members regularly informing law enforcement, through presentations, workshops, or forums, on community perceptions or law enforcement and public safety issues
  - Educating community members on the roles and functions of law enforcement in the community
  - Clarifying expectations of law enforcement and of the role of the community in crime prevention
  - Educating community members on the best practices for reporting emergency and nonemergency activities
  - Recognizing community members for effective engagement and community leadership
  - Recognizing law enforcement officials for their efforts to engage underrepresented communities, improve community engagement and empowerment, and reform law enforcement practices

### Youth Mobilization

- Mobilize youth to partner with neighborhood groups and law enforcement to prevent violence by any of the following methods:
  - Helping them develop knowledge and skills to serve as leaders in their communities
  - Focusing on prevention of violence and substance abuse
  - Empowering youth to bring their voices to community issues that impact healthy police community relations

### Business Engagement

- Engage businesses to help prevent crimes, such as vandalism and burglaries, through safety training and other prevention initiatives
- Provide training and technical assistance on how to implement community engagement, improving law enforcement and community partnerships, youth engagement, and business engagement

**Proposals that include a plan to provide all or multiple aspects of these types of services and supports are strongly encouraged.**

### 1.3 MINIMUM QUALIFICATIONS

**To meet the minimum qualifications for this RFP an Applicant must:**

- Be a public agency or a nonprofit community-based organization. A law enforcement agency applying for this RFP will not be an eligible Proposer unless there are no other eligible Proposers from the community or county the law enforcement agency serves.
- Have a primary service area within one or more communities in Washington state.
- Have at least one year of verified experience with coordinating events, meetings, or relationship building activities with community members and law enforcement.
- Have demonstrated experience with multiple community engagement initiatives that impact public safety, and be engaged in the community.
- Have established or be willing to establish a coordinated effort with committed partners, which must include law enforcement and organizations that are committed to diversity, equity, and the inclusion of community members, including organizations whose leadership specifically reflects those communities that are the most impacted by racism.
- Be licensed to do business in the state of Washington or submit a statement of commitment that it will become licensed in Washington within thirty (30) calendar days of being selected as the Apparent Successful Contractor.

Nonprofit organizations must verify their nonprofit status by providing a copy of their Internal Revenue Service (IRS) 501(c)(3) determination letter.

**Proposals that do not clearly meet or exceed all minimum qualifications listed above are non-responsive and will not be evaluated.**

### 1.4 FUNDING

COMMERCE has budgeted an amount not to exceed \$3,300,000 for this project. Proposals **less than \$50,000 or in an excess of \$250,000** for the period of August 1, 2023 – June 30, 2025 will be considered non-responsive and will not be evaluated.

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

### 1.5 MANDATORY AWARD TO SMALL OR VETERAN-OWNED BUSINESS

As of April 1, 2023, COMMERCE is required to award competitively procured service contracts with an initial value less than \$150,000 to the highest-ranked responsive and responsible Small or Veteran-Owned Business, unless there was no responsive and responsible Proposal from a Small or Veteran-Owned Business. Any ties may be resolved by virtual presentations, the results of reference checks, or other means. **This does not apply to grants, pass-through funding, or any RFP in which for-profit entities are not eligible.** This also does not apply to any RFP with a federal funding source.

See Exhibit D for Small and Veteran-Owned Business certification.

## 1.6 PERIOD OF PERFORMANCE

The period of performance of any contract resulting from this RFP is tentatively scheduled to begin on or about 8/01/2023 and to end on 6/30/2025. 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.

## 1.7 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 (RCW). Proposers are encouraged to familiarize themselves with the requirements prior to submitting a Proposal that includes current or former state employees.

## 1.8 DEFINITIONS

Definitions for the purposes of this RFP include:

**Apparent Successful Applicant/Contractor/Bidder/Vendor/Grantee/Awardee:** The Proposer selected to perform the anticipated services, subject to successful completion of contract negotiations and execution of a written contract.

**COMMERCE or AGENCY:** The Department of Commerce is the agency of the state of Washington that is issuing this RFP.

**Contract:** A written, legally binding agreement to perform the services proposed, also called a Grant or Interagency Agreement.

**Contractor:** Individual or organization whose Proposal has been accepted by COMMERCE and is awarded a fully executed, written contract. Also called Grantee, Awardee, Recipient, or Vendor.

**Exhibit:** Document attached to this RFP, also referred to as Attachment.

**Proposal:** A formal offer submitted in response to this Request for Proposals.

**Proposer:** Individual, firm, organization, company, or other entity or group of entities that submits a Proposal to attain a contract with COMMERCE.

**Request for Proposals (RFP):** Formal procurement or solicitation 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.

**Small business:** An in-state business, including a sole proprietorship, corporation, partnership, or other legal entity, that: (a) Certifies, under penalty of perjury, that it is owned and operated independently from all other businesses and has either: (i) Fifty or fewer employees; or (ii) A gross revenue of less than seven million dollars annually as reported on its federal income tax return or its return filed with the Department of Revenue over the previous three consecutive years; or (b) Is certified with the Office of Women and Minority Business Enterprises under chapter 39.19 RCW.

**Veteran-owned business:** A business certified by the Washington Department of Veteran Affairs.

## 1.9 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 RFP. All communication between the Proposer and COMMERCE upon release of this RFP shall be with the RFP Coordinator, as follows:

Name	Kaitlin Jones
E-Mail Address	Kaitlin.jones@commerce.wa.gov

Any other communication will be considered unofficial and non-binding on COMMERCE. Proposers are to rely only 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	5/16/2023
Question & answer period	5/16/2023-5/31/2023
Answers to Q&A posted no later than	6/02/2023 5:00 p.m. PT
<b>Proposals due</b>	7/2/2023 11:59 p.m. PT
Evaluate proposals	7/3/2023-7/13/2023
Announce "Apparent Successful Contractor" and send notification via e-mail to unsuccessful Proposers	7/14/2023
Hold debriefing conferences (if requested)	7/17/2023-7/21/2023
Negotiate contract	7/24/2023-7/28/2023
Earliest date contract may be effective	8/01/2023

COMMERCE reserves the right to revise the above schedule.

### 2.3 QUESTION AND ANSWER PERIOD

COMMERCE will accept questions about this RFP sent to the RFP Coordinator at the email address listed in Section 2.1 during this period. Questions can also be submitted through ZoomGrants by using the "Contact Admin" link under the help menu. Questions should not identify the submitting person or organization. COMMERCE will answer all questions in a Q&A document which will be posted weekly on Fridays no later than 5:00 p.m. PST the final Q&A document will be posted no later than the date identified in Section 2.2.

### 2.4 THIS SECTION REMOVED

### 2.5 THIS SECTION REMOVED

### 2.6 SUBMISSION OF PROPOSALS

#### **ELECTRONIC PROPOSALS:**

The proposal must be **received by the RFP Coordinator** no later than 11:59 p.m., Pacific Time on July 2, 2023.

Proposals must be filled out and submitted through the following link using the ZoomGrants system: [https://www.zoomgrants.com/zgf/Washington\\_State\\_Dept.\\_of\\_Commerce/Community\\_Law\\_Enforcement\\_Partnership\\_Program](https://www.zoomgrants.com/zgf/Washington_State_Dept._of_Commerce/Community_Law_Enforcement_Partnership_Program). This link will bring you directly to the application page. If you already have a ZoomGrants account, log in and follow the instructions. If you are a new user, complete the required information for a new ZoomGrants account to create a profile. Any issues with creating an account use the "Ask ZoomGrants" link in the help menu and they will assist.

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.** Exceptions will not be made for partial submissions. Requests for deadline extensions will not be granted. All Proposals and any accompanying documentation become the property of COMMERCE and will not be returned.

### 2.7 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 Contractor is announced; thereafter, all Proposals are subject to disclosure as provided for 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 allowed by law. 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.

## **2.8 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). The website can be located at <https://fortress.wa.gov/ga/webs/>. 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 the website. Such addenda will also be published on an Agency page, located at <http://www.commerce.wa.gov/serving-communities/current-opportunities/>.

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

## **2.9 DIVERSE BUSINESS INCLUSION PLAN**

Proposers are required to submit a Diverse Business Inclusion Plan with their Proposal describing in good faith their aspirational goals for subcontractor types. 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. No minimum level of minority- or women-owned business, Washington Small Businesses, 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

## **2.10 ACCEPTANCE PERIOD**

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

## **2.11 COMPLAINT PROCESS**

Potential Proposers 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 proposal 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 is final. There is no appeal process.

#### **2.12 RESPONSIVENESS**

All Proposals will be reviewed by the RFP Coordinator to determine compliance with administrative requirements and instructions specified in this RFP. The Proposer is specifically notified that failure to comply with any part of this 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 informed of the reason for disqualification.

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

#### **2.13 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. The Proposal will become a part of the official procurement file on this matter without obligation to COMMERCE.

#### **2.14 CONTRACT GENERAL TERMS & CONDITIONS**

The Apparent Successful Contractor will be expected to enter into a contract which is substantially the same as the example contract and its general terms and conditions attached as Exhibit E. 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 RFP. All proposed edits to the contract terms and conditions must be submitted as an attachment to Exhibit A, Certifications and Assurances form. COMMERCE will review requested edits and accept or reject the same at its sole discretion.

#### **2.15 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.

#### **2.16 NO OBLIGATION TO CONTRACT**

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

#### **2.17 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.

#### **2.18 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 services may begin and no cost chargeable to the proposed contract may be incurred before receipt of a fully executed contract.

#### **2.19 ELECTRONIC PAYMENT**

The state of Washington prefers to utilize electronic payment in its transactions. The successful Contractor must have or obtain a Statewide Vendor Number (SWV) from the Office of Financial Management to be paid by COMMERCE. For more information, visit: [www.ofm.wa.gov](http://www.ofm.wa.gov).

## **2.20 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 if requested.

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, if requested, a copy shall be forwarded to COMMERCE within fifteen (15) days of the contract effective date. Standard insurance requirements are included within the example contract and its special terms and conditions attached as Exhibit E.

### 3. PROPOSAL CONTENTS

#### **ELECTRONIC PROPOSALS:**

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

1. Letter of Submittal
2. Certifications and Assurances (Exhibit A to this RFP)
3. Technical Proposal
4. Management Proposal
5. Cost Proposal
6. Diverse Business Inclusion Plan (Exhibit B to this RFP)
7. Workers' Rights Certification (Exhibit C to this RFP)
8. Small or Veteran-Owned Business Certification (Exhibit D 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 also assist the Proposer in preparing a thorough response.

**Items marked "mandatory" must be included as part of 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 CERTIFICATIONS AND ASSURANCES (MANDATORY)**

**The 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 President or Executive Director if a corporation, the managing partner if a partnership, or the proprietor if a sole proprietorship. Proposers wishing to submit any proposed contract edits must indicate so on this form (see Section 2.14).

#### **3.2 LETTER OF SUBMITTAL (MANDATORY)**

**The Letter of Submittal must be signed and dated** by a person authorized to legally bind the Proposer to a contractual relationship, e.g., the President or Executive Director if a corporation, the managing partner if a partnership, or the proprietor if a sole proprietorship.

Along with introductory remarks, the Letter of Submittal must include the following information about the Proposer and any proposed subcontractors:

- A.** Name, address, principal place of business, telephone number, and fax number/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.)
- C.** Legal status of the Proposer (sole proprietorship, partnership, corporation, etc.) and the year the entity was organized to do business as the entity now substantially exists.
- D.** 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.
- E.** Location from which the Proposer would operate.
- F.** Identify 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 COMMERCE determines that a conflict of interest exists, the Proposer may be disqualified from further consideration.

### 3.3 TECHNICAL PROPOSAL (SCORED)

The Technical Proposal must contain a comprehensive description of services 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 full understanding of the proposed project.
- B. Work Plan:** Include all project requirements and the proposed tasks, services, activities, etc. necessary to accomplish the scope of the project 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. Include any required involvement of COMMERCE staff. The Proposer may also present any creative approaches that might be appropriate and may provide any pertinent supporting documentation. Identify any work to be completed by subcontractors but do not select subcontractors until all relevant requirements have been reviewed, including the Code of Federal Requirements if applicable.
- 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 the Proposer will achieve, including how these impacts and outcomes will be monitored, measured and reported to COMMERCE.
- E. Risks:** The Proposer must identify potential risks that are considered significant to the success of the project in sufficient detail to convey to members of the evaluation team the Proposer's ability correctly assess and manage risk. Include how the Proposer will effectively monitor and manage these risks, including timely reporting of risks to COMMERCE.
- F. Deliverables:** Fully describe deliverables to be submitted under the proposed contract. Deliverables must support the purpose of this RFP described in Section 1.1 and met the requirements set forth in Section 1.2.

### 3.4 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. Proposers are reminded to select subcontractors only after reviewing all relevant requirements. Provide an organizational chart indicating lines of authority for personnel involved in performance of this potential contract and relationships of these staff to other programs or functions of the organization(s). This chart must also show lines of authority to the next senior level of management. Include who will have prime responsibility and final authority for the work.
- 2. **Staff Qualifications and Experience:** Identify staff, including any 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. Staff identified in the Proposal must actually perform the assigned work. Any staff substitution must have prior approval from COMMERCE.

#### B. Experience of the Proposer (SCORED)

1. Indicate the experience the Proposer has in the following areas. If the Proposer does not have the specified experience, explain whether the Proposer plans to seek a subcontractor with that experience or other mitigation strategy. Include a detailed description of the means by which the organization or agency meets the qualifications set forth in Section 1.3.
2. Indicate any other relevant experience that shows the qualifications of the Proposer, and any subcontractors, for the performance of the potential contract.
3. Include a list of contracts the Proposer has had during the last five years that relate to the Proposer's ability to perform the services needed under this RFP. List contract reference numbers, period of performance, contact persons, telephone numbers, and e-mail addresses. COMMERCE may award extra points to entities that are new to state contracting or pass-through funding in its sole discretion.

**C. Related Information (MANDATORY)**

1. If the Proposer or any known 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 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 any others who, from COMMERCE'S perspective, may have pertinent information. COMMERCE may or may not contact references in its sole discretion.

**E. OMWBE and WDVA Certification (OPTIONAL AND NOT SCORED)**

Include proof of certification issued by the Washington Office of Minority and Women's Business Enterprises (OMWBE) or Washington Department of Veteran Affairs (WDVA) if certified small, minority-, women-, or veteran-owned business(es) will be participating on this project in any capacity. For more information please see Sections 1.5 and 2.9, and visit: [www.omwbe.wa.gov](http://www.omwbe.wa.gov) or [www.wdva.wa.gov](http://www.wdva.wa.gov).

**3.5 COST PROPOSAL**

The total amount proposed must not exceed the amount specified in Section 1.4 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.

**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 if applicable.

Costs for work to be completed by subcontractors are to be broken out separately.

## 4. EVALUATION AND CONTRACT AWARD

### 4.1 EVALUATION PROCEDURE

Responsive Proposals will be evaluated strictly in accordance with the requirements stated in this RFP and any addenda issued. The evaluation of Proposals will be accomplished by one or more evaluation team(s) designated by COMMERCE, which will determine the ranking of the proposals.

COMMERCE, in its sole discretion, may elect to invite top-scoring Proposers as finalists for a virtual presentation or interview.

The RFP Coordinator may contact the Proposer for clarification of any portion of their Proposal. Proposers are not permitted to submit, resubmit, correct, or change any materials of any kind after the date and time stated in Section 2.6 SUBMISSION OF PROPOSALS.

### 4.2 EVALUATION BREAKDOWN

The following weighting will be assigned to each proposal section for evaluation purposes. Subsections may or may not be of equal weight.

#### **Technical Proposal – 80%**

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

#### **Management Proposal – 20%**

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

#### **Cost Proposal – 5%**

- Identification of costs and a full 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% of their awarded points added to their final score (see Exhibit C).

**COMMERCE reserves the right to award the contract(s) to the Proposer(s) whose Proposal is deemed to be in the best interest of COMMERCE and the state of Washington. See also Section 1.5 MANDATORY AWARD TO SMALL OR VETERAN-OWNED BUSINESS.**

### 4.3 VIRTUAL PRESENTATIONS MAY BE REQUIRED

After evaluating the written proposals COMMERCE may elect to schedule virtual presentations or interviews of top-scoring Proposers. If so, COMMERCE will contact the top-scoring Proposers from the written evaluation to schedule a date and time to meet on a platform such as Zoom or Microsoft Teams. Any commitments made by the Proposer during a virtual presentation or interview will be considered binding.

The scores from the written evaluation and the virtual 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. Notification may also be made to the COMMERCE public website, Washington Electronic Business Solution (WEBS), or other publically accessible locations.

#### 4.5 DEBRIEFING OF UNSUCCESSFUL PROPOSERS

Any Proposer who has submitted a Proposal and received notice that they were not selected for contract negotiation may request a debriefing. The request for a debriefing conference must be received by the RFP Coordinator 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 related to that Proposer;
- 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. COMMERCE will not discuss any items other than the three bullet points above. Debriefing conferences may be conducted on the telephone or by other electronic means and will be scheduled for a maximum of thirty (30) minutes. COMMERCE reserves the right to end a debriefing for any reason.

#### 4.6 PROTEST PROCEDURE

Protests may be filed only by Proposers who submitted a response to this RFP 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 5:00pm Pacific time on the fifth business day following the debriefing. Protests must be submitted by email. Proposers may choose to copy COMMERCE'S Central Contracts Office at [comcustserv@commerce.wa.gov](mailto:comcustserv@commerce.wa.gov). Do not copy any other COMMERCE staff.

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

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;
- Non-compliance with procedures described in this RFP or COMMERCE policy.

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

Scores received are not a valid basis of protest and will be dismissed as without merit unless included with facts supporting bias, discrimination, or conflict of interest on the part of an evaluator.

Upon receipt of a protest, a protest review will be held by COMMERCE. COMMERCE'S Chief Contracts Officer, or other employee delegated by the Director who was not involved in the award process, will consider the record along with 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 directly impact the actual interest of another Proposer, such Proposer may be given an opportunity to submit its views and any relevant information on the protest.

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 error(s) and re-evaluate all proposals, or
  - Cancel this RFP and begin a new process, or
  - Make other findings and determine other courses of action as appropriate.

If COMMERCE does not find merit in the protest, COMMERCE may 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 Small or Veteran-Owned Business Certification
- Exhibit E 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 RFP 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 RFP contents and the attached example contract and general terms and conditions. If there are any proposed edits to these terms, I/we have described those edits 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 organization 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 any others who may have pertinent information regarding the ability of the Proposer and the lead staff person to perform the services contemplated in 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.

**I/We have reviewed the Contract and General Terms and Conditions and I/we: (check one)**

- are** submitting proposed contract edits. If proposed contract edits are being submitted for consideration, I/we have attached them to this form. (See Section 2.14)
- are not** submitting proposed contract edits. (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**

Please see Section 2.9 for more information regarding the Diverse Business Inclusion Plan.

<b>If awarded a contract as a result of this RFP,</b>	<b>Yes</b>	<b>No</b>
Do you anticipate subcontracting* with State Certified Minority Businesses?	<input type="checkbox"/>	<input type="checkbox"/>
Do you anticipate subcontracting with State Certified Women’s Businesses?	<input type="checkbox"/>	<input type="checkbox"/>
Do you anticipate subcontracting with State Certified Veteran Businesses?	<input type="checkbox"/>	<input type="checkbox"/>
Do you anticipate subcontracting with Washington State Small Businesses?	<input type="checkbox"/>	<input type="checkbox"/>

**Proposer’s Goals:**

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

Minority-owned businesses:     \_\_\_%  
Woman-owned businesses:       \_\_\_%  
Veteran-owned businesses:     \_\_\_%  
Small businesses:                \_\_\_%

**If you plan to subcontract and answered ‘No’ to all questions above, please explain:**  
**Click or tap here to enter text.**

I/We do not plan to subcontract any of the work described in this RFP.

Please identify the person in your organization who will manage your Diverse Business Inclusion Plan related to this project:

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Phone: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

**\* Please note that subcontracting must be done in accordance with contractual terms and conditions which may include specific subcontractor selection requirements. Do not select subcontractors until you have reviewed all applicable requirements.**

**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 Department of Commerce is seeking to contract with qualified organizations which certify that their employees are not, as a condition of employment, subject to mandatory individual arbitration clauses and class or collective action waivers. See Section 4.2.

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

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

Date: \_\_\_\_\_

Return to Procurement Coordinator as part of your complete response.

**Small or Veteran-Owned Business Certification**

**See Section 1.5 for more information about COMMERCE’S award obligation to Small and Veteran-Owned Businesses.**

**Small Business**

- By checking this box and signing below I/we hereby certify under penalty of perjury that the business represented in this Proposal is a Washington business including a sole proprietorship, corporation, partnership, or other legal entity, that is:
  - (a) Owned and operated independently from all other businesses and has either:
    - (i) Fifty or fewer employees; or
    - (ii) A gross revenue of less than seven million dollars annually as reported on its federal income tax return or its return filed with the department of revenue over the previous three consecutive years; or
  - (b) Is certified with the Office of Women and Minority Business Enterprises under chapter 39.19 RCW. I/we are including a copy of the certification.

**Veteran-Owned Business**

- By checking this box and signing below, I/we certify the business represented in this Proposal is certified by the Washington Department of Veteran Affairs. I/we are including a copy of the certification.

Failure to return or sign this Exhibit, or failure to check an applicable box, may result in failure to qualify as a responsive and responsible Small or Veteran-Owned Business.

Failure to include a copy of the relevant certification may result in failure to qualify as a responsive and responsible Small or Veteran-Owned Business.

**Additional Representation**

The following is not required nor scored. Your answers or lack of answers will not impact the outcome of this RFP. This information helps Commerce monitor our level of success in meeting our diverse contracting goals. See Section 2.9 for more information about Commerce’s diverse contracting goals.

For informational purposes only, the business represented in this Proposal is:

- Certified Woman-Owned by the Office of Women and Minority Business Enterprises
- Certified Minority-Owned by the Office of Women and Minority Business Enterprises

\_\_\_\_\_  
Signature of Proposer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title



# State Funded General Grant Template