



**STATE OF WASHINGTON  
DEPARTMENT OF COMMERCE**

**NOTICE OF FUNDING OPPORTUNITY (NOFO)**

**NOFO NO. F23-34440-800**

**NOTE:** Please read this entire document before submitting a response. Responses that do not meet one or more requirement stated herein may be disqualified and not scored.

**PROJECT TITLE:** Washington JAG Priority Area Funding

**PROPOSAL DUE:** Wednesday, January 8, 2025 at 11:59PM, Pacific Time, Olympia, WA

**ESTIMATED TIME PERIOD FOR CONTRACT:** March 1, 2025 – February 28, 2026

**PROPOSER ELIGIBILITY:** This NOFO is open to those Proposers who satisfy the minimum qualifications stated herein and are available for work in Washington.

**FUNDING SOURCE AND METHOD:** This is federal funding. Payments will be made on a **reimbursement basis** for deliverables accepted and/or allowable time and expenses.

**CONTENTS OF THE NOTICE OF FUNDING OPPORTUNITY:**

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2. General Information for Proposers
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# 1. INTRODUCTION

## 1.1 PURPOSE AND BACKGROUND

The Washington Department of Commerce, hereafter called "COMMERCE," is initiating this Notice of Funding Opportunity (NOFO) to solicit proposals from those qualified and interested in receiving grant funding to conduct projects in alignment with the federal Edward Byrne Justice Assistance Grant (JAG) requirements and Washington's JAG Priority Areas.

Washington's JAG Priority Areas are supported by the [Edward Byrne Memorial Justice Assistance Grant \(JAG\)](#) program. Named after [Edward "Eddie" R. Byrne](#), an officer in the New York City Police Department who was murdered while protecting a witness in a drug case, the JAG Program is the leading federal source of criminal justice funding to state and local jurisdictions. Administered by the Bureau of Justice Assistance (BJA), the JAG Program provides states, territories, tribes, and local governments with critical funding necessary to support a range of criminal legal system improvement and community advancement programs.

During 2023, the Washington [JAG Advisory Committee](#) developed a [Strategic Plan](#) to guide the investment of JAG funds across the state. As part of the strategic plan, the following [JAG Purpose Areas](#) were identified as **Washington's Priority Areas of Focus**:

- Planning, Evaluation and Technology Improvement
- Crime Victim Programming, Support and Advocacy
- Community Safety Enhancement and Law Enforcement Programs/Support

Approximately \$5,000,000 of JAG funding will be awarded through this NOFO. **Please refer to the JAG FAQ<sup>1</sup> page for further information to ensure proposals do not include prohibited equipment or costs.**

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

## 1.2 OBJECTIVES AND SCOPE OF WORK

The Washington JAG Priority Areas are a component of Washington's overall JAG strategy. The intent of this NOFO is provision of resources to programs and/or projects within one or more of the Washington JAG Priority Areas. The Washington JAG Priority Areas are central to Washington's JAG Strategic Plan and align with Washington's JAG mission of ***"advancing criminal legal system improvement in Washington state by investing in innovative, sustainable, and data-driven practices to enhance community safety, increase collaboration and support victims of crime and those involved in the criminal legal system."*** Applicants will be required to clearly explain how their proposed project fits within **one or more** of the Washington JAG Priority Areas, as well as thoroughly describe the goals, objectives, and anticipated outcomes of their proposed project. Proposed projects **are not** required to fulfill all three Washington Priority Areas.

### **Washington JAG Priority Areas**

#### ***Planning, Evaluation and Technology Improvement***

In Washington, JAG investments will prioritize data-driven efforts implementing best and promising practices. To operationalize efforts, planning and evaluation may be required to best design program implementation, data collection and outcome measurement. Initiatives should be informed by lessons learned, and strategic planning and change management should guide program implementation, where applicable.

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<sup>1</sup> <https://bjaojp.gov/doc/jag-faqs.pdf> [Prohibited and Controlled Equipment Guidance](#) [DOJ Grants Financial Guide](#)

**Goal:** Washington JAG investments will focus on building infrastructure, scaling efforts, assessing capacity, and increasing data collection and evaluation. *Examples of proposed projects may include, but are not limited to:*

- Technical assistance provision to local agencies or organizations implementing programs in alignment with JAG Mission
- Assessments or gap analyses conducted through community-led efforts to identify needed services
- Advancing collaborative initiatives or implementation of collective impact models<sup>2</sup> to leverage resources and avoid duplication of efforts

### ***Crime Victim Programming, Support and Advocacy***

With many Criminal Legal System reform efforts focused on responding to mass incarceration, reducing the impact of conviction records and providing services to those impacted by the Criminal Legal System, it is important to provide support to those impacted by crime and violence to advance a comprehensive approach. Federal funding for Victims Services has declined in recent years due to the COVID-19 pandemic and other factors. To comprehensively address victims' needs, as well as others impacted by the Criminal Legal System, JAG investments will focus on the following goal in this priority area:

**Goal:** JAG investments will fund victim support and services, crime prevention and community education. *Examples of proposed projects may include, but are not limited to:*

- Leverage/support existing programs/efforts; identify gaps or additional opportunities for support
- Conduct an assessment or gap analysis to determine the landscape of available victim services across the state and identify resource needs
- Provide new and/or unduplicated support services

### ***Community Safety Enhancement and Law Enforcement Programs/Support***

Washington's JAG program has historically focused on law enforcement initiatives, primarily by supporting Multi-Jurisdictional Task Forces across the state. In an effort to diversify the JAG portfolio while still leveraging funds to support community safety, the Strategic Plan includes this priority area, to further efforts focused on increased community safety and law enforcement wellness.

**Goal:** Promote relationship building between law enforcement and the communities they serve; increase community trust and engagement in our collective public safety efforts focusing on substance use and violence prevention and intervention. *Examples of proposed projects may include, but are not limited to:*

- Community partnerships
- Officer wellness initiatives and support
- Crime prevention strategies and education campaigns
- Multi-jurisdictional law enforcement collaborations and efforts
- Community-led safety initiatives
- Collaborative efforts to prevent violence against, and enhance safety and security for, election workers

Applicants will be responsible for thoroughly describing the goals, objectives and outcomes of their proposed project, as well as providing an explanation of how the project aligns with one or more of the Washington JAG Priority Areas.

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<sup>2</sup> "Collective Impact is a network of community members, organizations, and institutions who advance equity by learning together, aligning, and integrating their actions to achieve population and system level change." For more information, visit <https://collectiveimpactforum.org/what-is-collective-impact/>

## Collaboration

Proposals are encouraged that include cross-sector, multidisciplinary partnerships, which may include: violence intervention service providers, city or county leadership, local public health agencies, community-based organizations, court personnel, juvenile justice agencies, law enforcement, school-based law enforcement, district attorneys, public defenders, victim advocates/service providers, child welfare and social services, hospitals and other health care providers, mental health services, researchers, school administrators, faith-based organizations, and community residents.

### 1.3 MINIMUM QUALIFICATIONS

To meet the minimum qualifications for this NOFO an Applicant must:

- Be a unit of local government (For purposes of the JAG Program, a “unit of local government” includes a city, county, township, town, and certain federally recognized Indian tribes<sup>3</sup>); OR
- <sup>4</sup>Be a private or non-profit neighborhood or community-based organization, or a state agency, **and include one or more letter(s) of support from a unit of local government in the jurisdiction where the proposed project will be conducted.** This letter of support MUST explain how the proposed program will benefit the local government agency and jurisdiction. A non-governmental agency applicant MUST satisfy this requirement in order to be considered responsive and have their proposal evaluated.<sup>4</sup>
- **Non-profit organizations must verify their non-profit status by providing a copy of their Internal Revenue Service (501)(c)(3) determination letter.**
- 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 Applicant.
- Organizations must be registered and obtain a Unique Entity Identifier (UEI) from [SAM.gov | Entity Registrations](https://sam.gov/entity-registrations) prior to submitting a proposal.
- Applicants applying with a Fiscal Sponsor are not eligible for this solicitation.

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 \$275,000** per project. Proposals in excess of this amount will be considered non-responsive and will not be evaluated. In the event additional funding becomes available during the period of performance, any contract awarded may be amended to provide for additional related services. Additional funding is not guaranteed.

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

### 1.5 PERIOD OF PERFORMANCE

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<sup>3</sup> <https://bja.ojp.gov/doc/jag-faqs.pdf>

<sup>4</sup> If a an applicant that is not a unit of local government is evaluated and determined to be an apparent successful applicant, funding is contingent upon commerce obtaining funding approval from the Department of Justice (DOJ)

The period of performance of any contract resulting from this NOFO is tentatively scheduled to begin on or about March 1, 2025 and to end on February 28, 2026. 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 (RCW). Proposers are encouraged to 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 NOFO include:

**Apparent Successful Grantee/Bidder/Vendor/Contractor/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 NOFO.

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

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

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

**Notice of Funding Opportunity (NOFO):** 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 NOFO is to permit the Proposer community to suggest various approaches to meet the need at or below a given funding level.

**Proposal:** A formal offer submitted in response to this Notice of Funding Opportunity.

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

## 1.8 ADA

COMMERCE complies with the Americans with Disabilities Act (ADA). Proposers may contact the NOFO Coordinator to receive this Notice of Funding Opportunity in Braille or on tape.

## 2. GENERAL INFORMATION FOR PROPOSERS

### 2.1 NOFO COORDINATOR

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

Name	Kathleen Roy
E-Mail Address	Kathleen.roy@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 NOFO Coordinator. **Communication directed to parties other than the NOFO Coordinator may result in disqualification of the Proposer.**

### 2.2 ESTIMATED SCHEDULE OF PROCUREMENT ACTIVITIES

Issue Notice of Funding Opportunity	December 4, 2024
Question & Answer period	December 4 – December 30, 2024
Answers to Q&A posted no later than	January 6, 2025
Pre-Proposal Conference: <a href="https://wastatecommerce.zoom.us/j/82316566141?pwd=5XBzRtTFr74tvGAa2Z7bBlqcisawWa.1">https://wastatecommerce.zoom.us/j/82316566141?pwd=5XBzRtTFr74tvGAa2Z7bBlqcisawWa.1</a>	Monday, December 16, 2024, 1:00 PM PT
Tribal Pre-Proposal Conference <a href="https://wastatecommerce.zoom.us/j/85309608398?pwd=1BFiymJbwCBmFsbvV4OeLQ8TNOz2fz.1">https://wastatecommerce.zoom.us/j/85309608398?pwd=1BFiymJbwCBmFsbvV4OeLQ8TNOz2fz.1</a>	Monday December 16, 2024, 3 PM PT
<b>Proposals due</b>	<b>Wednesday, January 8, 2025, 11:59PM PT</b>
Evaluate proposals	January 13 – January 28, 2025
Conduct virtual presentations with finalists, if required	January 29, 2025
Announce “Apparent Successful Grantee” and send notification via e-mail to unsuccessful Proposers	February 6, 2025
Hold debriefing conferences (if requested)	February 6 – February 24, 2025
Negotiate contract	February 6 – February 28, 2025
Earliest date contract may be signed	February 25, 2025
Contract Starts	March 1, 2025

COMMERCE reserves the right to revise the above schedule.



### 2.3 QUESTION AND ANSWER PERIOD

COMMERCE will accept questions about this NOFO sent to the NOFO Coordinator at the email address listed in Section 2.1 during this period. Questions should not identify the submitting person or organization. COMMERCE will answer all questions in a Q&A document posted COMMERCE will post answers on the Commerce website at [Contracting with Commerce](#) periodically, with a final Q&A posting no later than the date identified in Section 2.2.

### 2.4 PRE-PROPOSAL CONFERENCE

A pre-proposal conference will be held on **Monday, December 16, 2024 at 1 PM PT**. The pre-proposal conference will be virtual only, on a platform such as Zoom or Microsoft Teams. <https://wastatecommerce.zoom.us/j/82316566141?pwd=5XBzRtTFr74tvGAa2Z7bBlqcsawWa.1>. All prospective Proposers are encouraged attend; however, attendance is not mandatory.

A Tribal pre-proposal conference will be held on **Monday, December 16, 2024 at 3 PM PT**. The pre-proposal conference will be virtual only, on a platform such as Zoom or Microsoft Teams. <https://wastatecommerce.zoom.us/j/85309608398?pwd=1BFiymJbwCBmFsbvV4OeLQ8TNOz2fz.1>

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

COMMERCE will be bound only to COMMERCE written answers to questions. Questions arising at the pre-proposal conference will be documented and answered in written form. A copy of the questions and answers will be sent to each prospective Proposer that has requested the NOFO Coordinator to send them NOFO addenda.

### 2.5 SUBMISSION OF PROPOSALS

The proposal must be received by the NOFO Coordinator no later than **Wednesday, January 8, 2025 at 11:59PM PT**.

Proposals must be filled out and submitted through the following link using the new SMS (Solicitation Management System): <https://sm.powerappsportals.com/>. This link will bring you to the application page. You will need to have a SAW account to access the SMS system. If you do not already have a SAW account, instructions for setup are provided when you login to the SMS system. Any issues with creating an account, use the SAW help link in the platform. For any issues using the SMS system, use the SMS help contact information in the SMS platform.

Proposals received by any other method are non-responsive and will not be evaluated.

Organizations are limited to one proposal. Applicants should allow sufficient time to ensure timely receipt of the proposal by the NOFO 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.

### 2.6 PROPRIETARY INFORMATION AND PUBLIC DISCLOSURE

Proposals submitted in response to this NOFO shall become the property of COMMERCE. All Proposals received shall remain confidential until the Apparent Successful Grantee 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 NOFO Coordinator is required. All requests for information should be directed to the NOFO Coordinator.

## **2.7 REVISIONS TO THE NOFO**

In the event it becomes necessary to revise any part of this NOFO, addenda will be provided via e-mail to all individuals who have made the NOFO Coordinator aware of their interest. Addenda may also be published on Washington's Electronic Business Solution (WEBS). The website can be located at <https://fortress.wa.gov/ga/webs/>. Such addenda will also be published anywhere the NOFO is posted, including on COMMERCE'S public webpage, located at <https://www.commerce.wa.gov/contracting/>.

You may also send your name and e-mail address to the NOFO Coordinator to request to receive any NOFO addenda.

COMMERCE also reserves the right to cancel or to reissue the NOFO 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 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

## **2.9 ACCEPTANCE PERIOD**

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

## **2.10 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 NOFO 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 NOFO 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.

## **2.11 RESPONSIVENESS**

All Proposals will be reviewed by the NOFO Coordinator to determine compliance with administrative requirements and instructions specified in this NOFO. The Proposer is specifically notified that failure to comply with any part of this NOFO 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; this shall constitute a debriefing conference for the purposes of Section 4.6, Protest Procedure.

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 Grantee should be prepared to accept this NOFO for incorporation into a contract resulting from this NOFO. 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.

## **2.13 CONTRACT GENERAL TERMS & CONDITIONS**

The Apparent Successful Grantee 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 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 NOFO. 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.

#### **2.14 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 NOFO, travel to or conduct of a presentation, or any other activities related to responding to this NOFO.

#### **2.15 NO OBLIGATION TO CONTRACT**

This NOFO 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 NOFO.

#### **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 NOFO. No services may begin and 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 Grantee 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).

#### **2.19 INSURANCE COVERAGE**

The Grantee 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 Grantee 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 Grantee 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 D.

### 3. PROPOSAL CONTENTS

#### ELECTRONIC PROPOSALS:

Proposals must be written in English and submitted electronically to the NOFO Coordinator:

1. Certifications and Assurances (Exhibit A to this NOFO)
2. Letter of Submittal Form (Exhibit B to this NOFO)
3. Project Proposal (including OMWBE & WDVA Certification if applicable-optional)
4. Budget Proposal (Required template)
5. Diverse Business Inclusion Plan (Exhibit C to this NOFO)
6. Workers' Rights Certification (Exhibit D to this NOFO) optional
7. Supporting Documents (Letter of Support and IRS Determination) if applicable

**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 NOFO) 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 FORM (MANDATORY)

**The Letter of Submittal Form (Exhibit B to this NOFO) must be signed and dated** by a person authorized to legally bind the Applicant 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. **All sections** in this form must be filled out and fully completed to be a responsive proposal, if sections are not applicable please mark as “N/A”.

#### 3.3 PROJECT PROPOSAL (SCORED)

The Project Proposal must contain a comprehensive description of services including the following elements:

- A. Project Approach/Methodology (SCORED) (20 points) (Maximum 6,000 characters including spaces):** Include a complete description of the Applicant's proposed approach and methodology for the project. This section should include a clear vision, mission and goals of the proposed project.
1. What is the proposed idea, project, program for which the applicant is seeking funding?
  2. What are the Vision, Mission and Goals of the proposed project?
  3. What need does the proposed project address? Please use any qualitative, quantitative or anecdotal data to demonstrate need. Please include references and citations as applicable.
  4. How does the proposed project align with one or more of the Washington JAG Priority Areas listed in Section 1, Item 1.2?

**B. Implementation (SCORED) (25 points)** (Maximum 6,000 characters including spaces):: Please describe how the project will be implemented. Applicants are encouraged to address the following components, as applicable to the proposed project:

1. What group/communities will benefit from the proposed project? If the proposal includes direct service provision, please describe the services that will be provided in detail – include who will be served and how many individuals will be served throughout the performance period.
2. Is the proposed project a multi-jurisdictional effort, task force, partnership, collective impact model, or some other collaborative effort? Please describe any key partnerships, describing the partner(s) and their role in the proposed project, including any resource contribution, either funding or in-kind.
3. How does the proposed project leverage resources, collaboration and avoid duplication of work?
4. If applicable, how will the proposed project/approach include meaningful engagement of, or a plan to engage, individuals with lived experience and those most impacted by the issue that the proposed project/approach will address?
5. How does the proposed project work to address and/or reduce racial and economic disparity? How does it promote and strengthen racial equity efforts?

**C. Project Schedule (SCORED) (5 points)** (Maximum 4,000 characters including spaces) Include a project schedule indicating when the elements of the work will be completed. Project schedule must ensure that any deliverables requested are met.

1. Timeline – please describe the timeline for implementation of the proposed project. Include all project requirements and the proposed tasks, services, activities, etc. necessary to accomplish the scope of the proposed project.

**D. Outcomes and Performance Measurement (SCORED) (15 points)** (Maximum 4,000 characters including spaces): Describe the impacts and outcomes the proposed project will achieve, including how these impacts and outcomes will be monitored, measured and reported to COMMERCE. Applicants are encouraged to address the following components, as applicable to the proposed project:

1. How will the applicant assess or evaluate impact? Impact and outcomes must support the Washington JAG Priority Areas as described in Section 1.2.
2. What metrics will be measured to indicate outcomes and overall impact?
3. What tools will be used to measure and report outcomes? (e.g., Pre/post surveys, final report, anecdotal data and information, incident reports, crime stats, etc.)

**E. Risks (SCORED) (5 points)** (Maximum 2,000 characters including spaces) The Consultant must identify potential risks that are considered significant to the success of the project. Include how the Consultant would propose to effectively monitor and manage these risks, including reporting of risks to the COMMERCE contract manager.

1. Risks, challenges and/or barriers – please identify any risks, challenges or barriers to the proposed project's success. Include any proposed strategies to mitigate these issues.

## F. 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) (Exhibit E of this NOFO) if certified small, minority-, women-, or veteran-owned business(es) will be participating on this project in any capacity. For more information please see Section 2.9 and visit: [www.omwbe.wa.gov](http://www.omwbe.wa.gov) or [www.wdva.wa.gov](http://www.wdva.wa.gov).

## MANAGEMENT PROPOSAL (SCORED) (15 Points) (Maximum 4,000 characters including spaces)

1. **Project Team/Structure/Internal Controls:** Applicant Agency Expertise – include a description of the Applicant's expertise to carry out the proposed project.
2. **Staff Qualifications/Experience:** Identify staff who will be assigned to the potential contract and the amount of time each will be assigned to the project. If staff will be hired to assist with the project, describe the proposed skills and qualifications to be sought. Include any pertinent information on the individual's skills or experience that will be particularly relevant. Staff identified in the Proposal must actually perform the assigned work. Please include descriptions of leadership staff or command staff who will oversee the proposed project.
3. **Subcontractors** – if any subcontracted activities are proposed, include a detailed description of the purpose of subcontracting and the subcontracted services to be provided. Please be aware applicants cannot pre-select subcontractors prior to being identified as the Apparently Successful Applicant. Applicants must provide a description of the proposed subcontractor duties as well as the proposed subcontractor budget within the budget proposal. Do not select subcontractors until all relevant requirements have been reviewed, including the [eCFR :: 2 CFR Part 200 -- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards](#) as applicable.

### 3.4 BUDGET COST PROPOSAL (SCORED) (5 points)

The total amount proposed should not exceed **\$275,000**. Proposals with budgets in excess of this amount will not be evaluated. There is no minimum budget for Applicants.

The Applicant is to submit a fully detailed budget using the template provided as an attachment to this NOFO, including personnel costs and any expenses necessary to accomplish the tasks and to produce the deliverables within the proposed project. Applicants are required to collect and pay Washington state sales and use taxes if applicable. Applicants are not required to have costs in each budget category; please only include costs that are applicable and relevant to the proposed project.

Costs for work to be completed by subcontractors are to be broken out separately in the bottom of the budget template. For questions regarding allowable and unallowable costs, and the federal Modified Total Direct Cost (MTDC) for indirect cost, please see the most current version of the [DOJ Grants Financial Guide](#).

### A. BUDGET COMPONENTS (SCORED)

- a. The provided Budget Template is fully filled out.
- b. Do the proposed costs support the proposed project activities?

**B. BUDGET TEMPLATE (SCORED)**

Program Budget					
Funding period start date - to end date					
Organization Name:					
Program Name:					
Program Fiscal Contact: (Name, email)					
Contract Number:					
Amount by Fund Source					
Item	JAG Funding	Other Fund Source	Other Fund Source	Other Fund Source	Total Project
PERSONNEL SERVICES					
Salaries (Full- & Part-Time)	\$ -	\$ -	\$ -	\$ -	\$ -
Personnel Benefits	\$ -	\$ -	\$ -	\$ -	\$ -
<b>SUBTOTAL - PERSONNEL SERVICES</b>	<b>\$ -</b>	<b>\$ -</b>		<b>\$ -</b>	<b>\$ -</b>
GOODS & SERVICES					
Contracted Services <sup>2</sup>	\$ -	\$ -	\$ -	\$ -	\$ -
Travel	\$ -	\$ -	\$ -	\$ -	\$ -
Training	\$ -	\$ -	\$ -	\$ -	\$ -
Equipment <sup>3</sup>	\$ -	\$ -	\$ -	\$ -	\$ -
Other Misc. Expenses <sup>4</sup>	\$ -	\$ -	\$ -	\$ -	\$ -
Office Supplies	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Expenses <sup>5</sup>	\$ -	\$ -	\$ -	\$ -	\$ -
<b>SUBTOTAL - GOODS &amp; SERVICES</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
Indirect & Administration Costs <sup>6</sup>	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL EXPENDITURES</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

  

<sup>1</sup> Identify specific funding sources included under the "Other Fund Source" column(s) above:	
	\$ -
	\$ -
	\$ -
	\$ -
<b>Total</b>	<b>\$ -</b>

  

<sup>2</sup> Contracted Services - Itemize below:		<b>JAG Funding</b>
		\$ -
		\$ -
		\$ -
		\$ -
<b>Total</b>		<b>\$ -</b>



<sup>3</sup> Equipment - Itemize below:	JAG Funding
	\$ -
	\$ -
	\$ -
	\$ -
<b>Total</b>	<b>\$ -</b>

<sup>4</sup> Other Misc. Expenses - Itemize below:	JAG Funding
	\$ -
	\$ -
	\$ -
	\$ -
<b>Total</b>	<b>\$ -</b>

<sup>5</sup> Operating Expenses - Itemize below:	JAG Funding
	\$ -
	\$ -
	\$ -
	\$ -
<b>Total</b>	<b>\$ -</b>

<sup>6</sup> Indirect Administration Costs - Itemize below:	JAG Funding
	\$ -
	\$ -
	\$ -
	\$ -
<b>Total</b>	<b>\$ -</b>

<sup>6</sup>Indirect Administration Costs - Those costs referred to as overhead, overhead costs, or administrative costs. These are actual costs incurred to conduct the normal business activities of an organization and are not readily identified with or directly charged to a program, making it difficult to precisely assess each user's share. Indirect rate is based on the federal Modified Total Direct Cost (MTDC). Those Indirect F&A expenses include:

- General Administration
- Departmental Administration
- Operation and Maintenance
- Building and Equipment Depreciation Non-Capitalized Interest
- Non-Capitalized Interest

Does the agency have a federally approved rate?

Yes

If yes, provide the rate:

**Note any federally approved rates must be verified and approved by Commerce**

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**3.5 DIVERSE BUSINESS INCLUSION PLAN (MANDATORY)**

Complete and include Diverse Business Plan (Exhibit C of this NOFO).

**3.6 WORKERS' RIGHTS CERTIFICATION (OPTIONAL)**

Workers' Rights Certification (Exhibit D of this NOFO) may be included. Those applicants that certify they **do not** require their employees to sign an individual arbitration clause as a condition of employment will receive an extra 1% of their awarded points added to their final score.

**3.7 SUPPORTING DOCUMENTATION (MANDATORY IF APPLICABLE)**

State, Private and Non-Profit organizations are also required to submit one or more letter(s) of support from a unit of local government in the jurisdiction where the proposed project will be conducted. This letter of support **MUST** explain how the proposed program will benefit the local government agency and jurisdiction.

Non-Profit organizations must also verify their non-profit status by providing a copy of their Internal Revenue Service (501)(c)(3) determination letter.

**4. EVALUATION AND CONTRACT AWARD**

**4.1 EVALUATION PROCEDURE**

Responsive Proposals will be evaluated strictly in accordance with the requirements stated in this NOFO 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 NOFO 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 scoring will be assigned to each proposal section for evaluation purposes:

<b>Overall Proposal – 90 total points possible</b>	
<b>Section</b>	<b>Questions and Rating Criteria</b>

<p style="writing-mode: vertical-rl; transform: rotate(180deg);"><b>Project Approach/Methodology (20 Points)</b></p>	<p>Please Include a complete description of the proposed approach and methodology for the project. This section should include a clear vision, mission and goals of the proposed project:</p> <ul style="list-style-type: none"> <li>A. What is the proposed idea, project, program for which the applicant is seeking funding?</li> <li>B. What are the Vision, Mission and Goals of the proposed project?</li> <li>C. What need does the proposed project address? Please use any qualitative, quantitative or anecdotal data to demonstrate need. Please include references and citations, as applicable.</li> <li>D. How does the proposed project align with one or more of the Washington JAG Priority Areas listed in Section 1, Item 1.2?</li> </ul> <p><b>Rating Criteria – A strong application meets all the criteria listed below:</b></p> <ul style="list-style-type: none"> <li>a. Proposal clearly explains the proposed idea/project/program</li> <li>b. Proposal clearly explains the Vision, Mission and Goals of the proposed project</li> <li>c. Proposal clearly explains project/program objectives and demonstrates need through data and anecdotal explanation (ex. Why is the proposed project necessary?)</li> <li>d. Proposed project clearly aligns with one or more of the Washington JAG Priority Areas, as clearly explained/described in the proposal.</li> </ul>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);"><b>Work Plan (Implementation) (25 Points)</b></p>	<p>Please describe how the project will be implemented. Applicants are encouraged to address the following components, as applicable to the proposed project:</p> <ul style="list-style-type: none"> <li>a. What group/communities will benefit from the proposed project? If the proposal includes direct service provision, please describe the services that will be provided in detail – include who will be served and how many individuals will be served throughout the performance period.</li> <li>b. Is the proposed project a multi-jurisdictional effort, task force, partnership, collective impact model, or some other collaborative effort? Please describe any key partnerships, describing the partner(s) and their role in the proposed project.</li> <li>c. How does the proposed project leverage resources, collaboration and avoid duplication of work?</li> <li>d. If applicable, how will the proposed project/approach include engagement of, or a plan to engage, individuals with lived experience and those most impacted by the issue that the proposed project/approach will address?</li> <li>e. How does the proposed project work to address and/or reduce racial and economic disparity? How does it promote and strengthen racial equity efforts?</li> </ul> <p><b>Rating Criteria – A strong application meets all the criteria listed below: Rating Criteria – A strong application meets all the criteria listed below:</b></p> <ul style="list-style-type: none"> <li>a. Proposal clearly explains community benefits resulting from proposed idea/project/program. If proposing direct service provision, proposal explains services that will be provided including the population to be served and how many people will be served throughout the performance period.</li> <li>b. The proposal includes descriptions of any key partnerships including organizational details and role overview.</li> <li>c. Proposal clearly explains how resources will be leveraged, partnerships and collaboration utilized, as applicable to achieve the proposed idea/project/program.</li> <li>d. As applicable, proposal explains meaningful engagement of, or a plan to engage, people with lived experience and those most impacted by the issue that the proposed project/approach will address.</li> <li>e. Proposal clearly explains how the proposed idea/project/program contributes to reducing racial and economic disparity. Proposal discusses ways the work advances racial equity efforts.</li> </ul>

<p style="text-align: center;"><b>Project Schedule (5 Points)</b></p>	<p>Please describe the timeline for implementation of the proposed project. Include all project requirements and the proposed tasks, services, activities, etc. necessary to accomplish the scope of the proposed project.</p> <p style="padding-left: 40px;">a. Timeline – please describe the timeline for implementation of the proposed project. Include all project requirements and the proposed tasks, services, activities, etc. necessary to accomplish the scope of the proposed project.</p> <p><b>Rating Criteria – A strong application meets all the criteria listed below:</b></p> <p style="padding-left: 40px;">a. Proposal includes a realistic timeline for implementation; timeline is complete and adequate to accomplish the proposed idea/project/program.</p>
<p style="text-align: center;"><b>Outcomes and Performance Measurement (15 Points)</b></p>	<p>Please describe the impacts and outcomes the proposed project will achieve, including how these impacts and outcomes will be monitored, measured and reported to COMMERCE. Applicants are encouraged to address the following components, as applicable to the proposed project:</p> <p style="padding-left: 40px;">a. How will the applicant assess or evaluate impact? Impact and outcomes must support the Washington JAG Priority Areas as described in Section 1.2</p> <p style="padding-left: 40px;">b. What metrics will be measured to indicate outcomes and overall impact?</p> <p style="padding-left: 40px;">c. What tools will be used to measure and report outcomes? (e.g., Pre/post surveys, final report, anecdotal data and information, incident reports, crime stats, etc.)</p> <p><b>Rating Criteria – A strong application meets all the criteria listed below:</b></p> <p style="padding-left: 40px;">a. Proposal clearly explains a strategy to assess/evaluate impact. The anticipated outcomes/impact align with the Washington JAG Priority Areas as described in Section 1.2.</p> <p style="padding-left: 40px;">b. Proposal includes applicable metrics to evaluate impact.</p> <p style="padding-left: 40px;">c. Proposal explains use of tools to measure/report outcomes.</p>
<p style="text-align: center;"><b>Risks (5 Points)</b></p>	<p>The Consultant must identify potential risks that are considered significant to the success of the project. Include how the Consultant would propose to effectively monitor and manage these risks, including reporting of risks to the COMMERCE contract manager.</p> <p style="padding-left: 40px;">a. Risks, challenges and/or barriers – please identify any risks, challenges or barriers to the proposed project’s success. Include any proposed strategies to mitigate these issues.</p> <p><b>Rating Criteria – A strong application meets all the criteria listed below:</b></p> <p style="padding-left: 40px;">a. Proposal explains any risks/challenges or barriers that have been identified if applicable; proposal includes mitigation strategies for any identified issues.</p>
<p><b>Management Plan – 15 Total Points</b></p>	

<b>Management Plan (15 Points)</b>	<p>Please describe the Applicant's experience and ability to conduct the proposed project. Please include the following components:</p> <ol style="list-style-type: none"> <li>a. Project Team/Structure/Internal Controls: Applicant Agency Expertise – include a description of the Applicant's expertise to carry out the proposed project.</li> <li>b. Staff Qualifications and Experience – identify staff who will be assigned to the potential contract and the amount of time each will be assigned to the project. If staff will be hired to assist with the project, describe the proposed skills and qualifications to be sought. Include any pertinent information on the individual's skills or experience that will be particularly relevant. Staff identified in the Proposal must actually perform the assigned work. Please include descriptions of leadership staff or command staff who will oversee the proposed project.</li> <li>c. Subcontractors – if any subcontracted activities are proposed, include a detailed description of the purpose of subcontracting and the subcontracted services to be provided. Please be aware applicants cannot pre-select subcontractors prior to being identified as the Apparently Successful Applicant. Applicants must provide a description of the proposed subcontractor duties as well as the proposed subcontractor budget within the budget proposal. Do not select subcontractors until all relevant requirements have been reviewed, including the Code of Federal Requirements, as applicable. If the proposed project does not utilize subcontractors, Applicants should address by expressing that the proposed project does not utilize subcontracted activities.</li> </ol> <p><b>Rating Criteria – A strong application meets all the criteria listed below:</b></p> <ol style="list-style-type: none"> <li>d. <ol style="list-style-type: none"> <li>a. The proposal includes a description of the Applicant's expertise to carry out the proposed project.</li> <li>b. Staff expertise and ability to carry out the proposed idea/project/program is clearly explained.</li> <li>c. Proposal clearly explains the need for subcontracted services; proposed services that will be subcontracted as part of the proposed idea/project/program are explained in detail; if Applicant is not utilizing subcontracted activities that is articulated clearly.</li> </ol> </li> </ol>
<b>Budget Proposal – 5 Total Points</b>	
<b>Budget (5 Points)</b>	<p>The total amount proposed should not exceed \$275,000. Proposals with budgets in excess of this amount will not be evaluated. There is no minimum budget for Applicants.</p> <p><b>Rating Criteria:</b></p> <ol style="list-style-type: none"> <li>a. Budget template is fully completed</li> <li>b. Do the proposed costs support the proposed project activities?</li> <li>c.</li> </ol>

**Workers' Rights Certification** Those applicants that certify they **do not** require their employees to sign an individual arbitration clause as a condition of employment will receive an extra 1% of their awarded points added to their final score.

**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.**

#### **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 Grantee.

#### **4.4 NOTIFICATION TO PROPOSERS**

COMMERCE will notify the Apparent Successful Grantee(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 NOFO 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 NOFO 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 NOFO Coordinator. Protests must be received by the NOFO 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 [centralcontracts@commerce.wa.gov](mailto:centralcontracts@commerce.wa.gov). Do not copy any other COMMERCE staff.

Proposers protesting this NOFO 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 NOFO.

All protests must be in writing, addressed to the NOFO Coordinator, and signed by the protesting party or an authorized agent. The protest must state the NOFO 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 NOFO 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 NOFO 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 Grantee(s). If the protest is determined to have merit, one of the options above will be taken.

## **5. NOFO EXHIBITS**

- Exhibit A Certifications and Assurances
- Exhibit B Letter of Submittal Form
- Exhibit C Diverse Business Inclusion Plan
- Exhibit D Workers' Rights Certification
- Exhibit E Small or Veteran-Owned Business Certification
- Exhibit F Service Contract 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 NOFO 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 NOFO 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 NOFO.
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

**RFP NO. F23-34440-800  
LETTER OF SUBMITTAL FORM**

**Eligibility Information**

All Proposers must 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.

Licensed to do Business in Washington		
<input type="checkbox"/> Yes <input type="checkbox"/> Will become licensed within 30 days of being selected as the Apparent Successful Contractor <input type="checkbox"/> Tribal entity not required to be licensed		
Name of Person Legally Authorized to Sign	Signature	Date

**Proposer Information**

Legal Name of Organization				Year Organization Established	
Telephone Number		Email Address			
Mailing Address			Location from which the Proposer would operate (if different than mailing address)		
Street:			Street:		
City:	State:	Zip Code:	City:	State:	Zip Code:
Tax ID #	SWV #	UBI #	UEI #		

**Key Staff** (Name, address, and telephone number of each principal officer (President, Vice President, Treasurer, Chairperson of the Board of Directors, etc.)

Primary contact person for this Proposal	Executive (Person with signing authority to bind organization)
Name and Title:	Name and Title:
Phone:	Phone:
Email:	Email:
Finance (Primary contact for invoices and payment)	Principal Officer
Name/Title:	Name/Title:
Phone:	Phone:
Email:	Email:
Principal Officer	Principal Officer
Name/Title:	Name/Title:
Phone:	Phone:
Email:	Email:

## Current or former state employees

Identify any state employees or former state employees employed by the Applicant or on the Applicant's governing board as of the date of submission. Include their position and responsibilities within the Applicant's organization. If, following a review of this information, it is determined by Commerce that a conflict of interest exists, the Applicant may be disqualified from further consideration for the award of a contract.

Name	Title	Responsibilities	State Agency	Last Year Worked

I/we certify no current or former state employees are employed by this organization nor serve on the governing board.

## Related Information

<b>1. If the Applicant 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.</b>		
<b>Name of Agency:</b>		<b>Contract Number:</b>
<b>Contact Phone:</b>		<b>Project Description:</b>
<input type="checkbox"/> I/we certify the Applicant has not held any contract with the state of Washington in the past 24 months.		
<b>2. If the Applicant'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.</b>		
<b>Name of Staff Member:</b>		<b>Name of Agency (Previous or Current):</b>
<b>Job Title:</b>		<b>Separation Date:</b>
<input type="checkbox"/> I/we certify that none of the Applicant's staff members have not been employed by the state of Washington in the past 24 months.		
<b>3. Have you/your agency had a contract terminated for default in the last five years? Termination for default is defined as notice to stop performance due to the Applicant's non-performance or poor performance and the issue of performance was either (a) not litigated due to inaction on the part of the Applicant, or (b) litigated and such litigation determined that the Applicant was in default.</b>		
<input type="checkbox"/> No, I/we certify the Applicant has had no contracts of any kind terminated for default in the last five years.		
<input type="checkbox"/> Yes, I/we have had a terminated for default in the last five years. (Please provide details below).		
<b>4. If the Applicant has had a contract terminated for default in the last five years: Submit full details of the terms for default including the other party's name, address, and phone number. Present the Applicant'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 Applicant in the past five years, so indicate.</b>		
<b>Party's Name:</b>		<b>Party's Address:</b>
		<b>Phone Number:</b>
<b>Full details of the terms for default, including the Applicant's position on the matter:</b>		

## References

List names, addresses, telephone numbers, and e-mail addresses of three (3) business references for the Applicant. Do not include current COMMERCE staff as references. By submitting a Proposal the Applicant 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.

Applicant Business Reference 1	
Name:	Title:
Phone:	Email:
Relationship to Proposer:	
Applicant Business Reference 2	
Name:	Title:
Phone:	Email:
Relationship to Proposer:	
Applicant Business Reference 3	
Name:	Title:
Phone:	Email:
Relationship to Proposer:	

## Additional Information

Is your organization a unit of local government (defined as a city, county, township, town, certain federally recognized Indian tribes, and law enforcement agencies), a unit of state government or a private community-based or non-profit agency?	
<input type="checkbox"/> Local Government	<input type="checkbox"/> State Government
<input type="checkbox"/> Private Community-Based Org	<input type="checkbox"/> Non-Profit Agency

Please note the WA JAG Priority Areas that your proposal aligns with (can be one or more).

Please describe your proposed project in 1-2 sentences (including County to Serve).

**DIVERSE BUSINESS INCLUSION PLAN**

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

If awarded a contract as a result of this NOFO, do you anticipate subcontracting\* with or purchasing from any of the following:

	Yes	No
State Certified Minority Owned Businesses?	<input type="checkbox"/>	<input type="checkbox"/>
State Certified Woman Owned Businesses?	<input type="checkbox"/>	<input type="checkbox"/>
State Certified Veteran Owned Businesses?	<input type="checkbox"/>	<input type="checkbox"/>
Washington Small Businesses?	<input type="checkbox"/>	<input type="checkbox"/>

**Organizational Goals:**

Please list the approximate percentage of funding received through this NOFO which is expected to be subcontracted to each subcontractor category:

*For example, say the total funding is \$10,000. Of that, \$1,000 will be subcontracted to a business to create one of the deliverables and the organization plans to use a Washington Small Business. They would enter "10%" on the appropriate line below. On the other hand, if all subcontracts will be with nonprofit organizations or with businesses not described below, they would enter "0%".*

State Certified Minority Owned Businesses: \_\_\_\_\_%

State Certified Woman Owned Businesses: \_\_\_\_\_%

State Certified Veteran Owned Businesses: \_\_\_\_\_%

Washington Small Businesses: \_\_\_\_\_%

Please list the approximate percentage of purchases reimbursed by funding received as a result of this NOFO that will be made from each category:

*For example, say allowable expenses are estimated to be \$1000, most of which will reimburse the cost of supplies purchased from various sources. If the organization plans to make half of those purchases from a Certified Woman-Owned Business, they would enter "50%" on the appropriate line below.*

State Certified Minority Owned Businesses: \_\_\_\_\_%

State Certified Woman Owned Businesses: \_\_\_\_\_%

State Certified Veteran Owned Businesses: \_\_\_\_\_%

Washington Small Businesses: \_\_\_\_\_%

**If you plan to subcontract and/or purchase with funding received as a result of this NOFO 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 NOFO.
- I/We do not plan to make any purchases reimbursable under this NOFO.

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.**

**GRANTEE 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.

NOFO Number: F23-34440-800

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**

**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 NOFO. This information helps Commerce monitor our level of success in meeting our diverse contracting goals. See Section 2.8 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 applicant

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Title

**Service Contract General Terms and Conditions**

The general terms and conditions along with the contract template, which are essential for any contract fulfillment, are available to preview at:

**Federally Funded Grants – Tribes Template**

**<https://deptofcommerce.box.com/s/4ca0dl4faphdys6qpfbzhcetarb5fbh>**

**Federally Funded General Grant Template**

**<https://deptofcommerce.box.com/s/elwciwls3lim90ag3uqp8px3m46nzoc6>**

**Federally Funded Interagency Agreement Template**

**<https://deptofcommerce.box.com/s/hllk3tdp0wf23jenzpdbum9c4cdpwc01>**