COMPETITIVE SOLICITATION
#1834-673
REQUEST FOR PROPOSALS

Project Title: TBI Support Group Funding and Facilitator Training.

Performance Period: July 1, 2018 through June 30, 2020
Amendments extending the period of performance, if any, shall be at the sole discretion of DSHS.

Response Due Date: All Responses must be received in their entirety by 3:00 p.m. Pacific Time on March 23, 2018 unless an Amendment is issued modifying the Solicitation Schedule set forth in Section C.1 of this Solicitation Document.

Submit Response To: James O’Brien, RFP Coordinator
Department of Social and Health Services Operations Support and Services Division Central Contracts and Legal Services Email: obriejm@dshs.wa.gov

Solicitation and Amendments Will Be Posted on:
DSHS Procurement Website: https://www.dshs.wa.gov/fsa/central-contract-services/procurements-and-contracting

WEBS Website: https://fortress.wa.gov/ga/webs/

Applicable WEBS Commodity Codes: 952-74 Referral Services; 952-85 Support Services; 946-10, Accounting & Billing Services; 946-11, Accounting Services (Not otherwise classified); 948-48, Health Care Services (Not otherwise classified); 952-68, Personal Care Services; 952-59, Human Services (Not otherwise classified); 952-80, Senior Aides Program; 952-85 Support Services; 958-39, Financial Management Services; 958-68, Support Management Services
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Attachments: These attachments will be listed as separate documents in the solicitation posting on both the WEBS site as well as the DSHS procurement site.

Attachment A: Sample Contract
Attachment B: Bidder Certifications and Assurances
Attachment C: Bidder Response Form
Attachment D: Contractor Intake Form
Attachment E: Sample Bid Submission Letter
SECTION A
CONTRACT REQUIREMENTS

1. Purpose

The competitive solicitation is issued seeking a qualified contractor for the provision of TBI Support Groups, across the state of Washington for individuals with traumatic brain injuries and their families.

- Supporting existing TBI support groups;
- Provide training to new TBI support group facilitators; and
- Facilitating annual TBI support group continuing education to existing facilitators.

2. Background

The Department of Social and Health Services (DSHS) is authorized by RCW 74.31.050 to provide funding from the Traumatic Brain Injury account to programs that facilitate support groups to individuals with traumatic brain injuries and their families. The statute also requires DSHS to use the RFP process to select programs to receive funding. DSHS partnered with the Washington Traumatic Brain Injury Strategic Partnership Advisory Council to develop the criteria and expectations for this core service.

3. Scope of Work

A. The Department of Social and Health Services (DSHS) of Washington State seeks proposals to this RFP from persons and organizations that are qualified to:

i. Distribute and manage grants for TBI Support Groups;

ii. Provide infrastructure for existing TBI Support Groups;

iii. Develop a tool kit for starting new TBI Support Groups;

iv. Provide training to new and current TBI Support Group facilitators; and

B. Expected activities of the Contractor include but are not limited to the following:

i. Coordination of monthly check-ins between the Contactor and TBI Support Group facilitators regarding the TBI Support Group activities;

ii. Establishing an internet based communication system for TBI facilitators to network independently from Contractor;

iii. Providing three (3) one (1) day trainings to new and existing TBI Support Group Facilitators within Washington State. The purpose of the trainings will be to increase the facilitators’ expertise in serving individuals impacted by TBI, as well as to gather input regarding the needs of TBI Survivors in their Support Groups. Two (2) trainings will be held in Western Washington and one (1) training in Eastern Washington. The training topics will include:

   1. Planning and facilitating TBI Support Group activities;
2. Recommendations on gathering resources and information on local and state TBI survivor services and programs including the Community Living Connections as well as Native American and other minority populations;

3. Providing technical support to TBI funded support groups regarding best practices for managing support group funding and tracking of financial expenses; and

4. A dispute resolution process that includes the DSHS TBI Program Manager once the internal process has been exhausted and the issue has not been resolved.

iv. Development and distribution of startup toolkits for new TBI Support Groups. Finalized toolkits are to be delivered to DSHS by January 31, 2019. Toolkit contents will include:

1. Planning and facilitating Support Groups;

2. Finding ADA accessible meeting spaces;

3. Recruitment of members;

4. Securing facilitator (s);

5. Organizing meeting topics;

6. Locating new resources and community info;

7. Record keeping;

8. Marketing; and

9. Seeking/securing grant funding for the support group activities and events.

10. Diversity and inclusion topics

11. Confidentiality

12. Incident reporting

v. The Contractor will provide a written report of recommendations for new services and resources gleaned from feedback gathered by TBI Support Groups across the state. Included in the report will be a plan for developing diversity in Support Groups. This report will be due to DSHS by June 30, 2019. This report will include an annual presentation to The Washington Traumatic Brain Injury Strategic Partnership Advisory Council regarding the state of existing TBI support groups and recommendations for developing additional TBI support groups.
vi. Provide grant funding to 30 Western Washington and 25 Eastern Washington for a total of 55 TBI Support Groups across the state.

vii. Increase multicultural and diverse TBI Support groups across the state by at least 5 prior to June 30, 2020.

viii. Contractor will develop support group grant applications, screening criteria and deadlines for submitting support group grants. Support group must be in Washington State, 75% or more of its membership consists of individuals with brain injury and/or caregivers, and the facilitator passes a criminal background check.

ix. Ensure TBI Support Group Facilitators complete annual required TBI Support Group facilitator Training. The Contractor will provide this training at no charge to DSHS.

C. Coordinate monthly check-ins between Contractor and TBI Support Group Facilitators regarding the TBI Support Group activities.

D. Submit a monthly report on all activities listed to DSHS TBI Program Manager.

4. Bidder Minimum Qualifications

Bidders must demonstrate how they meet the minimum qualifications as part of their response in Attachment C, Bidder Response Form.

All Bidders must meet the following minimum qualifications:

a. Demonstrate expertise and experience working with individuals impacted by TBI and their family members by providing evidence of at least 5 years of experience in the field of TBI.

b. Demonstrate experience in developing curriculum and conducting training for facilitators by providing an example of at a minimum two trainings you have conducted.

c. Demonstrate experience with managing grants by describing at least two grants your agency gained approval for and completed. Also explain how you have managed grant funding and tracking of additional financial expenses.

5. Period of Contract Performance

The period of performance of any contract resulting from this RFP is July 1, 2018 through June 30, 2020. Amendments extending the period of performance, if any, shall be at the sole discretion of DSHS. The term of the contract may be extended by amendment one (1) time for up to two (2) years.

6. Funding

Consideration paid to successful Bidder for services provided under this awarded contract will not to exceed $500,000. DSHS may reject any proposal in excess of that
amount. Any contract awarded is contingent upon the availability of funding within the traumatic brain injury account (TBI fund).
Additional definitions for Contract-specific terms are found in the Sample Contract set forth as Attachment A to this Solicitation and shall apply to those terms as they are used in this Solicitation. The following terms have the meanings set forth below:

**Agency or DSHS** – The Washington State Department of Social and Health Services.

**Amendment** – A unilateral change to the Solicitation that is issued by DSHS at its sole discretion and posted on WEBS.

**Aging and Long Term Support Administration (ALTSA)** – The administration within DSHS that provides eligibility determinations and long term care services to disabled persons 18 and over and the aging population.

**Apparent Successful Bidder (ASB)** – A Bidder submitting a Response to this Solicitation that is evaluated and is identified and announced by DSHS as providing the best value to the Agency. Upon execution of a Contract, the ASB is referred to as the successful bidder or the Contractor.

**Authorized Representative** – An individual designated by the Bidder to act on its behalf who has the authority to legally bind the Bidder concerning the terms and conditions set forth in this Solicitation and related documents.

**Audit Staff** – State accounting and program staff that will need access to the system in order to ensure contractual and program compliance

**Bid** - An offer, proposal or quote for goods or services and all related materials prepared and submitted by a Bidder in response to this Solicitation. The terms Bid, Quotation, Response and Proposal are all intended to mean the same thing.

**Bidder** – An individual, organization, public or private agency or other entity submitting a bid, quotation, response or proposal in response to this Solicitation.

**Business Hours** – Monday to Friday from 8:00 am to 5:00 pm, except on State recognized Holidays ([http://apps.leg.wa.gov/WAC/default.aspx?cite=357-31-005](http://apps.leg.wa.gov/WAC/default.aspx?cite=357-31-005)).

**Contract** – A written agreement entered into between a successful Bidder and DSHS as a result of this Solicitation.

**Contractor** – Individual or Company whose Bid has been accepted by the Agency and is awarded a fully executed, written contract.

**Complaint** – A process that may be followed by a Bidder prior to the deadline for bid submission to alert DSHS of certain types of asserted deficiencies in the Solicitation.

**Debriefing** – A short meeting an Unsuccessful Bidder may request with the Coordinator following the announcement of the Apparent Successful Bidder for the purpose of receiving information regarding the review and evaluation of that Bidder’s Response.

**Field Staff or Supervisory Field Staff** - Staff who work directly with clients, or provide supervision to those working directly with participants, to assess for functional needs, assist with spending plan development, approve purchases, etc.

**IPOne** – The payment system for all individual providers. For the purposes of this program, the FMS will not utilize this system.
**Individual Provider (IP)** – Caregiver who provides personal assistance services for participants in the program that are not employed by an agency. For purposes of this program, the FMS has no responsibility in payment for caregivers, agency or otherwise.

**Issue** – To mail, post, or otherwise release this RFP as a public document to interested parties.

**New Freedom (NF)** – The Medicaid 1915(c) waiver program that provides a service budget to program participants to spend flexibly to meet their long term support needs.

**Participants** – Clients in NF and VDHS programs.

**Procurement** - The broad process of identifying goods and services for purchase or acquisition, of effectuating the purchase or acquisition, and of managing the purchase or acquisition. This Solicitation is a part of an overall Procurement process. Despite the broader meaning attributed to “procurement”, for purposes of this Solicitation, the terms Solicitation, RFP and Procurement are interchangeable.

**Protest** – A process that may be followed by a Bidder after the announcement of the apparent Successful Bidder to alert DSHS to certain types of alleged errors in the evaluation of the Solicitation.

**Providers** – For purposes of this RFP, providers are those businesses that will provide goods and services, other than personal care services, to participants in the New Freedom or Veteran Directed programs.

**ProviderOne** – Medicaid payment system for all 1099 social service providers in Washington. This is also the system the FMS will receive enrollment, disenrollment and budget information regarding individual participants, and the system the FMS will use to claim budget funds for participant spending.

**RCW** – The Revised Code of Washington. All references to RCW chapters or sections shall include any successor, amended, or replacement statute.

**Responsible Bidder** – An individual, organization, public or private agency, or other entity that has demonstrated the capability to meet all the requirements of the Solicitation and to meet the elements of responsibility. (See RCW 39.26.160 (2))

**Responsive Bidder** – An individual, organization, public or private agency, or other entity who has submitted a Bid that fully conforms in all material respects to the Solicitation and all its requirements, in both form and substance.

**RFP** – The request for proposals set forth in this Solicitation document.

**Scope of Work** – The Project or work scope set forth in this Solicitation Document that identifies DSHS’ contractual needs and requirements.

**Services** – Labor, work, analysis, or similar activities provided by a contractor to accomplish a specific scope of work.

**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.

**Solicitation or Competitive Solicitation** – A formal process providing and equal and open opportunity for bidders culminating in a selection based upon predetermined criteria. A
Competitive Solicitation requests the submission of bids, quotations or proposals for the consideration of DSHS in contracting to meet its needs. This RFQ is a Solicitation.

**Solicitation Coordinator** – An individual or designee who is employed by DSHS within the DSHS Central Contracts and Legal Services Office and who is responsible for conducting this Solicitation.

**Solicitation Document** – This RFP document, including all Attachments and all amendments that are issued by the Coordinator.

**State Administrative Staff** – Staff working at ALTSA headquarters who oversee the program, such as the program manager, fiscal or accounting staff, IT staff, etc.

**State Unit on Aging (SUA)** – Unit within ALTSA that administers NF and VDHS programs

**Statement of Work** – The detailed description services to be performed by the Contractor and set forth in the Contract.

**Subcontractor** – An individual or other entity contracted by Bidder to perform part of the services or to provide goods under the Contract resulting from this Solicitation. Subcontractors, if allowed, are subject to the advance approval of DSHS.

**Submit** - To deliver to the DSHS Solicitation Coordinator any of several documents described in this RFQ and in the manner specified in this RFQ.

**Veteran Directed Home Services (VDHS)** – Program funded by Veteran’s Administration and operated by ALTSA. See program description in section A.

**WAC** - Washington Administrative Code. (All references to WAC chapters or sections shall include any successor, amended, or replacement regulation.)


**Definitions Specific to the Aging and Long-Term Support Administration (ALTSA):**

1. **ALTSA** – Aging and Long-Term Support Administration is an administration under the Department of Social and Health Services.

2. **Facilitation** - is a practice that enables groups of people to foster growth, development, and efficiency. By designing a process with consideration of the group dynamics and the end goal; facilitation enables all members of a group to fully participate. Facilitation focuses on the strategic goals and leads to thoughtful, inclusive decision-making that encourages members of a group to work together smoothly, constructively, and efficiently.

3. **Grant** - a sum of money given by an organization, especially a government, for a particular purpose.

4. **TBI** – Traumatic Brain Injury - means injury to the brain caused by physical trauma resulting from, but not limited to, incidents involving motor vehicles, sporting events, falls, and physical assaults. Documentation of traumatic brain injury shall be based on adequate medical history, neurological examination, mental status testing, or neuropsychological evaluation. A traumatic brain injury shall be of sufficient severity to result in impairments in one or more of the following areas: Cognition; language memory; attention; reasoning; abstract thinking; judgment; problem solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical
functions; or information processing. The term does not apply to brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma.

5. The Traumatic Brain Injury account (TBI Fund) - RCW 74.31 creates the fund in the state treasury. Two dollars of the fee imposed under RCW 46.63.110(7)(c) must be deposited into the account. Moneys in the account may be spent only after appropriation, and may be used only to provide a public awareness campaign and services relating to traumatic brain injury under RCW 74.31.040 and 74.31.050, for information and referral services, and for costs of required department staff who are providing support for the council and information and referral services under RCW 74.31.020 and 74.31.030. The secretary of the Department of Social and Health Services has the authority to administer the funds.

6. TBI Council - Chapter 74.31 RCW recognizes that current programs and services were not funded or designed to address the diverse needs of individuals with traumatic brain injuries. The intent of the statute is to bring together expertise from the public and private sector to address the needs and gaps in services for this community. This was carried out by creating the Washington Traumatic Brain Injury Strategic Partnership Advisory Council (TBI Council). The council is composed of 25 members from the public and private sector and includes individuals with TBI, medical professionals serving individuals living with TBI, human service providers, family members of individuals with TBI, caregivers serving individuals with TBI and state agency representatives.

7. TBI Funded Support Groups - Per RCW 74.31.050, the Agency shall provide funding to programs that facilitate support groups to individuals with traumatic brain injuries and their families.
SECTION C
EXPLANATION OF SOLICITATION PROCESS

7. Solicitation Schedule

The Solicitation Schedule set forth below outlines the tentative schedule for important events relating to this Solicitation. Except as modified in an Amendment issued by the Solicitation Coordinator, the dates and times listed through the date of Response Submission are mandatory deadlines. The remaining dates are estimates and may change without the posting of an Amendment. Failure to meet the Response deadline will result in Bidder disqualification.

<table>
<thead>
<tr>
<th>Item</th>
<th>Action</th>
<th>Date</th>
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<tbody>
<tr>
<td>1.</td>
<td>DSHS posts Solicitation in WEBS and on dshs.wa.gov.</td>
<td>February 7, 2018</td>
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<tr>
<td>2.</td>
<td>Bidder may submit written questions until 3:00 p.m. Pacific Time.</td>
<td>February 21, 2018</td>
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<td>3.</td>
<td>DSHS will post answers to written questions.</td>
<td>February 28, 2018</td>
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<td>4.</td>
<td>Bidders may submit written Complaints by 3:00 p.m. Pacific Time (five business days before Response is Due).</td>
<td>March 7, 2018</td>
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<tr>
<td>5.</td>
<td><strong>Bidder must submit Response by 3:00 p.m. Pacific Time</strong></td>
<td>March 23, 2018</td>
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<td>6.</td>
<td>DSHS evaluation of written Responses.</td>
<td>April 12, 2018</td>
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<td>7.</td>
<td>DSHS conducts reference checks (Optional).</td>
<td>April 19, 2018</td>
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<td>8.</td>
<td>DSHS conducts Oral Presentations/Demonstrations/Interviews</td>
<td>April 25, 2018</td>
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<td>9.</td>
<td>Announcement of Apparent Successful Bidder(s) on WEBS and notification of unsuccessful Bidder(s).</td>
<td>May 3, 2018</td>
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<td>10.</td>
<td>Unsuccessful Bidders may request a debriefing conference until 5:00 p.m. Pacific Time.</td>
<td>May 9, 2018</td>
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<td>11.</td>
<td>DSHS holds debriefing conferences, if requested.</td>
<td>May 16, 2018</td>
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<td>12.</td>
<td>Estimated Contract Start Date</td>
<td>July 1, 2018</td>
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8. Posting of Solicitation Documents

DSHS shall post this Solicitation, and all amendments and announcements relating to this Solicitation, on WEBS. WEBS can be accessed at: [https://fortress.wa.gov/ga/webs/](https://fortress.wa.gov/ga/webs/). In order to inform the largest number of potential bidders about this opportunity, DSHS shall also post documents relating to this Solicitation on the Procurements page of the DSHS website, found at: [https://www.dshs.wa.gov/fsa/central-contract-services/procurements-and-contracting](https://www.dshs.wa.gov/fsa/central-contract-services/procurements-and-contracting)
All Bidders must register as a vendor on WEBS, using an appropriate commodities code listed on the front page of this Solicitation, and must download this Solicitation from WEBS. This should be done as soon as possible in order for Bidder to receive notifications automatically generated on WEBS, but no later than the date set forth on Section C.1., Solicitation Schedule for Announcement of the Apparent Successful Bidder(s).

9. Amendment, Cancellation/Rejection of Bids, Reissuance of Solicitation

DSHS may amend or add to, retract from or cancel this Solicitation at any time, in whole or in part, and without penalty. DSHS may reject all bids and cancel or rebid this Solicitation. All amendments and notifications of cancellation shall be posted on WEBS. In the event of a conflict between amendments or between an amendment and this Solicitation Document, the document issued latest shall control.

10. Communications regarding Solicitation

Upon the posting of this Solicitation, all communications concerning this Solicitation must be directed to the Solicitation Coordinator listed on the cover page of this Solicitation document. With the exception of the Response, which shall be submitted as provided in Section D, Instructions Regarding Content, Format and Submission of Written Responses, communications with the Solicitation Coordinator should be sent via email. DSHS may disqualify any Bidder who communicates with anyone in DSHS other than the Solicitation Coordinator regarding this Solicitation.

DSHS considers all oral communications unofficial and non-binding on DSHS. Bidders should rely only on written statements issued by the Solicitation Coordinator.

11. Questions and Answers

Bidders may send written questions concerning this Solicitation to the Solicitation Coordinator by the date and time set forth on the Solicitation Schedule in Section C.1. for submission of Questions. Questions should be sent via email and should include the number and title of this Solicitation in the subject line.

DSHS may consolidate Bidder questions and shall respond by posting one or more Amendments on WEBS and on the DSHS Procurement website on or around the date specified in the Solicitation Schedule. Only Bidders who have properly registered and downloaded the original Solicitation directly via the WEBS system: https://fortress.wa.gov/ga/webs/ will receive notification of Amendments and other correspondence pertaining to this Solicitation.

12. Request for Change in Mandatory Requirements

If Bidder believes that this Solicitation contains requirements which would unreasonably prohibit or restrict Bidder’s participation, or believes that different requirements would provide better value to the State, Bidder shall submit a written explanation of the issue together with proposed alternative requirements to the Solicitation Coordinator no later than the deadline for Bidder Questions as stated in the Solicitation Schedule set forth in Section C.1. The Solicitation Coordinator shall not be required to consider requests for changes after this date. If any changes are made to the Solicitation requirements, an Amendment setting forth those changes will be posted on WEBS.
13. Complaints

In the event a Bidder believes that this Solicitation either: (a) unnecessarily restricts competition; (b) contains an unfair or flawed evaluation or scoring process; or (c) contains inadequate or insufficient information to permit preparation of a Response, the Bidder shall submit a written complaint to the Solicitation Coordinator. The Solicitation Coordinator will forward the complaint to the DSHS Chief of Central Contracts and Legal Services for review. The complaint shall include a proposed remedy and shall be submitted no later than five (5) business days prior to the date when Responses are due. DSHS shall post its response to the Complaint on WEBS and on the DSHS procurement web page. Should a Bidder’s complaint identify a change that would be in the best interest of DSHS to make, DSHS may issue an Amendment modifying this Solicitation. The DSHS decision regarding a complaint is final and no further administrative appeal is available. If no complaint is filed, a Bidder cannot later file a protest based on any of the above complaint criteria.

14. Minority & Women’s Business Enterprises (MWBE) and Veteran-Owned Business Enterprises

In accordance with the legislative findings and policies set forth in RCW 39.19, 43.60A.200, and 39.29.052, the State of Washington encourages participation by veteran-owned business enterprises and Minority-Owned and Women-Owned Business Enterprises (MWBE), either self-identified or certified by, respectively, the Department of Veterans Affairs or the Office of Minority and Women’s Business Enterprises (OMWBE). While the State does not give preferential treatment, it does seek equitable representation from the veterans, minority and women’s business communities.

Participation by veteran-owned and MWBE contractors may be either on a direct basis in response to this Solicitation or as a subcontractor to a contractor. However, no preference will be given in the evaluation of Bids, no minimum level of MWBE or veteran-owned business participation shall be required, and Bids will not be evaluated, rejected, or considered non-responsive on that basis.

Bidders may contact the Office of Minority and Women’s Business Enterprises (OMWBE) at http://www.omwbe.wa.gov/index.shtml and/or the Department of Veterans Affairs at http://www.dva.wa.gov/program/veteran-owned-business-certification to obtain information on certified firms for potential subcontracting arrangements or for information on how to become certified.

Nothing in this section is intended to prevent or discourage participation from non-MWBE firms or non-veteran-owned businesses.

15. Auxiliary Aids and Services

DSHS will provide access to this Solicitation document to individuals with disabilities. Please contact the Solicitation Coordinator to request auxiliary aids and services.

If an individual believes that the Department has discriminated on the basis of a disability, please contact the DSHS Investigations Unit for the Nondiscrimination Policy Brochure and complaint process. The brochure can be found at https://www.dshs.wa.gov/sites/default/files/SESA/publications/documents/22-171.pdf.

16. Cost to Prepare Response
DSHS will not be liable for any costs incurred by the Bidder in preparing, conducting a site assessment, or submitting a Response to this Solicitation.

17. Acceptance of Solicitation Terms

In submitting a Response, Bidder must include a signed Letter of Submittal, as well as signed Bidder Certifications and Assurances in the form set forth on Attachment B. Bidder must acknowledge that in submitting a Response, it accepts all terms of this Solicitation Document, including all of its Attachments, and that Bidder’s Response constitutes a binding offer.

18. Joint Proposals

If Bidders submit a joint Response with one or more other persons or entities, these persons or entities must designate a prime Bidder. The prime Bidder will be DSHS sole point of contact through the Procurement process. If selected as the Apparent Successful Bidder, the prime Bidder shall sign the contract and any amendments and will be liable and responsible to DSHS for all performance under the contract.

19. Withdrawal of Responses

After a Response has been submitted, Bidders may withdraw their Response at any time up to the Response due date and time as specified in Section C.1, Solicitation Schedule. A written request to withdraw the Response, signed by an authorized representative of the Bidder, must be submitted to the Solicitation Coordinator. After withdrawing a Response, the Bidder may submit another Response at any time up to the Response submission date and time.

20. Ownership of Responses

All materials submitted in response to this Solicitation become the property of DSHS, unless received after the deadline in which case the Response shall be returned to the sender. DSHS shall have the right to use any of the ideas presented as part of the process in any manner as it deems appropriate or beneficial, regardless of whether it is contained in a Response that results in selection for a Contract.

21. DSHS Award Options; Improvement of Bid Offers

After Responses are received and written evaluations are completed, DSHS may (but shall not be required to) request best and final offers from one or more Responsible and Responsive Bidders. The written Responses of Bidders invited to provide a best and final offer may be re-evaluated and the point values may be adjusted based upon changes to pricing or proposed services, deliverables or methodologies that are included in a best and final offer, prior to DSHS’ determination of the Apparent Successful Bidder.

Alternatively, after reviewing all Responses, DSHS may enter into negotiations with the highest ranked Responsive and Responsible Bidder in order to determine if the Bid may be improved before identification of the Apparent Successful Bidder.

DSHS shall not be required to request best and final offers or to enter into negotiations and reserves the right to make a Contract award without further discussion of the Response. Therefore the Response should be submitted on the most favorable terms that Bidder intends to offer.
22. **Product Demonstrations**

After bids are received and written evaluations are completed, DSHS may request that one or more Responsible and Responsive bidders participate in product demonstrations. If this option is elected, additional points shall be awarded as set forth in Section E.3, Evaluation Criteria and Scoring of Responses.

23. **Announcement of Successful Bidder(s)**

DSHS shall announce the Apparent Successful Bidder(s) on WEBS on the date indicated in Section C.1., Solicitation Schedule. All announcements of Apparent Successful Bidders are subject to the negotiation of a Contract satisfactory to DSHS.

Bidders who are not announced as an Apparent Successful Bidder may request a debriefing conference with the Solicitation Coordinator concerning the evaluation of their bid and may, under certain circumstances, file a formal protest requesting that DSHS provide an identified remedy if Bidder believes certain types of errors occurred. A more detailed description of these processes is set forth in Section F, Debriefing and Protest Procedure.

24. **Ethics, Policies and Law**

This Solicitation, the evaluation of Responses, and any resulting contract will be made in conformance with applicable Washington State laws and Policies.

Specific restrictions apply to contracting with current or former state employees pursuant to RCW 42.52. Bidders should familiarize themselves with the requirements prior to submitting a Response. Bidders must include, in their Letter of Submittal, information regarding any current or former state employees who are employed by, or subcontracted with, Bidder.
SECTION D
INSTRUCTIONS REGARDING CONTENT, FORMAT AND SUBMISSION OF WRITTEN RESPONSES

The Bidder must respond to every item in the same order in which they appear below. Responses that do not follow the required order below, do not address all items (regardless of whether or not they are applicable), or are not answered in a satisfactory manner, may be rejected and disqualified from the solicitation process as “non-responsive.” Bidders shall submit their Responses utilizing the forms set forth on Attachments B, C and D to this Solicitation. Each Attachment represents a separate section of the Response. Failure to complete and submit all required Attachments, and to sign them, if applicable, may result in Bidder disqualification.

Responses should be neatly typed in 11 point font, using proper grammar, spelling and punctuation and should be submitted in the following order with each section of the Response clearly labeled.

1. Administrative Requirements (Required; Not Scored)

Bidders must respond to each item in the same order in which they appear.

a. Letter of Submittal

Bidders must include a signed Letter of Submittal on Bidder’s official business letterhead stationary as the first page of the Response. Signing the Letter of Submittal indicates that the Bidder accepts the terms and conditions of this Solicitation. The Letter of Submittal must be signed by an individual authorized to contractually bind the Bidder. The Bidder’s Letter of Submittal must include the following:

1) Name, address, principal place of business, telephone number, fax number, and e-mail address of legal entity or individual with whom a resulting Contract would be written;

2) The name of the contact person for this Solicitation;

3) A detailed list of all materials and enclosures included in the Response;

4) A list of all Solicitation amendments downloaded by the Bidder from WEBS and/or the DSHS Procurement Website, and listed in order by amendment number and date;

5) A statement substantiating that the person signing the letter is authorized to contractually bind the Bidder;

6) Identification of the page numbers on the Bidder’s proposal that are marked as “proprietary or confidential” information (see Section D.5. for details);

7) A list identifying any current or former state employees who are employed by, or subcontracted with, the Bidder;

   a) The list must include the name of the employee or subcontractor, the individual’s employment history with the state of Washington, and a statement of the
individual’s involvement with the response to, or their proposed role in providing services under a Contract resulting from this Solicitation.

b) If the Bidder has no employees or subcontractors that are current or former employees of the state of Washington, then the letter must so state.

8) If the Bidder has had a contract terminated for cause or default within the past five (5) years. If so, please provide the terminating party’s name, address and telephone number and provide a summary describing the alleged deficiencies in Bidder’s performance, whether and how these alleged deficiencies were remedied and any other information pertinent to Bidder’s position on the matter. “Termination for Cause” refers to any notice to Bidder to stop performance due to Bidder’s asserted nonperformance or poor performance and the issue was either (a) not litigated; (b) litigated with a resulting determination in favor of the other party; or (c) is the subject of pending litigation.

9) Describe Bidders proposed plans for the use of Subcontractors in performing this contract, listing each Subcontractor, its proposed role and the estimated percentage of the Contract that will be performed by each Subcontractor. Please indicate whether each subcontractor self-identifies or is certified as a small business, a minority-owned business, a woman-owned business, a disadvantaged business enterprise, or a veteran-owned business. If the answer is yes, please identify the type of organization(s) and provide details of any certifications. Note that all Subcontractors must be approved by DSHS.

10) Any statements describing variations between the Bidder’s Response and the requirements of this Solicitation; and

11) A statement confirming that the Bidder holds a valid business license in the state of Washington, or is committed to becoming licensed within thirty (30) days of being determined the Apparent Successful Bidder, or be authorized to do business in the state.

b. **Bidder Certifications and Assurances**

All Bidders must submit the Bidder certifications and assurances form set forth in Attachment B, signed by an individual authorized to bind the Bidder contractually and include any other required attachments.

c. **Contractor Intake Form**

The Apparently Successful Bidder must complete and sign the Contractor Intake Form (Form 27-043) attached to this Solicitation as Attachment D. This form can be downloaded in Microsoft Word format for ease of completion at [https://www.dshs.wa.gov/fsa/forms](https://www.dshs.wa.gov/fsa/forms). Any copy of any business license is acceptable. However, unless Bidder is not required to have a business license, the successful Bidder will need to have a Washington Business License before the contract begins. Prior to performing any work, Bidder will need to obtain a business license, if one is required, through the Washington Department of Licensing. Their web address is: [http://www.dol.wa.gov/](http://www.dol.wa.gov/) Bidder can provide its Washington business license, if required, after award.
2. Bidder Response (Required; Portions Scored)

Using Attachment C, Bidders must provide answers to the questions set forth on the Bidder Response Form to demonstrate satisfaction of administrative requirements and, as applicable to this Solicitation, their qualifications and proposed pricing to provide the services as outlined in this Solicitation, including the Sample Contract set forth on Attachment A. The number of points allocated to each answer is indicated next to the question.

The Bidder Response Form is posted separately from this Solicitation document in Microsoft Word format. Except for limits that are noted on the Bidder Response Form, Bidders may utilize as much space as is reasonably required to respond to each question, provided all questions are repeated and remain numbered and ordered as set forth in Attachment C. If additional pages are needed, they should be attached to the page containing the initial portion of the response to a question and should be marked clearly to indicate that they provide a continuation of Bidder’s answer to a specific numbered question. Bidders should not submit product brochures, white papers, customer testimonials, cut sheets, or other pre-prepared materials in response to any of the questions.

Bidders must submit complete, well-organized explanatory answers that address all of the specific questions asked in the Bidder Response Form. Bidders should not assume that evaluators will be familiar with their businesses before conducting the evaluation.

Use of Attachment C assures that Bidder responds to specific questions in space immediately below those questions and helps to avoid confusion among evaluators about the question that is being responded to. In awarding points, evaluators shall not be obligated to search through the Bidder’s answers to questions other than the one being reviewed in order to locate text that is responsive to the question being reviewed. Failure to use the form set forth on Attachment C (with the applicable questions set forth immediately above Bidder’s answers), failure to respond to all questions and/or failure to submit any documents requested in the Bidder Response Form may result in Bidder disqualification.

If Bidder is awarded a Contract, DSHS may require that Bidder’s Response to the Bidder Response Form be incorporated, in whole or in part, into the Contract.

3. Proprietary Information/Public Disclosure

Materials submitted in response to this Solicitation shall be deemed public records as defined by RCW 42.56. All Responses and accompanying documentation shall become the property of DSHS upon receipt, and will not be returned.

The Bidder’s Response must include, on Attachment C, a statement identifying the pages of its Response, if any, which contain information the Bidder considers proprietary. Each page claimed to be proprietary must be clearly marked by stating the word “Proprietary” on the lower right hand corner. Bidders must be reasonable in designating information as proprietary or confidential. **Bidders may not mark their entire Response proprietary. Doing so will not be honored and will disqualify your Response from further consideration.**

If DSHS receives a request to view or copy a Bidder’s Response, DSHS will respond according to applicable law and DSHS’s policy governing public disclosure. DSHS will not disclose any information marked “Proprietary” in a Response without giving the Bidder ten (10) days’ notice to seek relief in superior court per RCW 42.56.540.
4. Submission of Responses

Bid Responses must be stored in an acceptable electronic format and, if applicable, hard copy format, as set forth in Section 9, below. Bid Responses must be emailed directly to the Solicitation Coordinator at the email address provided on the cover sheet of this Solicitation Document. Bid Responses must be received by the Solicitation Coordinator in their entirety on or before the due date and time set forth in Section C.1., Solicitation Schedule, unless a posted Amendment to this Solicitation changes this due date and time. Bidder’s completed version of each of the Attachments B, C and D to this Solicitation shall be included as a separate attachment to the Bidder’s email(s).

Bidders assume all risks for the timely submission of the Response. Bidders are responsible for allowing sufficient time to ensure timely electronic receipt of their Response by the Solicitation Coordinator and, in Solicitations that also require that hard copies of the Response be submitted, to ensure timely receipt via other delivery methods. DSHS does not assume responsibility for problems with the Bidder’s email, network or problems with the mail, parking, traffic or the services of any third party courier. However, if DSHS email is not working properly, appropriate allowances will be made.

DSHS will not accept late Responses, nor grant time extensions for individual Bidders. DSHS will disqualify any Response and withdraw it from consideration if it is received after the Response submission due date and time.

5. Acceptable Electronic Formats for Submission of Responses

Attachment C, Bidder Response Form, should be submitted in Microsoft Word. Other Response documents must be formatted in Portable Document Format (Adobe Acrobat PDF) or Microsoft Word, Excel, or PowerPoint. Spreadsheet documents must be submitted in Microsoft Excel and in a live, unprotected file that includes all formulas, macros, and computations that are relied on or used to calculate any rates or values presented therein. When scanning documents to be submitted in PDF format, scanner resolution should be set to at least 200 dots per inch.

NOTE: DSHS cannot receive emails that are larger than 30MB. To keep file sizes to a minimum, Bidders are cautioned not to use unnecessary graphics in their Responses. If your Response approaches or exceeds 30MB, you must break it up and send it by more than one email so that no single email exceeds 30MB.

6. Alternative Submission Methods

Bidders wishing to request an alternative method for submitting their Response must contact the Solicitation Coordinator at least ten (10) days before the Response Submission Date. No alternative submission method will be accepted unless agreed to by the Solicitation Coordinator in writing prior to the Response deadline.
SECTION E
EVALUATION OF RESPONSES

1. Bid Responsiveness; Administrative Review

All Responses will be reviewed by the Solicitation Coordinator and contract/program/project manager to determine compliance with administrative and minimum qualification requirements and instructions specified in this Solicitation. DSHS may reject a Response as nonresponsive at any time for any of the following reasons:

a. Incomplete Response

b. Submission of a Response that proposes services that deviate from the scope and technical requirements set forth in this document and Attachment A, Sample Contract, except as permitted in an Amendment to this Solicitation

c. Failure to meet the minimum Bidder qualifications or to comply with any requirement set forth in this Solicitation Document, including Attachments

d. Submission of incorrect, misleading, or false information

e. History of prior unsatisfactory contractual performance

The Solicitation Coordinator may contact any Bidder for clarification of the Response. If a Response is deemed non-responsive, it shall be removed from further consideration. DSHS shall notify non-responsive Bidder(s) of this determination and the supporting reasons. Bidders whose responses are found to be non-responsive shall be disqualified from further evaluation and shall be notified in writing.

If a Response meets all administrative and Bidder qualification requirements and submittal instructions, DSHS shall continue with the Written Evaluation and, if applicable, the Demonstration, Reference Checks and Site Visits.

2. Errors in Bidder Response

Bidders are responsible for all errors or omissions contained in their Responses. Bidders will not be allowed to alter Response documents after the deadline for Response submissions.

DSHS reserves the right to contact any Bidder for clarification of Response contents. In those cases where it is unclear to what extent a requirement has been addressed, the evaluation panel may, in their discretion and acting through the Solicitation Coordinator, contact a Bidder to clarify specific matters in the submitted Response.

DSHS reserves the right to waive minor administrative irregularities contained in any Bidder Response.

3. Evaluation Criteria and Scoring of Responses

Following the administrative review, Responses shall be evaluated and points shall be awarded for the management, technical and cost proposal components of the Response, as applicable, based upon Bidder’s responses to the questions set forth in
Attachment C, Bidder Response Form. Additional evaluation points may be awarded for specific criteria not included in Attachment C, Bidder Response Form only if set forth in this Section.

Attachment C, Bidder Response Form only if set forth in this Section.

The maximum number of points available for each Bidder is **650**. The maximum number of points that may be assigned with respect to specific questions is set forth below. The overall breakdown for assignment of points in evaluating Responses to this Solicitation is as follows:

**4. Technical Proposal**

**Numbering of Responses:** Please number each response so that it corresponds to the question number. The response must begin with a restatement of the question followed by the Bidder’s response to the question. A reference to another section will not suffice, each answer must stand alone.

**Attachments:** Attachments must be labeled and tabbed and the question number to which it responds must be indicated.

**Points Awarded for Responses:** The number in parentheses after each question or requirement represents the maximum number of points that may be awarded for the Bidder’s response to that question or requirement.

**A. Infrastructure.**

**General Requirements:** In this section of the proposal, the Bidder is to provide a proposal which is consistent with the goals and objectives of the project and demonstrates the Bidder’s understanding of the skills and resources required to successfully accomplish the objectives of the project and assure timely completion of deliverables.

**The total number of available points is 150.**

**Questions**

a. Describe the services and activities that the Bidder will provide to facilitate TBI Support Group development.

15 points possible

b. Describe the curriculum and training schedule for the three (3) trainings provided to new and current TBI Funded Support Group Facilitators.

10 points possible

c. Specify the process, method and schedule of support group facilitator communication will and the priority of topics that will be addressed.

25 points possible

d. Describe the process, timeline and materials that the Bidder will use in the startup toolkits for new TBI Support Groups.
e. Describe the process that you will use to ensure facilitators are satisfied with your services. How will you ensure the desired outcomes are measured and achieved?

f. Describe your quality assurance method(s) to determine services support and improve the quality of TBI Support Groups.

g. Describe what system will be used to collect and maintain data from individual facilitators, support groups and collaborative partnerships. Specifically, state what data will be collected and how data will be collected, updated, maintained and protected.

h. Describe how individuals who belong to a Native American Tribe, have a sensory impair, or have limited English proficiency will be able to access services.

B. Management, Experience and Qualifications Proposal

General Requirements: In this section of the proposal, the Bidder is to discuss project organization and the knowledge, skills, abilities, and experience of the proposed team members. The contract resulting from this procurement will require that any change in key staff (as identified in Bidder’s response to this procurement) will be subject to prior Aging and Long-Term Support Administration acceptance. The contract will also provide that the Aging and Long-Term Support Administration may request that Bidder remove selected staff on one (1) days’ notice and provide replacement staff without impacting the schedule.

The total number of available points is 200.

A. Provide the name, title and address of principle officer(s) or Board of directors, and if applicable, indicating the number of seats on the Board of Directors.

B. Describe the structure of the bidder’s organization and include a copy of your organizational chart.
C. Provide the following personnel and staffing information. Include a title and job description for each position within your organization. The job descriptions should include a list of duties and minimum qualifications for each position involved in delivering services under the contract.  

30 possible points

D. Describe your experience providing support and building infrastructure to TBI Support or other relevant support groups, including type of services provided, target population of services, and length of time service have been provided. This should include underserved groups.  

40 points possible

E. Describe your experience in engaging or working with community stakeholders, advocates, state government, and other human services or disability resources in the TBI Service area.  

30 points possible

F. Describe your process for awarding grants to support groups and payment process for funded TBI Support Groups.  

40 points possible

II. Cost Proposal

General Requirements: In this section of the proposal, the Bidder is to identify all costs including expenses to be charged for performing the tasks necessary to accomplish the objectives of the contract for each phase. The cost proposal must be based on the deliverables and scope of work. It must reflect all costs associated with meeting the requirements and services listed in the RFP and being offered by the Bidder as part of the Bidder’s response. Evaluation of the cost proposal will be based upon the total fee for the project in accordance with the scoring section. Prices quoted shall remain fixed for the duration of the contract executed as a result of this RFP. Bidders are required to collect and pay Washington State sales tax, if applicable.

The total number of available points is 200.

The final score for the cost proposal will be computed as follows:
0-200 points will awarded for the cost proposal by dividing the lowest responsive net financial cost by the Bidder’s net financial cost.

Lowest bid = $100,000

Bidder’s bid= $125,000

($100,000 / $125,000) x 200 = 160

Bidders point total = 160

Failure to follow the above instructions may result in any or all of a Bidder’s responses to the following questions being considered as non-responsive, and scored accordingly, or may result in the Bidder’s proposal being rejected as non-responsive.
• Your budget must be complete and cost-effective in relation to the proposed project,

• You must clearly describe consultant and subcontractor services.

• Administrative rate is not to exceed 10% of the total proposed budget.

• Your proposed cost structure must include, but is not limited to:
  o Staffing levels;
  o Facilitator Trainings;
  o Administrative cost;
  o Print materials;
  o In accordance with the Washington State approved travel process https://ofm.wa.gov/sites/default/files/public/resources/travel/bwmap.pdf; and
  o Indirect costs

• This part of your proposal will be judged on its reasonableness of your proposed budget as it relates to your service proposal and adequacy of the proposed staffing levels.

A. Budget Narrative

Please submit a budget narrative that clearly demonstrates an essential and logical link between the budget line items and the services the project will provide.

B. Budget Worksheet

  1. The proposed service (Support Group Infrastructure and Management of the Support Groups) and proposed cost; and
  2. How you determined the amount for the specific budget items.
Section D. Evaluation

1. Evaluation Procedure

DSHS shall designate an evaluation team to review, evaluate and score Bidder proposals. DSHS, at its sole discretion, will select finalists for an oral presentation, if oral presentations are held. Evaluators will evaluate and score the oral presentations of Bidders selected as finalists.

2. Proposal Evaluation

DSHS will initially screen each proposal to determine if the Bidder has complied with the stated Administrative Requirements and Submittal Instructions. If a proposal does not meet all Administrative Requirements for this RFP, DSHS may consider the proposal non-responsive and may withdraw it from consideration at any time. If a proposal meets all Administrative Requirements, evaluators will score and award points up to the maximum points available for each question.

3. Scoring of Proposals

The maximum number of evaluation points available is 650. The Administrative Requirements are evaluated on a pass/fail basis. The following weighting and points will be assigned to the proposal for evaluation purposes:

**Written Proposal**

<table>
<thead>
<tr>
<th>Written Proposal</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Technical Proposal - 25%</td>
<td>150 Points</td>
</tr>
<tr>
<td>Experience and Qualifications - 33%</td>
<td>200 Points</td>
</tr>
<tr>
<td>Cost Proposal</td>
<td>200 Points</td>
</tr>
</tbody>
</table>

**Sub-Total (for Written Proposal)** | 550 Points

**Oral Presentations (optional – per DSHS choice)** | 100 Points

**Total** | 650 Points

Scores from the written evaluation of Section 2 Technical Proposal and Section 3 Management & Experience Proposal will be averaged by the number of evaluators. Scores for Section 4 Cost Proposal will be added to the average. If DSHS elects to conduct oral presentations, the highest-scoring Bidders, as a result of the written evaluations, will be invited to make an oral presentation. The scores from the oral presentations will be added to the scores given in the written evaluations.

The Solicitation Coordinator shall perform and record the numerical calculations to be considered in the evaluation of Quotations. The Quotation evaluation shall be based upon a calculation that rates each quotation in relation to the lowest cost bid. The maximum point value (100% of possible points) shall be granted to the lowest cost (lowest numerical) bid for any given category of pricing that is solicited. The remaining bids in that category shall receive a
percentage of the maximum number of points based upon a comparison of their value to that of the lowest cost bid. In other words, the Bidder who offers the lowest rate for each question shall receive the maximum number of points, with each successive Bidder receiving fewer points in proportion to the best quotation.

5. **Written Bid Evaluation Process**

DSHS shall designate an evaluation team of at least three (3) evaluators to review, evaluate, and score the written question responses. These evaluators will be selected based on their qualifications, experience, capability and background.

Evaluators shall assign scores up to the maximum points available using a scoring matrix. Individual evaluator points will be totaled and the average points for each Bidder will be calculated. The Bidder’s average points earned for each question will be added together to determine the Bidder’s total written evaluation points.

6. **Oral Presentations/Demonstrations/Interviews**

DSHS may, after evaluating the written Responses, elect to schedule oral presentations, demonstrations, interviews, or a combination of all three with the top finalist(s). The Solicitation Coordinator will notify finalist(s) of the date, time, and location. A tentative date is set in Section C.1., Solicitation Schedule. Oral presentations/demonstrations/interviews may be conducted in person or via video conference.

DSHS will select evaluators for the oral presentations/demonstrations/interviews based on their qualifications, experience, and background relevant to this solicitation. These evaluators may include evaluators who reviewed the written Proposals and/or DSHS staff who will work with the successful Bidder. Evaluators will score oral presentations/interviews in accordance with the solicitation requirements.

7. **Bidder’s References (Optional)**

Once the written evaluations are completed, DSHS may contact the references provided by the top finalist(s) in order to investigate past performance and validate information in Bidder Responses. In submitting a Response, Bidder agrees that it shall hold harmless DSHS and any individuals identified as references from and against liability resulting from the provision of information or the receipt and use of that information in evaluating Bidder’s Response. While additional points may be awarded for superior performance and reliability as demonstrated through references (see paragraph 3, above), references are generally evaluated on a pass/fail basis. DSHS may reject a bid if a reference provides negative information about a Bidder’s past performance. DSHS may, at any time, require additional or substitute references to determine the Bidder’s experience and level of responsibility. If the reference check process reveals information that should properly be considered in evaluating Bidder’s responses, DSHS may, in its sole discretion, reconvene the evaluation panel to reconsider the evaluation scoring in light of the information obtained.

8. **Selection of Apparent Successful Bidder**

DSHS program staff and/or management may conduct final review of the evaluation and scoring of finalist(s). The selection process shall determine which Bidder provides the best value in
meeting the needs of DSHS. Selection of the Apparent Successful Bidder(s) depends upon DSHS’ assessment of multiple factors, including Bidders’ qualifications, capabilities, efficiency, experience, reliability, responsibility, integrity, quality of proposed services and deliverables, timeliness, cost and potential impact on DSHS’ needs. DSHS may consider whether the Response encourages diverse contractor participation; whether the Bid provides competitive pricing, economies and efficiencies; whether the Bidder considers human health and environmental impacts; whether the Response appropriately weighs cost and non-cost considerations; and life cycle cost, as applicable.

DSHS may also consider a Bidder’s performance on prior State or other contracts and may reject Responses of any Bidder who has failed to perform satisfactorily under any previous contract with the state or another party. DSHS reserves the right to select a Bidder whose Response is deemed to offer the best overall value and that is in the best interests of DSHS and the State of Washington.

DSHS management shall make the final determination as to which Bidder(s), initially designated as finalist(s), shall be officially selected and announced on WEBS as the Apparent Successful Bidder(s) on or about the date and time set forth in Section C.1., Solicitation Schedule. DSHS may also notify the Apparent Successful Bidder(s) and the unsuccessful Bidder(s) of its determination via email on or about the date and time specified in Section C.1., Solicitation Schedule.

DSHS’ decision will be subject to the execution of a Contract satisfactory to DSHS within a reasonable period of time following the announcement of the Apparent Successful Bidder on WEBS. In the event the parties are unable to reach agreement on the final details of a Contract, consistent with Attachment A, Sample Contract, DSHS shall have the option of negotiating with the next highest ranked Bidder and of revising the announcement of the Apparent Successful Bidder.

Any Bidder who would be an Apparently Successful Bidder based on the scores awarded by the evaluators, and who is not selected, shall be provided, upon request, the reasons why DSHS selected a Bidder with a lower final score.
SECTION F
BIDDER DEBRIEFING
AND PROTEST PROCEDURE

1. Debriefing Conferences

No later than 3:00 p.m. on the third business day following the posted announcement of Successful Bidder(s) on WEBS, Bidders who are not selected as a Successful Bidder may send an email to the Solicitation Coordinator requesting a Debriefing Conference. Only Bidders who have submitted timely proposals, and who have not been disqualified or designated as non-responsive during the solicitation process, may request debriefing conferences.

Unless a different date is agreed upon by the Solicitation Coordinator, the Debriefing Conference will be held on a date designated in Section C.1., Solicitation Schedule. Discussion at the debriefing conference will be limited to the following:

- Evaluation and scoring of the Bidder’s Response
- Critique of the Response based on the evaluation
- Review of Bidder’s final score in comparison with the other final scores

No comparisons between Bids will be allowed during the Debriefing Conference, which shall be conducted by telephone, unless the Solicitation Coordinator agrees to an in-person meeting, and shall last for a maximum period of thirty (30) minutes.

2. Grounds and Filing of Protests

A Bidder who has participated in a Debriefing Conference may file a formal Protest if the Bidder asserts that there are facts that indicate error in the evaluation of Bids on one or more of the following grounds:

Bias, discrimination or conflict of interest on the part of the evaluator or in the process

- Mathematical errors in computing the score
- Non-compliance with procedures described in the Solicitation document or in DES policy

Protests must be emailed to the Solicitation Coordinator and must be received no later than 5:00 p.m. (Pacific Time) on the fifth (5th) business day following the day of the Bidder’s Debriefing Conference. The Protest must adhere to the requirements set forth in this Section or it will not be considered. This Protest procedure constitutes the sole administrative remedy available to Bidders from DSHS under this Solicitation.

Protests must include the protestor’s mailing address and phone number and the name of the individual responsible for filing the Protest. The Protest must state the Solicitation number and title, the grounds for the Protest, specific facts to support these grounds, and a description of the relief or corrective action being requested.
Protests not based on one of the grounds set forth in this Section will be rejected. It is not grounds for a protest to question an evaluator’s professional judgment on the quality of a Response or DSHS’ assessment of its own needs or requirements.

3. DSHS Protest Review Process

The Solicitation Coordinator will immediately forward any Protest to the Chief of Central Contracts and Legal Services to assign to a Protest Coordinator for review. The Protest Coordinator, an individual who was not involved in the Solicitation, will consider the record and all available facts and will endeavor to issue a decision within ten (10) business days following receipt of the Protest. If additional time is required, the protesting party will be notified of the delay.

In the event a Protest may involve the conduct of or information submitted by another Bidder that also submitted a Response, such Bidder will be given an opportunity to submit its views and any relevant information on the issue(s) raised by the protest to the Solicitation Coordinator.

4. Determination of Protests

The Protest Coordinator shall issue a written determination regarding the Protest. This written determination shall include one or more of the following determinations:

- Upholding DSHS determination of the Apparent Successful Bidder(s) on the basis that there are insufficient facts to establish the alleged error; or

- Upholding DSHS’ determination of the Apparent Successful Bidder(s) on the basis that there are only technical or harmless errors in DSHS’ evaluation process; or

- Finding errors and identifying actions which may be taken by DSHS, such as:
  - Correction of errors and reevaluation of all bids,
  - Cancellation and reissuance of the Solicitation (in which case all the Bidders will be notified), or
  - Other corrective actions as may be appropriate

There is no further administrative process or remedy available within DSHS to appeal the determination that resulted in a Protest. If the protesting party does not accept DSHS’ determination, the protesting party can seek relief from Superior Court in Thurston County, WA.
SECTION G
CONTRACTING PROCEDURES

1. **Contract Execution**

The Apparent Successful Bidder(s) is expected to sign a contract with DSHS that is substantially the same as Attachment A, Sample Contract, included with this Solicitation, and to enter into any subsequent Contract amendments that may be required to address specific work or services.

DSHS reserves the right to require that some or all of Bidder’s Response be incorporated into the Contract, and to negotiate the specific wording of the Statement of Work, based on the requirements of this Solicitation and the terms of the Response submitted by the Apparent Successful Bidder. If changes are requested as part of the Bid Response, DSHS may consider, but shall be under no obligation to agree to, modifications to the General Terms and Conditions of Attachment A, Sample Contract.

If the Apparent Successful Bidder fails or refuses to sign a Contract within ten (10) business days of delivery by DSHS, DSHS may elect to designate the next highest-ranked finalist as the Apparent Successful Bidder.

2. **Insurance**

The Apparent Successful Bidder shall provide evidence of its compliance with the insurance requirements included in Attachment A, Sample Contract.

3. **Non-Endorsement**

The award of a Contract is not an endorsement by the State or DSHS of the Bidder or Bidder’s Services and shall not be represented as such by Bidder in any advertising or other publicity materials.

By submitting a Response to this Solicitation, the Bidder agrees to make no reference to DSHS in any literature, promotional materials, brochures, sales presentations or the like without the prior written consent of DSHS.

4. **Background Checks**

Individuals who will be performing the Contract on behalf of the Apparent Successful Bidder may be required to undergo background checks. Individuals who have disqualifying results (showing crimes and/or negative actions) may not be permitted to provide Services under the Contract.

5. **Electronic Payment**

The State prefers to utilize electronic payment in its transactions. The successful Bidder will be required to register in the Statewide Vendor Payment system, [http://www.des.wa.gov/services/ContractingPurchasing/Business/VendorPay/Pages/default.aspx](http://www.des.wa.gov/services/ContractingPurchasing/Business/VendorPay/Pages/default.aspx), prior to submitting a request for payment under their Contract. No payment shall be made until the registration is completed.