



REQUEST FOR PROPOSAL
No. 2423-868
Title: Online CE Courses for Caregivers

DSHS Administration:

Aging and Long-Term Support
Administration*

*The name of this Administration may change to the Home and Community Living Administration (HCLA) while this RFP is pending.

Solicitation Schedule	
Event	Date and Time
DSHS posts Competitive Solicitation.	April 28, 2025
Pre-Bid (Virtual) Conference at 10:00 AM. Pacific Daylight Time. Link: Join the meeting now	May 13, 2025 at 10:00 AM PDT
Bidder questions are due by 5:00 p.m. Pacific Daylight Time.	May 20, 2025 at 5:00 PM PDT
Proposals are due by 5:00 p.m. Pacific Daylight Time.	June 11, 2025 at 5:00 PM PDT
Bidder Presentations (Course Demos) (expected dates)	July 9 – July 11, 2025 (times TBD)
Anticipated Contract Executed start date.	August 25, 2025
Estimated Contract Performance Period	1 Year – may be extended by Amendment

Responses must be submitted to Donna Beatty, Solicitation Coordinator, Department of Social and Health Services; Facilities, Finance and Analytics Administration; Central Contracts and Legal Services
Email: donna.beatty@dshs.wa.gov

Solicitation and Amendments will be posted on:

DSHS Procurement Website: <https://www.dshs.wa.gov/ffa/procurements-and-contracting>
WEBS Website: <https://pr-webs-vendor.des.wa.gov/>

Applicable WEBS Commodity Codes: 952-43, 203-32, 207-32, 208-66, 208-81, 340-87, 470-78, 475-49, 715-47, 785-92, 918-38, 920-91, 924-05, 924-16, 924-20, 924-35, 924-60, 924-86, 956-85, and 990-77.

Auxiliary Aids and Limited English Proficient (LEP) Services:

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

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SECTION A CONTRACT REQUIREMENTS

1. Purpose

This competitive Solicitation is issued to assist the Home and Community Services (HCS) Division of the Aging and Long Term Support Administration of the Washington State Department of Social and Health Services (DSHS) in its effort to engage with qualified Contractors that can provide off-the-shelf, continuing education (CE), online course content for access by home care aides and other long-term care workers through a DSHS-operated Learning Management System (LMS). The online courses will support DSHS's efforts to provide affordable access to courses that will enable these caregivers to maintain their certifications, as required by 388-112A-0600 of the Washington Administrative Code (WAC).

NOTE: *Through this competitive solicitation, DSHS will be procuring licenses for existing, asynchronous, fully online (eLearning) content and will NOT be awarding contracts for the development of new training or for synchronous, instructor-led training (either virtual or in-person).*

2. Background

The long-term caregivers in Washington state currently serve over 23,000 clients and are in need of up-to-date information related to the provision of care to those who depend on them. Many caregivers serve Medicaid clients and must meet certification and ongoing training requirements per 388-112A-0600 of the Washington Administrative Code (WAC). Online trainings offered by DSHS will assist in continuing to mitigate current barriers caregivers encounter when trying to meet DSHS training and certification requirements.

This competitive solicitation is intended to procure contracts between DSHS and publishers and resellers of licenses for currently existing, off-the-shelf course content that will be made available through an online LMS to CareLearn users. These online training courses will support DSHS's training efforts to ensure quality, available, affordable, consistent, and portable training to caregivers that will include sufficient content to allow those caregivers who must be certified to meet WAC requirements and maintain their certifications. Only courses that meet the requirements for continuing education courses as set forth at <https://www.dshs.wa.gov/altsa/training/online-training-standards> will be considered for inclusion in the DSHS CareLearn LMS.

CareLearn is an LMS administered by DSHS/ALTSA that is currently powered by SumTotal. It offers affordable online training and continuing education (CE) to certified home care aides and other long-term care workers. CareLearn is continuing to be marketed to users as a source of quality, online trainings, and replenishing its content with courses that are DSHS approved (or eligible for DSHS approval) for continuing education credits is a necessity. This system tracks all activity and completed trainings, and is projected to have up to 15,000 users by mid-2026.

Although DSHS may knowingly purchase content that will not meet ALTSA's online training standards for awarding continuing education credit, as identified in the Bidder's

response, the vast majority of purchased courses must either have been previously DSHS-approved for CE credit, or be capable of meeting the [criteria for being approved](#). The criteria can be found at Aging and Long-Term Support Administration (AL TSA) [online training standards](#) and [Continuing Education \(CE\) | DSHS](#).

3. Project Scope

The scope of the project is to ensure that DSHS secures course content providers (either content creators that sell directly, or resellers) that can:

- Provide DSHS the ability to allow CareLearn users unlimited access to view and interact with the caregiving training, as described in the Statement of Work of the proposed contract, which can be found in Attachment A to this RFP.
- Deliver to DSHS all files necessary to successfully dispatch the caregiver training to CareLearn. Files are expected to be delivered as soon as convenient, but no later than fourteen (14) days after contract execution.
- Deliver files in a format supported by the CareLearn LMS. The initial course files must consist of SCORM-compliant content (including all necessary files for deployment) packaged as a ZIP file. Those files will include all training content and will not link to external content.
- Work with DSHS on any updates to the courses. If content changes are required, per mutual agreement, the Contractor will make those changes and redistribute to DSHS all files necessary to republish the content to CareLearn.

4. Bidder Minimum Qualifications

All Bidders that submit complete proposal packages and offer qualifying course content will be considered.

5. Period of Contract Performance

DSHS intends to award multiple Contracts for the Services described in this Competitive Solicitation. The period of performance under the Contract shall begin on or about August 25, 2025. The term of the Contract may be extended by amendment in one-year increments up to three times for a total of four years, at the sole discretion of DSHS. Contract prices may be modified annually based on changes in the number of registered LMS users that DSHS reports to Contractor. Contract prices may not otherwise be adjusted until 2027, at which time a reasonable adjustment commensurate with inflation may also be applied. Additional services that are appropriate to the scope of this Solicitation, as determined by DSHS, may be added to the Contract in a mutually agreeable amendment for mutually agreed-upon fees.

6. Funding

Any Contract awarded is contingent upon the availability of funding.

SECTION B DEFINITIONS

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.

Apparent Successful Bidder (ASB) – A Bidder submitting a Response to this Solicitation that is evaluated, 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 outlined in this Solicitation and related documents.

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.

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

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.

Coordinator or 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.

Debriefing – A short meeting that a Bidder may request with the Solicitation 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.

Inclusion plan - a detailed plan showing a Bidder's actions toward meeting Washington Small and Diverse Business goals on a specific competitive procurement.

Individually Priced Courses – Courses that can be selected for purchase specifically, as opposed to courses that are offered and priced as bundled collections of courses.

Procurement - The broad process of identifying goods and services for purchase or acquisition, of effecting 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/RFQ/RFQQ and Procurement are interchangeable.

Project - The undertaking or work for which contracted Services are being requested pursuant to this Solicitation.

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.

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/RFQ/RFQQ – The request for proposals, qualifications, quotations, or qualifications and quotations 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 certifies under penalty of perjury that they are Washington Small Business as defined in [RCW 39.26.010\(22\)](#).

Solicitation or Competitive Solicitation – A formal process providing an 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 RFP/RFQ/RFQQ is a Solicitation.

Solicitation Document – This RFP/RFQ/RFQQ document, including all attachments and all amendments that are issued by the Solicitation Coordinator.

Statement of Work – The detailed description of services to be performed by the Contractor and outlined 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 advanced approval of DSHS.

Veteran-owned business – A business that is certified by the Department of Veterans Affairs (DVA) in the state of Washington. (See [RCW 43.60A.200](#))

WEBS – Washington's Electronic Business Solution, the Bidder notification system found at <https://pr-webs-vendor.des.wa.gov/> and maintained by the Washington State Department of Enterprise Services.

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SECTION C EXPLANATION OF SOLICITATION PROCESS
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1. 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 Response Submission date 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's disqualification.

Item	Action	Date
1.	DSHS posts Competitive Solicitation.	4/28/2025
2.	Prospective Bidders should register as a Vendor on WEBS using one of the commodity codes on the cover page of this Solicitation as soon as possible to receive notifications.	As soon as possible
4.	Pre-Bid Conference at 10:00 a.m. Pacific Daylight Time.	5/13/2025
5.	Bidders may submit written questions or requests for change in Solicitation Requirements until 5:00 p.m. Pacific Daylight Time.	5/20/2025
6.	DSHS posts responses to written questions.	5/28/2025
7.	Bidders may submit written Complaints by 5 p.m. Pacific Daylight Time.	6/4/2025
8.	Bidders must submit a Response by 5 p.m. Daylight Time.	6/11/2025
9.	DSHS evaluates Written Responses.	6/13/2025 – 6/23/2025
10.	Oral presentations, if requested by DSHS. (Additional days may be added, if necessary, without amendment to this Solicitation Document.)	7/9/2025 - 7/11/2025
11.	DSHS announces the Apparent Successful Bidder(s) on WEBS and begins contract negotiations.	7/24/2025
12.	DSHS notifies unsuccessful Bidder(s).	7/24/2025
13.	Bidders may request a Debriefing conference until 5 p.m. Pacific Daylight Time.	7/29/2025
14.	DSHS holds Debriefing conferences, if requested. (Additional days may be added, if necessary, without amendment to this Solicitation Document.)	8/1/2025
15.	Deadline for submission of Protests by Bidders who participated in a debriefing conference.	Five business days after the date of the Debriefing
16.	DSHS considers Protests, if any, and issues determination.	End date: 8/22/2025

Item	Action	Date
17.	Contract Execution/Start Date.	08/25/2025

2. 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://pr-webs-vendor.des.wa.gov/>. 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/ffa/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 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 in Section C.1., Solicitation Schedule for Announcement of the Apparent Successful Bidder(s).

3. 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 re-issue 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.

4. 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 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. Email shall be considered an official method of communication unless otherwise specified in this document.

5. Pre-Bid Conference

Bidders are invited to attend a Pre-Bid Conference, which shall be held virtually at the date and time set forth below. The Pre-Bid Conference is an opportunity for Bidders to learn more about the conditions under which a Contract will be performed and to discuss the inclusion plan, especially when subcontracting opportunity may be a part of the Contract. At the Pre-Bid Conference, Bidders will have an opportunity to ask questions

and to hear presentations from knowledgeable DSHS personnel. DSHS shall summarize the information shared at the Pre-Bid Conference and post that summary on the DSHS procurement web page and on WEBS as an Amendment to this Solicitation. Bidders may only rely upon information that is included in this Amendment in preparing their Responses.

RFP 2423-868 (CareLearn Course Content) Pre-Bid Conference

DATE/TIME: Tuesday, May 13, 2025 at 10:00 AM PDT

[Join the meeting now](#)

Meeting ID: 227 055 381 170 6

Passcode: UM9d2zP9

Dial in by phone

[+1 564-999-2000,,254474136#](#) United States, Olympia

[\(833\) 322-1218,,254474136#](#) United States (Toll-free)

[Find a local number](#)

Phone conference ID: 254 474 136#

For organizers: [Meeting options](#) | [Reset dial-in PIN](#)

6. Questions and Answers

Bidders may send written questions concerning this Solicitation to the 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://pr-webs-vendor.des.wa.gov/> will receive notification of Amendments and other correspondence pertaining to this Solicitation.

7. Request for Change in Solicitation 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 outlined 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.

8. 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.

9. Small Business and Veteran-Owned Business Enterprises

In accordance with the legislative findings and policies set forth in RCW 39.19, 43.60A.200, 39.26.240 and 39.26.245, the State of Washington encourages participation by small and Veteran-owned businesses, 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 gender or race-based preferential treatment, it does seek equitable representation from Washington Small Businesses as well as the veteran, minority, and women-owned business communities.

According to Chapter 39.26.010 RCW, to qualify as a Washington Small Business, Bidder must meet three (3) requirements:

- a. Location: Bidder's principal office/place of business must be located in and identified as being in the State of Washington. A principal office or principal place of business is a firm's headquarters where business decisions are made and the location for the firm's books and records as well as the firm's senior management personnel.
- b. Size: Bidder must be owned and operated independently from all other businesses and have either: (a) fifty (50) or fewer employees or (b) gross revenue or less than seven million dollars (\$7,000,000) annually as reported on Bidder's federal income tax return, or its return filed with the Washington State Department of Revenue over the previous three consecutive years.
- c. WEBS Certification: Bidder must have certified its Washington Small Business status in Washington's Electronic Business Solution ([WEBS](#)).

According to Chapter 43.60A.190 RCW, to qualify as a Certified Washington Veteran-Owned Business, Bidder must meet four (4) requirements:

- a. 51% Ownership. Bidder must be at least fifty-one percent (51%) owned and controlled by:
 - (1) A veteran is defined as every person who at the time he or she seeks certification has received a discharge with an honorable characterization or received a discharge for medical reasons with an honorable record, where applicable, and who has served in at least one of the capacities listed in RCW 41.04.007;
 - (2) A person who is in receipt of disability compensation or pension from the Department of Veteran's Affairs; or
 - (3) An active or reserve member in any branch of the armed forces of the United States, including the national guard, coast guard, and armed forces reserves.
- b. Washington Incorporation/Location. Bidder must be either an entity that is incorporated in the State of Washington as a Washington domestic corporation or, if not incorporated, an entity whose principal place of business is located within the State of Washington.
- c. WEBS Certification. Bidder must have certified its Veteran-Owned Business status in Washington's Electronic Business Solution ([WEBS](#)).
- d. WDVA Certification. Bidder must have certification documentation to the Washington Department of Veteran's Affairs (WDVA) and be certified by WSVA and listed as such on WDVA's website ([WDVA](#) – Veteran-Owned Businesses).

DSHS encourages Washington Small, Veteran-owned, and MWBE Bidder participation both directly in Response to this Solicitation and as subcontractors to a Prime Bidder.

Bidders may contact the Office of Minority and Women's Business Enterprises (OMWBE) at <http://omwbe.wa.gov/> and/or the Department of Veterans Affairs at <http://www.dva.wa.gov/program/veteran-owned-business-certification> in order 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.

10. Auxiliary Aids and Limited English Proficient (LEP) Services:

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

If an individual believes that the Department has discriminated against them based on a protected status, please contact the DSHS Investigations Unit for the Nondiscrimination Policy Brochure and complaint process. The brochure can be found [here](#).

11. Accessibility

The Apparent Successful Bidder under this Solicitation will be required to represent and warrant that they will exercise commercially reasonable efforts to comply with the WaTech Office of Chief Information Officer (OCIO) Policy USER-01 Digital Accessibility Policy, which can be found at [Digital Accessibility Policy | WaTech](#) and the WaTech OCIO Standard USER-01-01-S, which can be found at [Digital Accessibility Standard | WaTech](#). A Contractor will additionally be required to regularly review its systems in order to certify to DSHS that its services meet WaTech OCIO Standard USER-01-01-S. not only at the commencement of the Contract, but annually thereafter,

12. 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.

13. Acceptance of Solicitation Terms

In submitting a Response, Bidder must include a signed Bid Submission Letter in the form set forth on Attachment B, as well as signed Bidder Certifications in the form set forth on Attachment C. Bidder must acknowledge that in submitting a Response, it accepts all terms of this Solicitation Document, including all Exhibits and Attachments, and that Bidder's Response constitutes a binding offer. Bidders may not alter or redline the solicitation terms or requirements in their Response. Submitting altered or redlined solicitation terms or requirements in the Bidder Response may result in bidder disqualification.

14. 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's 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.

15. 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 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.

16. 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.

17. 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, each Bidder should submit its response based on the most favorable terms that Bidder intends to offer.

18. Virtual Presentations/Demos

After bids are received and written evaluations are completed, DSHS may request that one or more Responsible and Responsive bidders participate in a virtual demonstration of specific courses selected from those that the Bidder has included in its proposal. Additional points shall be awarded as set forth in Section E.3, Evaluation Criteria and Scoring of Responses. Any Bidder who accepts an invitation to demonstrate specified courses will also be asked to attest that the course will be demonstrated as requested, without change or modification, other than as requested by DSHS.

19. 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 may request a debriefing conference with the Solicitation Coordinator to discuss information regarding the review and/or 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.

20. 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

Bidders shall submit their Responses utilizing the forms set forth on Attachments B, C, D, and E to this Competitive 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 typed in 12-point font and should be submitted in the following order with each section of the Response clearly labeled.

1. Attachment B: Bid Submission Letter (Required, not scored)

All Bidders must submit a completed bid submission letter in the form and with the minimum contents set forth on Attachment B, which must include all required acknowledgments and information. The Bid Submission Letter must be signed by an individual authorized to bind the Bidder contractually. Bidder's completed and signed Attachments B, C, and E, together with any documents that are required to be attached, and Bidder's answers to administrative questions set forth on Attachment D, Bidder Response Form, comprise the Administrative component of the Response.

2. Attachment C: Bidder Certifications and Assurances (Required, not scored)

All Bidders must submit the Bidder certifications and assurances form set forth on Attachment C, signed by an individual authorized to bind the Bidder contractually. Bidders may not alter or redline the Bidder Certifications and Assurances form in their Response. Submitting altered or redlined solicitation terms or requirements in the Bidder Response may result in Bidder disqualification.

3. Attachment D: Bidder Response Form (Required, Portions Scored) and its Appendix D-1, Course Listing Spreadsheet

Use of Attachment D, which is a Word document, and its Appendix D-1, which is an Excel spreadsheet, ensures that Bidder responds to specific questions in the spaces provided and in the expected format. This helps to avoid confusion among evaluators about the question to which Bidder is responding and eliminates the possibility of evaluators needing to search through the Bidder's answers to questions to find the applicable response. Submittal of a Proposal using an alternate format must be approved by the Solicitation Coordinator at least five days in advance of the submission deadline. Without prior approval to the contrary, failure to use the form provided in Attachment D (with the applicable questions set forth immediately above Bidder's answers) and Appendix D-1, or alteration of the Course List Submittal Form other than the entry of requested data, 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 will require that Bidder's Response to the Bidder Response Form be incorporated into the Contract.

A. Attachment D.

Using Attachment D, 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, approach as outlined in this Competitive Solicitation, including the Sample Contract set forth on Attachment A. The number of points allocated to each answer is indicated next to the question in Attachment D, if the question is not scored, that is indicated there as well.

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 D. If additional pages are needed to Attachment D, 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 in Attachment D. Bidders should not submit product brochures, white papers, customer testimonials, cut sheets, or other pre-prepared materials in Response to any of the questions unless specifically requested.

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

B. Appendix D-1 to Attachment D.

NOTE: *If you are not able to submit course information using the spreadsheet in Attachment D, Appendix D-1, you *must* 1) ensure all information required in Attachment D, Appendix 1, is contained in your submission *AND* obtain approval for use of an alternative format from the Solicitation Coordinator at least five business days in advance of submitting your submission.*

Bidders are required to enter all information about the courses being offered into the spreadsheet accompanying Attachment D (labeled as Appendix D-1). All information requested in Appendix D-1 will be required, even if an alternate submittal format is approved.

4. Attachment E: Contractor Inclusion Plan (required, not scored)

All Bidders must submit the Contractor Inclusion Plan form set forth on Attachment E, signed by an individual authorized to bind the Bidder contractually. DSHS requires that Bidder submit this inclusion plan template as part of their proposal. Once submitted, the Inclusion Plan template and entire Bidder Response, becomes part of the Contract if awarded to the Bidder.

The Bidder shall also include an anticipated list of Washington Small, Minority, Women, and Veteran-owned subcontractors or vendors who may provide services on the project. Responses should reflect the Bidder's sincere efforts to include diverse, Washington Small, and Veteran businesses. Businesses listed in the plan must be certified by

OMWBE or DVA, or registered in WEBS as Washington Small businesses. If a company is not certified or registered but may be eligible for certification, the Bidder should encourage the company to become certified.

Inclusion goals are aspirational. No preference is given for inclusion plans or goals in the evaluation of bids. While no minimum level of OMWBE certified, Veteran-owned, or Washington Small Business participation will be required as a condition for receiving an award, the plan must include the actions the Contractor will take to increase subcontracting opportunities for those business types.

Submitting altered or redlined solicitation terms or requirements in the Bidder Response may result in Bidder disqualification.

5. 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 in Attachment D and its Appendices, a statement identifying the pages of its Response, if any, which contain information the Bidder considers proprietary (for the purposes of public disclosure). 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.

DSHS is required to publicly post the awarded Bidder(s)'s bid(s) and bid evaluation documents, upon completion of the Solicitation. DSHS shall redact these materials for information identified as proprietary and post them on the DSHS website subsequent to the award of a contract.

Bidders may not include any DSHS client information in their Responses. Doing so will result in disqualification of the Response from further consideration. If you wish to include examples of any forms or processes, use a blank form or ensure that all client information is completely redacted.

6. Submission of Responses

Bid Responses must be stored in an acceptable electronic format and, if applicable, hard copy format, as set forth in the sections, 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 Competitive Solicitation changes this due date and time. Bidder's completed version of each of the Attachments B, C, D, and E, to

this Competitive 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 Coordinator and, in Solicitation that also requires 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 other logistical issues such as problems with the U.S. mail, parking, traffic or the services of any third-party courier. However, if the DSHS email system 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.

7. Acceptable Electronic Formats for Submission of Responses

Attachment D, Bidder Response Form, should be submitted in Microsoft Word format. Attachment D, Appendix D-1 is a Microsoft Excel file and must be used to submit a Bidder's course list unless the Solicitation Coordinator has approved an alternate submittal format. 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.

8. 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 Responses will be accepted through an alternative submission 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 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:

- Incomplete Response
- 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
- Failure to meet the minimum Bidder qualifications or to comply with any requirement set forth in this Solicitation Document, including Attachments
- Submission of incorrect, misleading, or false information
- 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 Oral Evaluation.

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 unless requested by the Solicitation Coordinator to correct minor administrative errors.

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.

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3. 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 and the Course List. These evaluators will be selected based on their qualifications, experience, capability and background. Oral interviews or presentations may be evaluated by additional evaluators or replacement evaluators.

Evaluators shall assign scores up to the maximum points allowable for each of the written response sections. 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.

A. General Evaluation Criteria and Scoring of Responses

NOTE: Please read this section carefully and fully. If anything is unclear, we encourage you to submit questions before the Bidder's Questions deadline. Your questions are appreciated and will be answered if it is possible for us to do so.

Following the administrative review, the Management, Technical and Cost Proposal components of the Response will be evaluated and scored. The cost portion of the of the proposal will be scored based on the average cost per course minute, but cost is not the only consideration in the decision to award a Contract to a Bidder.

The scoring of any Proposal will be based on the following overall considerations:

- The ability of the Bidder to deliver and support quality course content that meet the requirements set forth <https://www.dshs.wa.gov/altsa/training/online-training-standards>;
- Courses already CE approved or capable of being CE approved; and
- the value the offered content will add to the DSHS LMS/CareLearn portfolio for the price being charged.

B. Management Response Scoring

Bidders are asked to provide information about their businesses, their experience in providing course content, and, acting as a reseller of course content, about the publishers they are representing.

The responses will be evaluated by the Evaluator team and the average of the scores assigned by each of the Evaluators will be averaged to come up with a Management Response Score. The scores of Bidders who are representing publishers will be calculated in the same way, but for each question that also pertains to the represented publishers, multiple scores will be awarded (one for the Bidder and each publisher) and those scores will be averaged and assigned as the question score.

NOTE: For each publisher identified in the Course List (Appendix D-1 to Attachment D), answers must be provided to each applicable question in Attachment D. If the answer is unknown, please include that publisher and note that an answer cannot be provided. If an answer is unknown, or a publisher is omitted in the answers to

applicable questions in Attachment D, a score of 0 will be assigned to the missing answer, and the average will be calculated as though that publisher was included in the answers, thus lowering the resulting score.

C. Bonus Points

1) Points to Washington Small and Veteran-owned Businesses

In accordance with [DES Policy 090-060](#) Supplier Diversity, DSHS shall consider awarding evaluation points to Certified Washington Veteran-owned and/or Washington based Small Businesses.

DSHS will evaluate bids for best value and provide a bid preference point in the amount set forth on Attachment D, Bidder Response Form, to Bidders who attest to one or more of the following:

- i. No-Required-Arbitration-for-Employees Points. As allowed under to RCW 39.26.160(3) (best value criteria) and consistent with [Executive Order 18-03 – Supporting Workers’ Rights to Effectively Address Workplace Violations](#) (dated June 12, 2018), DSHS will evaluate bids for best value and award 140 points to any Bidder who certifies that its firm does NOT require its employees, as a condition of employment, to sign or agree to mandatory individual arbitration or class or collective action waivers.

Successful Bidders who certify that their employees are NOT required to sign these clauses and waivers as a condition of employment will have an EO 18-03 section added to their Contract incorporating this Response and requiring notification to DSHS if they later require their employees to agree to these clauses or waivers during the term of the Contract.

Please see Section C, Paragraph 9 of this RFP document, and Attachment D, Section 2, for further information about the criteria for being awarded these bonus points.

ii. Small Business Points

Businesses that meet the criteria for a Washington “small business” are eligible for 280 bonus points. Please See Section C, Paragraph 9 of this RFP document, and Attachment D, Section 3, for more information regarding the criteria for being awarded these bonus points.

iii. Veteran Owned Business Points

Businesses that are Certified as a Washington, veteran-owned business are eligible for 280 bonus points. Please see Please See Section C, Paragraph 9 of this RFP document, and Attachment D, Section 4, for the specific criteria.

D. Technical (Course List) Scoring – Appendix D-1 to Attachment D

Bidders must use the form provided as Appendix D-1 to Attachment D, to provide DSHS with the information regarding the courses being offered unless other arrangements are made with the Solicitation Coordinator. Although not all

information that DSHS obtains from Bidders about their offered courses will be scored explicitly, ven non-scored information will be used as part of the calculation of the “Added Value” Score.

“Disqualifying” Questions (Pass/Fail Questions): Answers to some questions may result in the disqualification of the offered course. Responses to these questions will be scored on a Pass/Fail basis. If the Bidder’s response to such a question is given a score of Fail, the course cannot be considered for inclusion in the DSHS CareLearn LMS.

NOTE: *The “Disqualifying Questions” are clearly designated as being scored on a PASS/FAIL basis in the Course List submittal form.*

Automatically Scored Questions: Responses to most scored questions will be assigned a numerical score based on objective criteria. Such questions include whether the course in question can be viewed on multiple types of devices and whether the courses meet certain accessibility standards.

Subjective “Value Factor Score: Evaluators will also assign a subjectively determined score (referred to as the “Value Factor”) of 0, 200, or 400 points to each course that is not disqualified by virtue of the “Disqualifying Questions.” The Value Factor score is heavily weighted and will be based on the Evaluators’ perceptions of the desirability of the course, that is the value that the offered course will bring to the DSHS CareLearn LMS. In addition to the responses to the scored and unscored questions, the considerations on which Evaluators will base their Value Factor score determination will include the Evaluator’s assessment of a course’s relevance, uniqueness, the number of languages in which the course is available at no extra charge, and the number of times similar courses have been completed by LMS users.

Although each course offered by a Bidder will be assessed and scored on its own merits, and individual courses will be selected for further consideration based on those scores, the overall score assigned to the Bidder’s Course List will be the average of the scores assigned to qualifying courses. **Courses that do not meet the minimum training standards will not be scored.** The number of selected courses will depend entirely on the quality and relevance of the offered courses. Even well qualified Bidders may not be awarded a contract if the offered courses are not relevant or if they do not add value to the DSHS CareLearn LMS offerings.

E. Cost Proposal Scoring

Note: *When preparing a response, Bidders must offer all courses **without limitations on the number of times it may be viewed**. Instead of basing its pricing on the number of times a course will be viewed, Bidders should factor in the number of individuals registered as LMS users, all of whom will be able to view the courses an unlimited number of times and establish pricing accordingly. Currently, there are approximately 6,000 LMS users, and by the time a course procured through this solicitation is available for viewing on our LMS system in July of 2025, that number may be as high as 15,000, though it will likely not be more than 15,000. If a Bidder is awarded a contract for one year, that term may be extended up to 3 times, each for a term of one year, at DSHS’s sole discretion. Note: If a course does not meet the*

Accessibility Standards published at [USER-01-01-S Digital Accessibility Standard.pdf](#) as of July 1, 2026, it cannot be included as part of a contract extension past that date. If a contract is being considered for extension, whether after the initial one-year contract term or after an extension term, two months prior to the contract's expiration DSHS will notify the Contractor of its intent to offer a contract extension and will certify the then-current number of users, as well as the projected increase over the extension period, so that a Contractor can adjust its price based on the number of views Contractor estimates a course will receive. Contractor will be expected to notify DSHS of any price adjustment no later than 30 days prior to the contract's expiration date. Contractor may adjust course prices based on standard inflation measures if the contract is extended more than twice.

The price scoring will be based on a comparison of the average cost per course across bids. A Bid price that is lower than the average quoted Bid price of all Bids will receive a higher Cost Proposal Score than will a Bid with a price that is higher than average. The mean price will be assigned 250 points, the further below the average price that a Bid's cost is, the higher its Cost Score will be. Inversely, the more a Bid's price is above the average price across all bids, the lower that Bid's Cost Score will be. The Final Cost Score will be a number from 0 to 500.

4. Demonstration/Oral Presentation Scores

In addition to evaluating the written Response, DSHS may invite one or more of the highest scoring Bidders to give a demonstration of three, randomly-selected, courses to present in a demonstration. Because there will not be enough time available to evaluate three full-length courses, Bidders will be instructed as to the portions of the courses the Evaluators will need to see. The courses will be scored based on how well they reflect sound instructional design and functionality, and will be awarded up to a maximum of 460 points.

NOTE: *Any Bidder who accepts an invitation to demonstrate specified courses will also be asked to attest that the course will be demonstrated as requested, without change or modification other than as requested by DSHS.*

5. Maximum Possible Scores. The maximum number of points that may be awarded to a Bidder is 4000 points, including scores given for Oral interviews and Demonstrations. The maximum number of points that may be assigned with respect to specific questions is set forth on Attachment D, the Bidder Response Form, and in Appendix D-1 to Attachment D, the Course List spreadsheet. The overall breakdown for assignment of points in evaluating Responses to this Solicitation is as follows:

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Written Response Scores:	
Management (Qualifications) Response.....	740 maximum points
Technical Score (Average Qualifying Course Score)	1600 maximum points
Cost Assessment Score.....	500 maximum points

Subtotal	2840 MAXIMUM POINTS

Bonus Points:	
EO 18-03 Response.....	140 maximum points
Certified Washington Veteran-owned Business.....	280 maximum points
Washington Small Business.....	280 maximum points

Subtotal	700 MAXIMUM POINTS

DEMO Score	460 MAXIMUM POINTS

Total Possible Points	4000 MAXIMUM POINTS

6. Additional Considerations.

Once the written evaluations are completed, DSHS may investigate a Bidder's past performance on other state contracts it may have been awarded and may validate information in a Bidder Response. In submitting a Response, Bidder agrees that it shall hold harmless DSHS and any individuals DSHS contacts and against liability resulting from the provision of information or the receipt and use of that information in evaluating Bidder's Response. If disqualifying information about a Bidder is provided, that Bidder may be dropped from further consideration.

7. Selection of Apparent Successful Bidder(s).

The eligible Bidder(s) that receive(s) the highest total number of possible points, as well as Bidders who may not score as high as the top scoring Bidders, but score sufficiently high and offer unique and needed qualified courses, will be considered as a finalist as one or more Apparent Successful Bidder(s). A final evaluation of the courses that receive a high score from the Evaluators will be made by one or more members of the Final Selection Team. The Selection Team will look at the entire slate of high-scoring courses in order to select courses that are not inordinately duplicative of courses already available through the LMS, will enhance the CareLearn LMS set of offerings and contribute to comprehensive training offerings, are competitively priced, and that the Bidders' qualifications are sufficient to ensure the success of the Contract, 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 also consider whether a Response encourages diverse contractor participation; whether a Bidder considers human health and environmental impacts; whether a 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.

Once DSHS makes a final determination as to which Bidder(s), initially designated as finalist(s), those Bidders 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 with each Apparent Successful Bidder that is satisfactory to DSHS within a reasonable period of time following the announcement of the Apparent Successful Bidder(s) on WEBS. In the event an Apparently Successful Bidder and DSHS are unable to reach agreement on the final details of a Contract, consistent with Attachment A, Sample Contract, DSHS shall have the option of terminating negotiations with that Bidder.

Note: Please read the contract carefully before submitting a Proposal. If a Bidder wishes to take exception to one or more provisions in the Sample Contract, the Bidder must note the exception in Attachment D. Changes not noted in Attachment D that are sought after the ASB is announced will not be approved absent extenuating circumstances.

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**SECTION F
BIDDER DEBRIEFING
AND PROTEST PROCEDURE**

1. Debriefing Conferences

No later than 5:00 p.m. on the third business day following the posted announcement of Successful Bidder(s) on WEBS, Bidders may send an email to the Solicitation Coordinator requesting a Debriefing Conference. Unless a different date is agreed upon by the 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:

- If the Bidder's proposal was rejected, the reason for its rejection
- 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 or via the internet, 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, who will be 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:
 - i. Correction of errors and reevaluation of all bids,
 - ii. Cancellation and reissuance of the Solicitation (in which case all the Bidders will be notified), or
 - iii. 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.

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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 a 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 an 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. Digital Accessibility

Pursuant to the WaTech Digital Accessibility Standard [USER-01-01-S](#), if this solicitation includes the acquisition, procurement, development, modification, or enhancement of public-facing digital content or tools; including websites, applications, and media (Covered Technology), the following requirements apply.

All Covered Technology procured under this Solicitation must meet Level AA compliance with the requirements set forth at [Web Content Accessibility Guidelines \(WCAG\) 2.1](#), and by July 1, 2026 courses will be required to be compliant with the requirements set forth at [Web Content Accessibility Guidelines \(WCAG\) 2.2](#).

The Apparent Successful Bidder under this Solicitation will be required to validate compliance with this requirement through either a third-party accessibility validation report, a Vendor Product Accessibility Template (VPAT), or compliance review documentation.

DSHS may knowingly purchase Course Content that is not in compliance at the time of contract signing if Contractor provides a remediation plan and agrees to provide compliant content within a reasonable timeframe that is negotiated prior to contract execution. That negotiated deadline will be strictly enforced and an overpayment will be assessed against the Contractor if the deadline is not met.

3. Insurance

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

4. 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.

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, <https://ofm.wa.gov/it-systems/statewide-vendorpayee-services>, prior to submitting a request for payment under their Contract. No payment shall be made until the registration is completed.

6. Subcontractor / Prompt Payment & Retainage

If the Apparent Successful Bidder (ASB) relies on subcontractors (or fulfillment partners) to fulfill the ASB's obligations under the Contract, the ASB is required to pay each subcontractor for satisfactorily completed work performed or products delivered under this prime Contract within thirty (30) days from the receipt of each payment the ASB receives from the Agency. ASB further agrees to return any retainage payments to each subcontractor within thirty (30) days after the subcontractor's work is satisfactorily completed and any liens have been secured. Any delay or postponement of payment within this time period may occur only for a good cause, following written approval of the Agency. In addition, the Agency will not pay the ASB for subcontractor work unless the ASB can show that a prompt payment method for subcontractors is established.

If the Contract that results from the Solicitation includes the use of a subcontractor(s), the above clause will be added to the Contract requiring prompt payment and retainage for subcontractor(s).

7. Subcontractor Participation Monitoring and Reporting

If the Contract that results from this Solicitation includes the use of an Office of Minority and Women's Business Enterprises (OMWBE) Certified subcontractor, the Apparent Successful Bidder (ASB) and their subcontractors are obligated to complete vendor registration in OMWBE's Access Equity system (B2Gnow). Access Equity is an online vendor management system used by Washington State to track subcontractor payments. **Confidential information (Tax ID, etc.) is not required for vendor registration, and SHOULD NOT BE INCLUDED as this information is available to all B2Gnow customers.** Prime Contractors that have previously registered with B2Gnow for any public entity must verify the system has updated information. Contractors can access the system at <https://omwbe.diversitycompliance.com/> or through a direct link on the Office of Minority and Women's Business Enterprises (OMWBE) website at: <https://omwbe.wa.gov/>.

Each month during the contract, the Prime Contractor will report payments to all OMWBE Subcontractors through the Access Equity system. This monthly reporting information includes total payment in dollars made to the Subcontractor, payment dates, and any additional information required to verify payment to Subcontractors. The Prime Contractor will enter this payment information into the Access Equity system, and the Subcontractors will verify this payment information in the system. Online training is available through the Access Equity/B2Gnow system. This requirement applies to both Prime Contractors and Subcontractors.