

Community Rehabilitation Program/Independent Living (CRP/IL) Contract
Current Contractors

OPEN ENROLLMENT

Solicitation Schedule	
Event	Date and Time
DSHS posts Solicitation.	March 20, 2023
For Current Contractors: Info session at 10:00am Pacific Time. *optional to go through requirements	March 27, 2023
Application packets due by 5 p.m. Pacific Time.	June 1, 2023
Anticipated Contract Executed start date.	July 1, 2023
Estimated Contract Performance Period	July 1, 2023 – June 30, 2025

Responses must be submitted to DVR Contracts Unit by email: dvrcontractsunit2@dshs.wa.gov (referred to as the Coordinator or DSHS throughout this solicitation)

Always use the following subject line for this solicitation: *CRP Solicitation 2023-01: Your Company Name*

Solicitation and Amendments will be posted on:

DVR Contractor Website: <https://dshs.wa.gov/dvr/community-rehabilitation-programs-contracts>

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**SECTION A
CONTRACT REQUIREMENTS**

1. Purpose

This Request for qualifications solicitation is issued to assist the Washington State Department of Social and Health Services (DSHS), Division of Vocational Rehabilitation (DVR) to provide specific employment-related services under a consolidated contract.

The Community Rehabilitation Program (CRP) and Independent Living (IL) Services Consolidated Contract provides employment services to individuals with disabilities.

2. Background

DVR's mission seeks to empower people with disabilities to achieve a greater quality of life by obtaining and maintaining employment.

Pursuant to 34 Code of Federal Regulations (CFR), Chapter III, Part 361, DVR purchases employment services from Community Rehabilitation Programs (CRP) that provide employment services to individuals with disabilities.

3. Project Scope

- a. For definitions, intent, and reporting requirements for each service within the CRP Services Scope and IL Services Scope, see Exhibit M, which is the contract Statement of Work.
- b. CRP Services Project Scope
 - i. The contract period begins as soon as July 1, 2023, and expires June 30, 2025. The actual contract start date (effective date) will be noted on the executed contract.
 - ii. Employment services purchased from CRPs are outcome based and may include the following services:
 1. **Vocational Evaluation:** means brief or comprehensive evaluation using a variety of techniques designed to measure and document an individual's interests, values, work related behaviors, aptitudes, skills, physical capacities, learning styles, and training needs.
 2. **Trial Work Experience:** means an exploration of the individual's abilities, capabilities, and capacity to perform in work situations. Used to determine if an individual can achieve employment through the provision of VR services and is eligible for VR services.
 3. **Community Based Assessment:** means locating, securing, and placing a Customer into a paid employment setting(s), or other realistic work setting(s), in which the Customer performs work for a specified period of time with the direct provision of needed job supports and training.
 4. **Discovery Services:** means the process used to explore the individual's strengths and capabilities which may lead to employment options. Discovery is designed to replace traditional comparative assessments and should include activities such as interviews with the Customer, family, other significant individuals in the Customer's life, direct observation of Customer's typical life activities in their home environment and in the community, review of existing records and active participation of the Customer. Discovery results in a comprehensive document that identifies the

Customer's strengths, needs, interests, and vocational themes identified in Discovery process.

5. **Customized Job Placement:** means engaging with the Customer and businesses to identify employment possibilities that meet the needs of the Customer and the business, carried out through flexible strategies such as but not limited to leveraging social and business relationships to explore options, developing a video resume, conducting informational interviews with potential employers, setting up job shadows for the Customer to learn about potential employers, and other approaches to job development.
6. **Job Placement:** means locating, securing, and placing a Customer into a paid, competitive, and integrated job that is mutually agreed upon by the Vocational Rehabilitation Counselor (VRC), Customer, and the Contractor.
7. **Intensive Training:** means one-on-one job skills training and support provided at the Supported Employment job site, including routine engagement either on site or through a hybrid of both Remote Service Delivery and in-person Intensive Training Services. Intensive Training Services are not meant to be provided fully remotely due to the nature of interaction with the employer to determine stability.
8. **Job Retention Services:** means individualized job site training and support services, including routine engagement either on site or through Remote Services Delivery or a hybrid of both that enable a Customer to learn the essential functions of a job and specific workplace expectations to meet the Employer's expected level of job performance for at least ninety (90) calendar days after services are authorized.
9. **Youth Extended Services:** means ongoing support services and other services provided based on the Customer's need for help to support or maintain work in supported employment after they have made the transition from DVR time-limited support services. Extended services may be available to a Customer with a most significant disability in supported employment who is under the age of 25 and has no other source of long term supports available.
10. **Off-Site Psycho-Social Services (Non-Supported Employment and Supported Employment):** means regular therapeutic interaction with a Customer who needs services to address mental health or Psycho-Social related barriers to employment and does not require on-site or task related services. Off-Site Psycho-Social Job Support Services shall enable the individual to maintain satisfactory job performance and successful interactions with others at the workplace.
11. **Pre-Employment Transition Services Work Based Learning Experience:** means activities where a Student is placed into a

competitive, integrated work setting where they get paid the Washington State minimum wage, the local minimum wage, or a wage consistent with the employer's typical pay for the position, whichever is greater to perform a non-permanent job at an employer's work site in accordance with Washington State Teen Worker rules established by the Department of Labor and Industries. WBLE is not intended to be a permanent placement.

12. Pre-Employment Transition Services Workplace Readiness

Training: means training to acquire or enhance commonly expected skills that employers seek from most employees. Workplace readiness skills are a set of skills and behaviors that are necessary for any job, sometimes called soft skills, employability skills, or job readiness skills.

13. Pre-Employment Transition Services Informational Interview:

means activities where a student has an informal one-on-one conversation with someone working in a career area or job that interests the student who gives information and advice. It is for the purpose of research and is not expected to be a job interview or to find job openings.

14. Pre-Employment Transition Services Job Shadow:

means activities where a student works with an employee for a period of time to learn about new aspects of the job, organization, and behaviors or competencies related to the job.

- iii. DVR will consider submitted Application Packets for any of the services identified in Exhibit I, *CRP Services and Qualifications Form*.
- iv. Applicants who will receive consideration must be able to:
 - 1. Provide Services; and
 - 2. Meet all required qualifications.
- v. Applicants may submit their Application Packets to provide services in more than one county. With the exception of Vocational Evaluation services, the Applicant should have a presence in the county or have established relationships with local employers.
- vi. An organization may provide services to DVR Customers while also serving them under another State Contract. The organization must keep separate client files and billings for each contract and must not bill on more than one contract for the services provided to an individual.
- vii. Any contract awarded is contingent upon availability of funding and service needs.
- viii. Any contract awarded does not guarantee DVR will purchase CRP services from your organization.

c. IL Services Project Scope

- i. The contract period begins as soon as July 1, 2023, and expires June 30, 2025. The actual contract start date (effective date) will be noted on the executed contract.
- ii. Independent Living Services purchased from IL Providers include:
 - 1. **IL Evaluations:** means an evaluation process to identify a Customer’s IL strengths, limitations, and needs for IL Skills Training or IL Work-Related Systems Access services.
 - 2. **IL Work Related Systems Access:** means services to the Customer to assist in accessing and utilizing public support systems.
 - 3. **IL Skills Training:** means services to develop a Customer’s skills and abilities to mitigate or eliminate their IL barriers to employment.
 - 4. **IL Pre-ETS Self Advocacy Training:** means activities intended to help a student gain self-advocacy skills including problem-solving strategies, assertiveness training, strategies for exercising civil rights, and self-determination strategies. Self-advocacy includes an individual’s ability to effectively communicate, convey, negotiate or assert their own interests and/or desires.
- iii. DVR will consider submitted Application Packets for any of the services in Exhibit J.
- iv. DVR will consider submitted Application Packets for any of the services identified in Exhibit J, IL Services and Qualifications Form, and must be able to:
 - v. Provide Services, as defined in “Section A.3.c.ii. Scope of IL Services,” of this Invitation; and
 - vi. Meet all required qualifications.
- vii. Applicants may submit their Application Packets to provide services in more than one county.
- viii. An organization may be providing services to DVR Customers while also serving them under another State Contract. The organization must keep separate client files and billings for each contract and must not bill on more than one contract for the services provided to an individual.
- ix. Any contract awarded is contingent upon availability of funding and service needs.
- x. Any contract awarded does not guarantee DVR will purchase IL services from your organization.

4. Minimum Qualifications

Applicants failing to demonstrate in their Bids that they meet these minimum qualifications will be considered non-responsive and will therefore be disqualified from further consideration.

a. Minimum Qualifications for CRP and IL Contractors

- i. Applicants providing CRP services for the first time may be granted an initial two-year waiver period from the accreditation or certification

requirements for every service except Vocational Evaluations, Discovery Services, Customized Job Placement, and Off-Site Psycho-Social Services.

This solicitation is open to all eligible Applicants. To be eligible, an Applicant must:

1. If a returning contractor (any state contract), the vendor must meet the following conditions:
 - a. Has not had a Washington State DSHS contract terminated for default;
 - b. Is not currently subject of a DSHS/DVR, or other State agency, investigation regarding performance of a criminal act, abridgement of human rights, or improper billing practices; and,
 - c. Has not been the subject of any finding(s) due to a DSHS/DVR, or other State agency, investigation regarding the performance of a criminal act, abridgement of human rights, or improper billing practices.
2. Be able to serve all eligible individuals in a manner and setting that meet the requirements of the [Americans with Disability Act](#) (ADA).
3. Be able to provide services through alternative formats, methods, and languages as needed per the ADA and the Civil Rights Act of 1964.
4. Possess a current State of Washington Master Business License if required by law.
5. Be able to serve individuals providing the services selected in Exhibit I.
6. Have key personnel who are able to pass a DSHS Background Check.
7. Meet all uniform requirements. Pursuant to [WAC 388-892-0300](#), such qualifications shall include but not be limited to, qualifications regarding conformance to:
 - a. Federal, state and local laws and DSHS regulations and policies;
 - b. Accessibility;
 - c. Safety and health;
 - d. Liability insurance coverage;
 - e. Having a system in place to report the effectiveness and efficiency of the provider's DVR services;
 - f. Having a system in place to gather and report DVR customer satisfaction;
 - g. DVR code of ethics and standards of practice;
 - h. Having a complaint and dispute resolution process in place for DVR customers;
 - i. Having current background checks in place for personnel serving DVR customers.

- j. For CRP Services successful applicants must meet the minimum qualifications for each service they have selected to provide as outlined on Exhibit I.
- k. For IL Services successful applicants must meet the minimum qualifications for each service they have selected to provide as outlined on Exhibit J.
- l. IMPORTANT: An executed contract DOES NOT automatically qualify the contractor (or their staff) to perform IL Services on behalf of DVR. IL Services cannot be assigned to, or provided by the contractor until DVR has specifically approved individual providers (staff), based on the review of submitted documents and certification (as noted on Exhibit I).

5. Period of Contract Performance

- a. DSHS intends to award multiple Contracts for the Services described in this Competitive Solicitation. The period of performance under the Contract shall be July 1, 2023 through June 30, 2025. The term of the contract may be extended by amendment up to 2 times for up to 2 years per amendment, in the sole discretion of DSHS. 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.

SECTION B DEFINITIONS

Additional definitions for Contract-specific terms are found in the Sample Contract set forth as Exhibit M 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 the DVR Webpage.

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

Applicant– An individual, organization, public or private agency or other entity submitting an application in response to this Solicitation.

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

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

Debriefing – A short meeting an Applicant may request with the Coordinator following the announcement that they were not awarded a contract for the purpose of receiving information regarding the review and evaluation of that Applicant’s Response.

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, RFQ 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 an Applicant after the announcement that they were not awarded a Contract 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.

Responsive Applicant – 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.

RFQ – The request for qualifications 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 Small Business as defined in [RCW 39.26.010\(22\)](#).

Solicitation or Competitive Solicitation – A formal process providing and equal and open opportunity for Applicants 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 Document – This RFQ document, including all attachments and all amendments that are issued by the Coordinator.

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

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](#))

SECTION C
EXPLANATION OF SOLICITATION PROCESS

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 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 Applicant disqualification.

Item	Action	Date
1.	DSHS posts Solicitation.	March 20, 2023
2.	Optional Current Contractor Information Session at 10:00am. Pacific Time via Zoom. Register here	March 27, 2023
3.	Written questions may be submitted to dvrcontractsunit2@dshs.wa.gov by April 28 by 5pm.	April 28, 2023
4.	DSHS posts responses to written questions on DVR Contractor Webpage	Weekly after May 1
5.	Applicants must submit Response by 5 p.m. Pacific Time.	June 01, 2023
6.	DSHS evaluates Written Responses.	April 1, 2023- June 16, 2023
7.	Contract Execution – contracts will be prepared for complete and responsive application packets only, in the order they are physically received and accepted as responsive. Unsigned contracts will be e-mailed to only the identified contact person (not necessarily the signing authority) for approval. Once received back, the contract will be executed by DVR and an electronic copy emailed back to the vendor, as a part of the solicitation close-out.	Contracts will be executed within 2 business days of receipt of the vendor-signed agreement (not including the date of receipt).
8.	DSHS holds Debriefing conferences for unsuccessful Applicants, if requested.	Ongoing but no later than June 16, 2023
9.	Deadline for submission of Protests by Applicants who participated in a debriefing conference.	Five business days after date of Debriefing
10.	DSHS considers Protests, if any, and issues determination.	June 16 – June 30, 2023
11.	Contract Execution/Start Date.	July 1, 2023

2. **Contract**

DVR intends to award multiple contracts to provide the services described in this enrollment.

The term of the Contract will be up to 24 months in length, commencing upon the effective start date, as noted on the executed agreement. Amendments extending the period of performance, if any, shall be at the sole discretion of DVR.

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 reissue this Solicitation. All amendments and notifications of cancellation shall be posted the DVR webpage. 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**

All communications concerning this Solicitation must be directed only to the Coordinator (Contracts Unit). Any communication concerning this Solicitation directed to DVR staff or consultants, other than the Contracts Unit, may result in disqualification. Application Packets should be based on the material contained in this enrollment, any related addendum(s), and any questions and answers directed through the Contracts Unit.

5. **Contract Information Sessions (optional)**

Applicants are invited to attend an information session which shall be held at the location and on the date and at the time set forth below. The Information sessions are an opportunity for current and potential contractors to learn more about the conditions under which a Contract will be performed and to walk through the application process. At the Information session, Applicants will have an opportunity to ask questions and to hear presentations from knowledgeable DSHS personnel. Applicants may only rely upon information that is included in this Amendment in preparing their Responses.

For CURRENT Contractors (had a 2020-2023 CRP/IL Contract) the information session will be held via Zoom on March 20, 2023 at 11:00am.

Register at this link:

For NEW Contractors (have not had a CRP/IL Contract before) the information session will be held via Zoom on March 29 at 3:00pm.

Register at this link:

6. **Questions and Answers**

Applicants may send written questions concerning this Solicitation to the Contracts Unit 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. Email: dvrcontractsunit2@dshs.wa.gov

7. **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, 39.26.240 and 39.26.245, 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 only be on a direct basis in response to this Solicitation. 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.

Applicants 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> 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.

8. Auxiliary Aids and Limited English Proficiency (LEP) Services

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

If an individual believes that the Department has discriminated against them on the basis of a protected status, 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/publications/documents/Non-discrim%2022-171.pdf>

9. Cost to Prepare Response

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

10. Acceptance of Solicitation Terms

In submitting a Response, Applicant must include a signed Applicant Certification and Assurances form (Exhibit B). Applicant must acknowledge that in submitting a Response, it accepts all terms of this Solicitation Document, including all its Attachments, and that Applicant's Response constitutes a binding offer. Applicants may not alter or redline the solicitation terms or requirements in their response. Submitting altered or redlined solicitation terms or requirements in the Applicant's Response may result in Applicant disqualification.

11. Withdrawal of Responses

After a Response has been submitted, Applicants 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 Coordinator. After withdrawing a Response, the Applicant may submit another Response at any time up to the Response submission date and time.

12. 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.

13. Announcement of Successful Applicants

DSHS shall notify successful Applicants by email by the date indicated in Section C.1., Solicitation Schedule. All notifications to successful Applicants are subject to the negotiation of a Contract satisfactory to DSHS.

Applicants may request a debriefing conference with the Coordinator to discuss information regarding the review and/or evaluation of their application and may, under certain circumstances, file a formal protest requesting that DSHS provide an identified remedy if Applicant believes certain types of errors occurred. A more detailed description of these processes is set forth in Section F, Debriefing and Protest Procedure.

14. 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. Applicants should familiarize themselves with the requirements prior to submitting a solicitation packet.

15. Notice of Contract Revision

CRP Consideration/Fee Schedule. DVR may, at its discretion, increase or decrease consideration payable for CRP related services under the terms of contracts resulting from this Solicitation. Any increase or decrease in consideration shall be identified in an updated CRP Fee Schedule (Exhibit L), and **shall be incorporated into this contract by reference**. Any change to the CRP Fee Schedule shall be publicly posted on DVR's internet page at: <https://www.dshs.wa.gov/dvr/contractors>.

**SECTION D
INSTRUCTIONS REGARDING CONTENT, FORMAT AND SUBMISSION OF WRITTEN
RESPONSES**

Applicants shall submit their Responses utilizing the forms set forth on Exhibits A, B, C, D, E, F, G, H, I, J, K, L and M as well as additional requested documents to this Competitive Solicitation. Each Attachment is included in one of the three required sections of the application, below. Failure to complete and submit all required Attachments, and to sign them, if applicable, may result in Applicant disqualification. Responses should use an 11 point font or larger and should be submitted in the following order with each section of the Response clearly labeled. Label should indicate Section and letter and the response **must** begin with a restatement of the question followed by the Applicant's response to the question. (example, Section 1.g – Certificate of Insurance).

The Applicant is required to use all forms supplied to respond each of the three sections of the enrollment. *A reference to another section will not suffice, each answer must stand alone.*

Application Packets must be prepared and submitted no later than the closure date and time announced by DVR. The Application Packet is to be sent to the Contracts Unit by email only at the addresses specified at the beginning of this solicitation. DVR will not accept any application packets submitted by fax.

All DSHS forms may be found within this solicitation packet or on the DSHS Forms Picker Webpage (www.dshs.wa.gov/office-of-the-secretary/forms). Enter the form number exactly as listed (example 11-163).

Format of Application Packet

Section 1: Administrative Requirements

- a. Current Contractors Applicant Checklist.
- b. Exhibit B – Applicant’s Certification and Assurances Form, DSHS 11-163.
- c. Exhibit D - Additional Contractor Information 27-175.
- d. Contractor Update form DSHS 27-044A
- e. Copy of Washington State Master Business License.
- f. 501(c)(3) IRS letter, designating non-profit status (if applicable).
- g. Copy of Certificate of Insurance – conforming to minimum insurance requirements

Section 2: Management and Operations Requirements

- a. Exhibit F – Code of Ethics and Standards of Practice, DSHS 05-252
- b. Fire/Safety Inspection Certificate OR statement verifying that you do not own, lease, or rent a premises where you provide services, but meet clients in public locations.

Section 3: Technical Requirements

General Requirements: In this section of the Application Packet, the Applicant is to provide a list of services they wish to provide; required certification, licensure, or accreditation for each service selected; and completed background check forms with other required documentation.

For more detailed information on each requirement, Applicants may review the next section for new contractors.

- a. Exhibit I – Services and Qualifications – include required certification, licensure, or accreditation information for each service selected.
- b. Exhibit J – IL Services and Qualifications Form

- c. Exhibit K – Employees approved and requested to provide IL Services – Current contractors are *not* required to resubmit qualifications requirements on staff *already* approved to provide IL services.
- d. Exhibit G - BCS Access Request Form 17-253 – only if changing who is BCS user
- e. Exhibit H – Background Check Reporting Form 17-264

SECTION E Evaluation of RESPONSES
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1. Bid Responsiveness, Administrative Review

All Responses will be reviewed by the 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
- Failure to meet the minimum Applicant 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 Coordinator may contact any Applicant for clarification of the Response. If a Response is deemed non-responsive, it shall be removed from further consideration. DSHS shall notify non-responsive Applicant (s) of this determination and the supporting reasons. Applicants 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 Applicant qualification requirements and submittal instructions, DSHS shall continue with evaluation of the solicitation submission.

2. Errors in Applicant Response

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

DSHS reserves the right to contact any Applicant for clarification of Response contents. In those cases where it is unclear to what extent a requirement has been addressed, the Coordinator may contact an Applicant to clarify specific matters in the submitted Response.

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

3. Applicant's References (New Contractors)

Once the written evaluations are completed, DSHS may contact the references provided in order to investigate past performance and validate information in Applicant Responses. In submitting a Response, Applicant 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 Applicant's Response.

References are generally evaluated on a pass/fail basis. DSHS may reject a bid and consider a Applicant as non-responsible if a reference provides negative information about a Applicant's past performance.

DSHS may, at any time, require additional or substitute references to determine the Applicant's experience and level of responsibility. If the reference check process reveals information that should properly be considered in evaluating Applicant's responses, DSHS may, in its sole discretion, reconvene the evaluation panel to reconsider the evaluation scoring in light of the information obtained.

4. **Evaluation Procedure**

DVR will initially screen each Application Packet to determine if the Applicant has complied with the stated Administrative Requirements and Submittal Instructions. If the Application Packet does not meet all requirements for this Solicitation, DVR may consider the submission non-responsive and may withdraw it from further contracting activities.

Applications meeting the requirements of this Open Enrollment will be offered, subject to the final review and approval of management, a contract for approval and execution. Applicants deemed non-responsive or ineligible to contract will be notified by email of this determination. Non-responsive applicants will be permitted to resubmit their application materials, if the revised presentation meets the established deadline and other specified requirements of this solicitation.

IMPORTANT NOTE: Contractors providing IL services can apply for and be issued a contract for all eligible, individual, independent living services – these services, however, cannot be assigned, performed, or compensated until such a time as an individual provider (employee) has been reviewed and approved to provide specific services.

SECTION F **Protest Procedure**

1. **Grounds and Filing of Protests**

- a. In order to submit a Protest under this Solicitation, an Applicant must have submitted an Application Packet for this Solicitation. **This protest process is the sole administrative remedy available within DVR.** The following is the process for filing a Protest:

- i. Grounds for Protest. A Protest may be made based on these grounds only:
 1. DVR failed to follow the procedures established in this Open Enrollment document, or to follow applicable State or federal laws or regulations; or

2. Bias, discrimination, or conflict of interest on the part of a DVR staff member.
- ii. Protest Form and Content.
- A Protest must state all of the facts and arguments upon which the Protest is based, and the grounds for the Protest. It must be in writing and signed by a person authorized to bind the Applicant to a contractual relationship. At a minimum, the Protest must include:
1. The name of the protesting Applicant, mailing address and phone number, and the name of the individual responsible for submission of the Protest—*including an active email account, in which to deliver the receipt acknowledgement and other communications*;
 2. The Solicitation number and title;
 3. A detailed and complete statement of the specific action(s) by DVR under protest;
 4. The grounds for the Protest;
 5. Description of the relief or corrective action requested.

Applicants may attach to their Protest any documentation they have to offer in support.

- iii. Submitting a Protest
1. Protests must be in writing and must be signed. Applicants must deliver their Protests by mail, in-person delivery, or email to the Contracts Unit. Protests may not be submitted by fax. DVR must **receive** (*date and time stamped*) the written Protest within ten (10) business days of the protested issue event.
 2. *Under no circumstances will a protest be given consideration after the specified timeframe.*
- iv. Protest Process
1. The Contracts Unit will acknowledge receipt within two (2) business days, to the email address provided in the written Protest, and forward all Protest documentation to the DVR designated Protest Coordinator with copies of the following:
 - a. This Solicitation and any addendums,
 - b. The protesting Applicant's submitted Application Packet, and
 - c. Any other documentation, noting the evaluation of the Application Packet in question.
 2. DVR will follow these procedures in reviewing a Protest:
 - a. DVR will conduct an objective review of the Protest, based on the contents of the written Protest and the above materials provided by the Contracts Unit.
 - b. DVR will send the Protestor a written decision within five (5) business days after DVR receives the Protest, unless more time is required to review the Protest and make a determination. The protesting Applicant will be notified by the Contracts Unit, via email, if additional time is necessary.
 3. DVR will make a final determination of the Protest and will either:

- a. Find that the Protest lacks merit and uphold DVR's actions;
- b. Find that any errors in the Solicitation process or in DVR's conduct did not influence the outcome of the Invitation, and uphold DVR's actions; or
- c. Find merit in the Protest and provide options for corrective action by DVR which may include:
 - i. That DVR correct any errors and re-evaluate all Application Packets affected by its determination of the Protest;
 - ii. That DVR re-posts the Solicitation document; or
 - iii. That DVR make other findings and take such other action as may be appropriate.

SECTION G Contracting Procedures

1. Contract Execution

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

If the Apparent Successful Applicants fail or refuse to sign a Contract within ten (10) business days of delivery by DSHS, DSHS may elect to cancel the individual contractor award.

2. Insurance

As required in Section D.1.g, Applicants shall provide evidence of compliance with the insurance requirements included in Exhibit M, Sample Contract.

3. Non-Endorsement

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

By submitting a Response to this Solicitation, the Applicant 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

As required in Section D.2.e, individuals who will be performing the Contract on behalf of the Applicants 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. Applicants are 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.