



REQUEST FOR PROPOSALS (RFP)
NO. 2021HCA34

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PROJECT TITLE: As-Needed Convenience Contracts for Health Consulting Services

PROPOSAL DUE DATE: February 25, 2022 by 2:00p.m. *Pacific Time*, Olympia, Washington, USA.

Only e-mailed bids will be accepted.

ESTIMATED TIME PERIOD FOR CONTRACT: July 1, 2022 to June 30, 2026

The Health Care Authority reserves the right to extend the contract(s) for up to two additional 2-year periods at its sole discretion, dependent on mutual agreement of the contract terms by the parties.

BIDDER ELIGIBILITY: This procurement is open to those Bidders that satisfy the minimum qualifications stated herein and that are available for work in Washington State.

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1. INTRODUCTION

1.1 DEFINITIONS

Definitions for the purposes of this RFP include:

Apparent Successful Bidder (ASB) – The Bidder(s) selected as the entity to perform the anticipated services under this RFP, subject to completion of contract negotiations and execution of a written contract.

Bidder – Individual or company interested in the RFP that submits a proposal in order to attain a contract with the Health Care Authority.

Business Day – Monday through Friday, 8:00 a.m. to 5:00 p.m., Pacific Time, except for holidays observed by the state of Washington, unless otherwise specified within the RFP.

Health Care Authority or HCA – An executive agency of the state of Washington that is issuing this RFP.

Proposal – A formal offer submitted in response to this solicitation. To be responsive, a Proposal must include all items outlined in Section 3, PROPOSAL CONTENTS AND REQUIREMENTS. Two such items that may be referred to throughout this document are:

- 1) **Cost Proposal** – Bidder’s cost as described in Section 3.9 and Exhibit G.
- 2) **Written Proposal** – Bidder’s written response as described in Section 3.8 and Exhibit F.

Request for Proposals (RFP) – Formal procurement document in which a service or need is identified but no specific method to achieve it has been chosen. The purpose of an RFP is to permit the bidder community to suggest various approaches to meet the need at a given price.

Revised Code of Washington (RCW) – The laws of the state of Washington, as enacted by the Legislature. Any references to specific titles, chapters, or sections of the RCW includes any substitute, successor, or replacement title, chapter, or section. Pertinent RCW chapters can be accessed at: <http://apps.leg.wa.gov/rcw/>.

Subcontractor – A person, partnership, or entity not in the employment of or owned by the Bidder, who would be performing all or part of the services under this RFP under a separate contract with or on behalf of the Bidder. The term “Subcontractor” means Subcontractors in any tier.

Work Order – Contractual document containing specific statement(s) of work issued under any as-needed contract awarded as a result of this RFP. Each Work Order must be within the scope of the as-needed contract must be signed by authorized representatives of each party prior to work commencing.

1.2 ESTIMATED SCHEDULE OF PROCUREMENT ACTIVITIES

Issue Request for Proposals	January 12, 2022
Letter of Intent to Propose Due	January 21, 2022
Questions Due	January 24, 2022 – 2:00PM
Answers Posted*	January 28, 2022

Letter of Intent to Propose Due	February 4, 2022
Complaints Due (if applicable)	February 18, 2022
Proposals Due	February 25, 2022 – 2:00PM
Evaluate Proposals*	March 2, 2022 – March 23, 2022
Announce “Apparent Successful Bidder(s)” via WEBS*	March 30, 2022
Debrief Request Deadline	April 6, 2022
Begin Contract Negotiations	April 2022
Contract Effective Date	July 1, 2022

**Dates are anticipated and subject to change without an official amendment.*

NOTE: All times are Pacific Time.

HCA reserves the right in its sole discretion to revise the above schedule at any time.

1.3 PURPOSE AND BACKGROUND

The Washington State Health Care Authority, hereafter called “HCA,” is initiating this Request for Proposals (RFP) to solicit proposals from firms interested in providing as-needed consultants to provide health care consulting services in numerous areas of expertise.

HCA intends to announce ASB to multiple Bidders for each consulting service category to provide the services described in this RFP.

The objective of the contract(s) is to deliver as-needed services to HCA in the following roles of health consulting. HCA expects the Bidder to bid staff in the roles they best support the overall need. HCA does not expect every Bidder to bid a staff member in every role, especially if it is not your intention or strength in that capacity. The details of these consulting service categories are outlined as follows:

1) Strategic Planning:

Experience working with public and private sector clients to develop strategic plans. For example, in the areas of health care and health insurance trends such as benefits insurance; health information technology, health care policy; health care delivery systems (e.g., Medical Homes, chronic care delivery systems, Medicaid Transformation); health benefit management; accountable care organizations; value-based purchasing; process improvements; and related project management services.

2) Partnerships and Coalitions:

Experience working with public and private sector clients in establishing and maintaining community partnerships, coalition building with public agencies, health care providers and health insurance providers, facilitating external or internal client focus groups, and to establish governance models for new programs. Includes developing strategic solutions to address specific business needs, identifying common ground communications, sustainable financing models, administrative procedures, and dispute resolution processes. Experience with convening and hosting large meetings, including agenda preparation, scheduling speakers, moderate sessions, and evaluating meeting outcomes.

- 3) **Development, Evaluation and Assessment of Health Programs:**
Experience developing tools and processes to assess the integrity and effectiveness of health programs and insurance benefits. Include assessment of benefits packages; enrollment; eligibility; coverage; strategic plans; surveys of providers or clients; developing strategy models to determine recommended changes, and project management services.
- 4) **Health Care Information Technology:**
Experience related to systems, methods, and practices to manage and protect health care information at rest and in transit, Medicaid Information Technology Architecture Framework (MITA), and Health Care Analytics and Business Intelligence. Includes systems/process analysis and assessment; understanding of applicable state and federal laws and regulations; health care and IT trends and best practices; implementation and integration of applications and systems on premises and in the cloud; communications; quality assurance reporting, clinical quality measurement; conduct feasibility studies, and possibly business cases to justify an investment in change. Provide project management services to assist agency to identify and articulate solutions and changes through technology.
- 5) **Delivery System Reform:**
Have experience with innovative, cutting-edge Initiatives to drive delivery system reform. This includes development of new models for the payment and delivery of healthcare services and the inclusion of social supports into clinical models. Also have experience providing reform efforts from other states similar to the state of Washington in the health care industry. Provide expertise on strategic health care and community partnerships that will accelerate the transition, through payment methods, targeted incentives, and provider capacity support to deliver value for outcomes. Assist with technical support in program design, program financing, and processes for comprehensive project planning development and implementations. Provide expertise in community needs assessments and capacity planning, as well as support at the individual provider level. Have the ability to rapidly deploy experts and consultants to assist in regional health system capacity building and transformation. Provide project management services related to the delivery system reform initiatives. Additional services include providing guidance on certificates of needs, anti-trust issues, and legal entity options. Experience evaluating project and provider performance, including support with determining the implications of federal and delivery system data collection and reporting requirements.

Under an as-needed contract, HCA will establish, in coordination with the selected vendor(s), a Work Order request for all work orders. HCA and the vendor(s) will develop and issue Work Orders detailing specific deliverables, timelines, and budget for services, as work is needed. The Work Order must be signed by authorized representatives of each party prior to work commencing. An example Work Order is provided in Exhibit I.

1.4 BACKGROUND

HCA administers programs that provide health care coverage for nearly 1 in 3 Washington residents as well as community behavioral health services, supports, recovery and prevention efforts for the entire state. HCA is the state's largest health care purchaser and oversees the Medicaid program (Apple Health), Public Employees Benefits, and School Employees Benefits. Through these programs, HCA covers nearly 2.4 million lives.

HCA's policy and purchasing approaches are focused on transforming the health care delivery system in Washington State. These value-based purchasing strategies are designed to transform care through better health, better care, and lower cost; provide whole-person care through integrating physical and behavioral health services; and utilize data-informed evidence to make purchasing decisions that improve health outcomes.

HCA is experiencing a significant amount of organizational, system and process changes as the agency responds to legislative directives, federal mandates, and market shifts. As health care continues to evolve, more programmatic and organizational changes will be required to align with federal, state and industry expectations. HCA desires help to organize and lead project work as we evolve in our role as the largest health care purchaser and leader in the State of Washington.

1.5 SCOPE OF WORK

Upon executed Contract(s) with selected bidder(s), HCA will issue work projects in the form of a Work Order (WO) under the awarded Contract(s). In coordination with the selected contract(s), HCA will establish a work order request for all WOs. The vendor(s) and HCA will agree upon timeframes and responsibilities as they relate to the establishing new WOs. WOs will consist of a SOW, deliverables, timeframes, and effort/cost related to the work, and must be signed by authorized representatives of each party prior to work commencing.

Each work order will have an identified work order contact for providing status updates, check-ins and setting direction. The contact will be responsible for resolving issues, address risks or delays related to the work order deliverables and approve receipt of deliverables for payment.

1.6 MINIMUM QUALIFICATIONS

The following are the minimum qualifications for Bidders. Bidder's proposal must detail how they meet the following minimum qualifications and respond in the format that identifies subsection numbers:

- A. Licensed to do business in the state of Washington or provide a commitment that it will become licensed in Washington within 30 calendar days of being selected as the Apparent Successful Bidder.
- B. Five (5) years' experience performing responsibilities for each category the Bidder submits a proposal.
- C. Five (5) years' experience with the health care industry, with one or more project(s) relevant to the category for which the Bidder is submitting a proposal.
- D. Five (5) years' experience on one or more project(s) with government partners (Municipal, county, state, federal, etc.)
- E. Five (5) years' experience successfully managing large complex projects involving multiple business/program partners, cross agency/enterprise wide.

1.7 FUNDING

HCA intends to award multiple as-needed contracts(s) to provide the services described in this RFP. The execution of an as-needed contract does not guarantee any minimum or maximum amount of work. The amount of consulting services that are utilized under an as-needed contract is at HCA's sole discretion.

Under an as-needed contract, HCA will establish in coordination with the selected vendor(s), a Work Order request template for all work orders. HCA and the vendor(s) will develop and issue Work Orders detailing specific deliverables, timelines, and budget for services, as work is needed. The Work Order must be signed by authorized representatives of each party prior to work commencing.

Any contracts awarded as a result of this procurement is contingent upon the availability of funding.

1.8 PERIOD OF PERFORMANCE

The period of performance of any contract(s) resulting from this RFP is tentatively scheduled to begin on or about July 1, 2022 and to end on June 30, 2026. Amendments extending the period of performance, if any, will be at the sole discretion of HCA.

HCA reserves the right to extend the contract for two (2) additional two (2) year periods.

1.9 CONTRACTING WITH CURRENT OR FORMER STATE EMPLOYEES

Specific restrictions apply to contracting with current or former state employees pursuant to chapter 42.52 of the Revised Code of Washington. Bidders should familiarize themselves with the requirements prior to submitting a proposal that includes current or former state employees.

1.10 ADA

HCA complies with the Americans with Disabilities Act (ADA). Bidders may contact the RFP Coordinator to receive written information in another format (e.g., large print, audio, accessible electronic formats, and other formats).

2. GENERAL INFORMATION FOR BIDDERS

2.1 RFP COORDINATOR

The RFP Coordinator is the sole point of contact in HCA for this procurement. All communication between the Bidder and HCA upon release of this RFP must be with the RFP Coordinator, as follows:

Name	Danielle Mortenson
E-Mail Address	HCAProcurements@hca.wa.gov

Any other communication will be considered unofficial and non-binding on HCA. Bidders are to rely on written statements issued by the RFP Coordinator. Communication directed to parties other than the RFP Coordinator may result in disqualification of the Bidder.

2.2 LETTER OF INTENT TO PROPOSE (MANDATORY)

To be eligible to submit a Proposal, a Bidder must submit a Letter of Intent to Propose. The Letter of Intent to Propose must be emailed to the RFP Coordinator, listed in Section 2.1, and must be received by the RFP Coordinator no later than the date and time stated in the Procurement Schedule, Section 1.2. The subject line of the email must include the following: [Procurement #2021HCA34] – Letter of Intent to Propose – [Your entity’s name].

The Letter of Intent to Propose may be attached to the email as a separate document, in Word or PDF, or the information may be contained in the body of the email.

Information in the Letter of Intent to Propose should be placed in the following order:

- A. Bidder’s Organization Name;
- B. Bidder’s authorized representative for this RFP (who must be named the authorized representative identified in the Bidder’s Proposal);
- C. Title of authorized representative;
- D. Address, telephone number, and email address;
- E. Statement of intent to propose;
- F. A list of which category(ies), as identified in Section 1.3, the Bidder intends to submit a proposal ; and
- G. A statement of how the Bidder meets ALL of the minimum requirements specified in Section 1.6 of this RFP.

HCA may use the Letters of Intent to Propose as a pre-screening to determine whether Minimum Qualifications are met.

2.3 BIDDER QUESTIONS PERIOD

Bidders are provided an opportunity to ask questions during the bidder question period which starts on the date of the RFP posting and concludes on the *Questions Due* date specified in Section 1.2, ESTIMATED SCHEDULE OF PROCUREMENT ACTIVITIES.

- A. Questions regarding the RFP will only be accepted in writing, sent by email to the RFP Coordinator. The Bidder must use the following email subject line when submitting questions: "RFP # 2021HCA34 Question(s) – [Bidder Name]" to ensure timely receipt.
- B. HCA anticipates it will post answers to the questions in WEBS as an RFP amendment on the *Answers Posted* date specified in Section 1.2, ESTIMATED SCHEDULE OF PROCUREMENT ACTIVITIES.
- C. HCA is under no obligation to respond to any questions received after the *Questions Due date* but may do so at its discretion.

2.4 SUBMISSION OF PROPOSALS

Proposals must be received by the RFP Coordinator no later than the *Proposal Due* deadline in Section 1.2, ESTIMATED SCHEDULE OF PROCUREMENT ACTIVITIES. Proposals must be submitted electronically as an attachment to an e-mail to the RFP Coordinator at the e-mail address listed in Section 2.1, and meet the following requirements:

- A. Attachments to e-mail must be in Microsoft Word format or PDF.
- B. The Cost Proposal must be submitted as a separate attachment.
- C. Zipped files cannot be received by HCA and cannot be used for submission of proposals.
- D. The Bidder Profile (Exhibit A), Proclamation 21-14 – COVID-19 Vaccination Certification (Exhibit E), and Executive Order 18-03 Worker's Rights (Exhibit H) must have a signature of the individual within the organization authorized to bind the Bidder to the offer.
- E. HCA does not assume responsibility for problems with Bidder's e-mail. If HCA e-mail is not working, appropriate allowances will be made.

Bidders should allow sufficient time to ensure timely receipt of the proposal by the RFP Coordinator. Late proposals will not be accepted and will be automatically disqualified from further consideration, unless HCA e-mail is found to be at fault or HCA deems a grace period is in the best interest of the State. All proposals and any accompanying documentation become the property of HCA and will not be returned.

2.5 PROPRIETARY INFORMATION / PUBLIC DISCLOSURE

Proposals submitted in response to this RFP will become the property of HCA. All proposals received will remain confidential until the Apparent Successful Bidder(s) is announced; thereafter, the proposals will be deemed public records as defined in chapter 42.56 of the Revised Code of Washington (RCW).

Any information in the proposal that the Bidder desires to claim as proprietary and exempt from disclosure under chapter 42.56 RCW, or other state or federal law that provides for the nondisclosure of a document, must be clearly designated. The information must be clearly identified and the particular exemption from disclosure upon which the Bidder is making the claim must be cited. Each

page containing the information claimed to be exempt from disclosure must be clearly identified by the words "Proprietary Information" printed on the lower right-hand corner of the page. Marking the entire proposal exempt from disclosure or as Proprietary Information will not be honored.

If a public records request is made for the information that the Bidder has marked as "Proprietary Information," HCA will notify the Bidder of the request and of the date that the records will be released to the requester unless the Bidder obtains a court order enjoining that disclosure. If the Bidder fails to obtain the court order enjoining disclosure, HCA will release the requested information on the date specified. If a Bidder obtains a court order from a court of competent jurisdiction enjoining disclosure pursuant to chapter 42.56 RCW, or other state or federal law that provides for nondisclosure, HCA will maintain the confidentiality of the Bidder's information per the court order.

A charge will be made for copying and shipping, as outlined in RCW 42.56. No fee will be charged for inspection of contract files, but 24 hours' notice to the RFP Coordinator is required. All requests for information should be directed to the RFP Coordinator.

The submission of any public records request to HCA pertaining in any way to this RFP will not affect the procurement schedule, as outlined in Section 1.2, unless HCA, in its sole discretion, determines that altering the schedule would be in HCA's best interests.

2.6 REVISIONS TO THE RFP

If HCA determines in its sole discretion that it is necessary to revise any part of this RFP, then HCA will publish addenda on WEBS. For this purpose, the published questions and answers and any other pertinent information will be provided as an addendum to the RFP and will be published on WEBS.

HCA also reserves the right to cancel or to reissue the RFP in whole or in part, prior to execution of a contract(s).

2.7 ACCEPTANCE PERIOD

Proposals must provide one hundred twenty (120) calendar days for acceptance, or up until the start date of the resulting contract(s), by HCA from the due date for receipt of proposals.

2.8 COMPLAINT PROCESS

The complaint process allows potential Bidders to focus on the solicitation requirements and evaluation process and raise issues early enough in the process to allow HCA to correct a problem before proposals are submitted. The complaint period starts on the date of the RFP posting and concludes on the *Complaints Due* date identified in Section 1.2, ESTIMATED SCHEDULE OF PROCUREMENT ACTIVITIES.

- A. Potential Bidders may submit a complaint to HCA based on any of the following:
 - i. The RFP unnecessarily restricts competition;
 - ii. The RFP evaluation or scoring process is unfair or unclear; or
 - iii. The RFP requirements are inadequate or insufficient to prepare a response.
- B. For a complaint to be considered, it must be received by HCA by 5:00 pm PT on the *Complaints Due* date identified in Section 1.2. The complaint must:
 - i. Be in writing;

- ii. Be sent to the RFP Coordinator, or designee;
- iii. Clearly articulate the basis for the complaint; and
- iv. Include a proposed remedy.

C. HCA will address any complaint as follows:

- i. The RFP Coordinator, or designee will respond to the complaint in writing.
- ii. The response to the complaint and any changes to the RFP will be posted on WEBS.
- iii. The Director of HCA will be notified of all complaints and will be provided a copy of HCA's response.

Complaints may not be raised again during a protest and HCA's action or inaction in response to a complaint will be final. There is no appeal process.

2.9 RESPONSIVENESS

The RFP Coordinator will review all proposals to determine compliance with administrative requirements and instructions specified in this RFP. A Bidder's failure to comply with any part of the RFP may result in rejection of the proposal as non-responsive.

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

2.10 MOST FAVORABLE TERMS

HCA reserves the right to make an award without further discussion of the proposal submitted. Therefore, the proposal should be submitted initially on the most favorable terms which the Bidder can propose. HCA reserves the right to contact a Bidder for clarification of its proposal.

The ASB(s) should be prepared to accept this RFP for incorporation into a contract(s) resulting from this RFP. The contract(s) resulting from this RFP will incorporate some, or all, of the Bidder's proposal. The proposal will become a part of the official procurement file on this matter without obligation to HCA.

2.11 COSTS TO PROPOSE

HCA will not be liable for any costs incurred by the Bidder in preparation of a proposal submitted in response to this RFP, in conduct of a presentation, or any other activities related in any way to this RFP. Funds are not obligated until a contract(s) has been fully executed.

2.12 RECEIPT OF INSUFFICIENT NUMBER OF PROPOSALS

If HCA receives only one responsive proposal as a result of this RFP, HCA reserves the right to either: 1) directly negotiate and contract with the Bidder; or 2) not award any contract at all. HCA may continue to have the bidder complete the entire RFP. HCA is under no obligation to tell the Bidder if it is the only Bidder.

2.13 NO OBLIGATION TO CONTRACT

This RFP does not obligate HCA to enter into any contract for services specified herein.

2.14 REJECTION OF PROPOSALS

HCA reserves the right, at its sole discretion, to reject any and all proposals received without penalty and not to issue any contract as a result of this RFP.

3. PROPOSAL CONTENTS AND REQUIREMENTS

3.1 PROPOSAL CONTENTS OVERVIEW

Proposals must be submitted per the instructions in Sections 2.5, SUBMISSION OF PROPOSALS and 3.2, PROPOSAL REQUIREMENTS AND GUIDELINES, in the order noted below:

MANDATORY:

- A. Bidder Profile & Submittal Form* (Section 3.3 and Exhibit A)
- B. Diverse Business Inclusion Plan (Section 3.4 and Exhibit B)
- C. References (Section 3.5 and Exhibit C)
- D. Draft Contract (Section 3.6 and Exhibit D)
- E. Proclamation 21-14 – COVID-19 Vaccination Certification* (Section 3.7 and Exhibit E)

MANDATORY SCORED:

- F. Written Proposal (Section 3.8 and Exhibit F)
- G. Cost Proposal (Section 3.9 and Exhibit G)
- H. Executive Order 18-03 Worker's Rights* (Section 3.10 and Exhibit H)

**Authorized signature required*

3.2 PROPOSAL REQUIREMENTS AND GUIDELINES

Proposals must comply with the requirements or restrictions listed below. Failure to do so may result in the disqualification of the Bidder's Proposal:

- A. State the Bidder's full legal name on the first or cover page of the Proposal.
- B. Proposals must provide information in the same order as presented in this RFP and with the same headings. Title and number each item in the same way it appears in the RFP. Each question must be restated prior to the Bidder's response.
- C. Items marked "MANDATORY" must be included as part of the Proposal for the Proposal to be considered responsive; however, these items are not scored.
- D. Items marked "SCORED" must be included as part of the Proposal for the Proposal to be considered responsive and are awarded points by the evaluation team.
- E. Page limits stated in this RFP are determined by counting single sides of the response. HCA has no obligation to read, consider, or score any material exceeding the stated page limits. There will be no grounds for protest if critical information is on the pages exceeding the specified page limit that is not reviewed.
- F. Bidders are liable for all errors or omissions contained in their Proposals. Bidders will not be allowed to alter Proposal documents after the deadline for Proposal submission. HCA is not liable for any errors in Proposals.

HCA is under no obligation to consider any supplemental materials submitted that were not requested.

3.3 EXHIBIT A - BIDDER PROFILE & SUBMITTAL FORM (MANDATORY)

Exhibit A, *Bidder Profile & Submittal Form* must be completed in its entirety and signed and dated by a person authorized to legally bind the Bidder to a contractual relationship (e.g., the President or Executive Director if a corporation, the managing partner if a partnership, or the proprietor if a sole proprietorship).

3.4 EXHIBIT B - DIVERSE BUSINESS INCLUSION PLAN (MANDATORY)

Exhibit B, *Diverse Business Inclusion Plan* must be completed in its entirety. In accordance with legislative findings and policies set forth in RCW 39.19 the state of Washington encourages participation in all contracts by firms certified by the Office of Minority and Women's Business Enterprises (OMWBE), set forth in RCW 43.60A.200 for firms certified by the Washington State Department of Veterans Affairs, and set forth in RCW 39.26.005 for firms that are Washington Small Businesses. Participation may be either on a direct basis or on a Subcontractor basis. However, no preference on the basis of participation is included in the evaluation of Diverse Business Inclusion Plans submitted, and no minimum level of minority- and women-owned business enterprise, Washington Small Business, or Washington State certified Veteran Business participation is required as a condition for receiving an award. Any affirmative action requirements set forth in any federal governmental regulations included or referenced in the contract documents will apply.

3.5 EXHIBIT C - REFERENCES (MANDATORY)

Provide three business references for the Bidder using Exhibit C, *Reference Form*. Three business references are not required for each category submitting a proposal. References must be independent of the Bidder's and Subcontractor's company corporation (e.g., non-Bidder owned, in whole or in part, or managed, in whole or in part) and be for work similar to the scope of work contained herein. Complete all boxes of the reference form for each reference, including a description of the services provided, the timeframe in which services were provided, and the Bidder's team members who provided the services. By submitting a proposal in response to this solicitation, the Bidder and team members grant permission to HCA to contact these references and others, who from HCA's perspective, may have pertinent information. HCA may or may not, at HCA's discretion, contact references.

3.6 EXHIBIT D – DRAFT CONTRACT (MANDATORY)

The ASB(s) will be expected to enter into a contract for awarded category(ies), which is substantially the same as the sample contract and its general terms and conditions attached as Exhibit D. HCA will not accept any draft contracts prepared by any Bidder. The Bidder must be prepared to agree to all terms of the attached Exhibit D, *Draft Contract*, as presented or the Proposal may be rejected. If Bidder has exceptions to the terms and conditions, they must include with their Proposal a copy of the *Draft Contract* with redline edits/comments documenting the changes they propose to be made if selected as ASB. If the Bidder fails to identify an objection to any particular term or condition, the term or condition will be deemed agreed to by the Bidder. HCA will review requested exceptions and accept or reject the same at its sole discretion.

If, after the announcement of the ASB(s), and after a reasonable period of time, the ASB(s) and HCA cannot reach agreement on acceptable terms for the Contract, the HCA may cancel the selection and Award the Contract to the next most qualified Bidder.

3.7 EXHIBIT E – COVID-19 VACCINATION CERTIFICATION (MANDATORY)

Bidder must review and complete Exhibit E, *COVID-19 Vaccination Certification* to respond as to whether or not the Bidder complies with Proclamation 21-14.1 – COVID-19 Vaccination Requirement. Bidder must sign and return Exhibit E with its Proposal.

Note: Compliance with the Proclamation is mandatory. For more information please visit <https://www.doh.wa.gov/Portals/1/Documents/1600/coronavirus/505-160-VaccinationRequirementFAQs.pdf>.

3.8 EXHIBIT F – WRITTEN PROPOSAL (SCORED)

Exhibit F, *Written Proposal* must be completed in its entirety in accordance with the page limits identified within the Exhibit (See Section 3.2(E)) for each category in which the Bidder submits a proposal. Bidder should respond using Exhibit F as its template, to ensure compliance with the formatting requirements outlined in Section 3.2(B).

3.9 EXHIBIT G – COST PROPOSAL (SCORED)

The evaluation process is designed to award this procurement not necessarily to the Bidder(s) of least cost, but rather to the Bidder(s) whose proposal(s) best meets the requirements of this RFP. However, Bidders are encouraged to submit proposals which are consistent with state government efforts to conserve state resources.

A. Identification of Costs

- i. Complete the Fee Proposal Table attached separately in Exhibit G for each service category in which the Bidder submits a proposal. For each service category bidding, identify the key consultant and the hourly rates for performing the services as described in this RFP (whole dollar amounts only). The hourly rate should be inclusive of all costs of performing the work, including travel (time and cost) and other overhead expenses. Bidders are required to collect and pay Washington state sales and use taxes, as applicable (see 3.A(ii) below).
- ii. ASB(s) will be required to collect Washington state sales and use taxes from HCA, as applicable, and for remittance of payment to the Washington State Department of Revenue (DOR). Bidders must identify any expenses to which Washington State sales and use taxes apply in the Cost Proposal and include an estimated amount for such taxes (based on the current tax rate(s)). HCA understands these amounts may fluctuate as tax rates fluctuate. If a tax isn't specifically identified, HCA will assume it is included in the costs identified.

3.10 EXHIBIT H - EXECUTIVE ORDER 18-03 (SCORED)

Bidder must review Exhibit H and respond as to whether the Bidder requires its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses and class or collective action waivers.

4. EVALUATION AND CONTRACT AWARD

4.1 EVALUATION PROCEDURE

Responsive Proposals will be evaluated strictly in accordance with the requirements stated in this RFP and any addenda issued. The evaluation of proposals will be accomplished by an evaluation team, to be designated by HCA, which will determine the ranking of the proposals. Evaluation teams could be comprised of internal (HCA) and external individuals. Evaluations will only be based upon information provided in the Bidder's Proposal.

- A. All proposals received by the stated deadline in Section 1.2 (ESTIMATED SCHEDULE OF PROCUREMENT ACTIVITIES) will be reviewed by the RFP Coordinator to ensure that they contain all of the required information requested in the RFP. Only responsive proposals that meet the requirements will be evaluated by the evaluation team. Any Bidder who does not meet the stated qualifications or any proposal that does not contain all of the required information will be rejected as non-responsive.
- B. HCA may, at its sole discretion, waive minor administrative irregularities.
- C. The RFP Coordinator may, at their sole discretion, contact the Bidder for clarification of any portion of the Bidder's Proposal. Bidders should take every precaution to ensure that all answers are clear, complete, and directly address the specific requirement.
- D. Responsive Written Proposals will be reviewed and scored by an evaluation team using the weighted scoring system described in Section 4.2 (EVALUATION WEIGHTING AND SCORING). Written Proposals will be evaluated strictly in accordance with the requirements set forth in this RFP and any addenda issued.
- E. The evaluation of the Cost Proposal and Executive Order 18-03 will be completed by the RFP Coordinator.
- F. HCA reserves the right to award the contract(s) to the Bidder(s) whose proposal is deemed to be in the best interest of HCA and the state of Washington.

4.2 EVALUATION WEIGHTING AND SCORING

Bidders' final scores for each of the service categories will be based on the following scored items: Written Proposal, Cost Proposal, and Executive Order 18-03.

A. Scoring of Written Proposal

Each question in Section 3.8 (EXHIBIT F – WRITTEN PROPOSAL (SCORED)) has been assigned a weight. Points will be assigned to each question based upon the average of all evaluation team members scores for the question (0-10) multiplied by the weight indicated below. Individual question scores will then be combined to result in the Bidder's total weighted score. Any point calculations that result in decimal points will be rounded to the nearest whole number. The weight and maximum points for each question are as outlined in the following Evaluation Table:

Evaluation Table		
Section Title	Weight	Maximum Points
Project Approach/Methodology	10	100

Key Staff Qualifications and Experience	10	100
Bidder Experience	10	100
Outcomes and Performance Management	10	100
Risks	10	100
Written Proposal Maximum Points		500

B. Scoring Rubric for Written Response

Evaluators will score the sections outlined in the Evaluation Table above using the following (0-10) scoring rubric:

Scoring Rubric		
Score	Description	Scoring Criteria
10	Far Exceeds Requirements	The Bidder has provided an innovative, detailed, and thorough response to the requirement, and clearly demonstrates a high level of experience with, or understanding of the requirement.
7	Exceeds Requirements	The Bidder has demonstrated an above-average capability, approach, or solution and has provided a complete description of the capability, approach, or solution.
5	Meets Requirements	The Bidder has an acceptable capability of solution to meet this criterion and has described its approach in sufficient detail to be considered “as substantially meeting the requirements”.
3	Below Requirements	The Bidder has established some capability to perform the requirement but descriptions regarding their approach are not sufficient to demonstrate the Bidder will be fully able to meet the requirements.
1	Substantially Below Requirements	The Bidder has not established the capability to perform the requirement, has marginally described its approach, or has simply restated the requirement.
0	No Value	The Bidder does not address any component of the requirement or no information was provided.

C. Scoring of Cost Proposal

The score for the cost proposal, Exhibit G, will be computed by the average of the hourly rates received for each consulting service category and will be divided into the lowest bidder average rate of the respective category. The resulting number will be multiplied by the maximum possible points for the cost section per category. The Bidder with the lowest average rate will automatically receive full points for the consulting service category’s cost section. Any point calculations that result in decimal points will be rounded to the nearest whole number.

Lowest Cost Proposal	x	Cost Proposal Maximum Points (100)	=	Bidder’s Cost Proposal Points
Bidder’s Cost Proposal				

D. Executive Order 18-03

Pursuant to RCW 39.26.160(3) and consistent with Executive Order 18-03 – Supporting Workers’ Rights to Effectively Address Workplace Violations (dated June 12, 2018), HCA will evaluate proposals for best value and provide a preference in the amount of 25 points to any Bidder who certifies, pursuant to the certification attached as Exhibit H, that their firm does NOT require its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waiver. Bidders that do require their employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waiver will not be disqualified from evaluation of this RFP, however they will receive 0 out of 25 points for this section.

E. Total Score

The scores from the evaluation (Written Proposal, Cost Proposal, and Executive Order 18-03) combined together will determine the Apparent Successful Bidders.

Evaluation Table – All Scored Items		
Section/Exhibit	Title	Maximum Points
Section 3.8; Exhibit F	Written Proposal	500
Section 3.9; Exhibit G	Cost Proposal	100
Section 3.10; Exhibit H	Executive Order 18-03	25
Total Maximum Points		625

4.3 BEST AND FINAL OFFER (BAFO)

HCA reserves the right to use a Best and Final Offer (BAFO) before awarding any contract to further assist in determining the ASB(s).

4.4 SUBSTANTIALLY EQUIVALENT SCORES

Substantially Equivalent Scores are scores separated by two percent or less in total points. If multiple proposals receive a Substantially Equivalent Score, HCA may leave the matter as scored, or select as the ASB the one proposal that is deemed by HCA, in its sole discretion, to be in HCA’s best interest relative to the overall purpose and objective as stated in Section 1.3 of this RFP.

If applicable, HCA’s best interest will be determined by HCA staff, who have sole discretion over this determination. The basis for such determination will be communicated in writing to all Bidders with Substantially Equivalent Scores.

4.5 NOTIFICATION TO BIDDERS

HCA will announce the ASB(s) to all Bidders via the WEBS notification system.

4.6 DEBRIEFING OF UNSUCCESSFUL BIDDERS

Any Bidder who has submitted a proposal and been notified it was not selected for contract award may request a debriefing. The request for a debriefing conference must be received by the RFP Coordinator no later than 5:00 p.m., Pacific Time, within three (3) Business Days after the Unsuccessful Bidder Notification is e-mailed to the Bidder. The debriefing will be held within three (3) Business Days of the request, or as schedules allow.

Discussion at the debriefing conference will be limited to the following:

- A. Evaluation and scoring of the Bidder's Proposal;
- B. Critique of the Proposal based on the evaluation; and
- C. Review of the Bidder's final score in comparison with other final scores without identifying the other Bidders.

Topics a Bidder could have raised as part of the COMPLAINT PROCESS (Section 2.9) cannot be discussed as part of the debriefing conference, even if the Bidder did not submit a complaint.

Comparisons between proposals, or evaluations of the other proposals will not be allowed. Debriefing conferences may be conducted in person or on the telephone and will be scheduled for a maximum of thirty (30) minutes.

4.7 PROTEST PROCEDURE

A protest may be made only by Bidders who submitted a response to this RFP and who have participated in a debriefing conference. Upon completing the debriefing conference, the Bidder is allowed five (5) Business Days to file a protest. Protests must be received by the Contracts Administrator no later than 4:30 p.m., Pacific Time, on the fifth Business Day following the Bidder's debriefing. Protests must be submitted by e-mail to ensure timely receipt.

Consistent with RCW 39.26.030, proposal submissions and proposal evaluations will be available for public inspection following the announcement of ASB(s). If requested by a Bidder who received a debriefing pursuant to Section 4.6, the protest period will not conclude before the requestor has been provided with the applicable proposal submissions and proposal evaluations and provided five (5) Business Days to review the same. Bidder is responsible for notifying the RFP Coordinator of any such public disclosure requests so the timeline can be adjusted accordingly.

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

- A. All protests must be in writing, addressed to the Contracts Administrator, and signed by the protesting party or an authorized agent. The protest must state (1) the RFP number, (2) the grounds for the protest with specific facts, (3) complete statements of the action(s) being protested, and (4) the relief or corrective action being requested. Protests must be emailed to contracts@hca.wa.gov with the following subject line: "RFP # Protest – [Bidder Name]"
- B. Only protests alleging an issue of fact concerning the following subjects will be considered:
 - i. A matter of bias, discrimination, or conflict of interest on the part of an evaluator;
 - ii. Errors in computing the score; or
 - iii. Non-compliance with procedures described in the RFP, HCA's protest process, or DES policy requirements (POL-DES-170-00).

Protests based on anything other than those items listed above will not be considered. Protests will be rejected as without merit to the extent they address issues such as: 1) an evaluator's professional judgment on the quality of a proposal; or 2) HCA's assessment of its own needs or requirements.

- C. Upon receipt of a protest, HCA will undertake a protest review. The HCA Director, or an HCA employee delegated by the HCA Director who is a neutral party with no involvement in the evaluation and award process (Protest Officer), will review and respond to the protest. If the HCA Director delegates the protest review to an HCA employee, the Director nonetheless reserves the right to make the final agency decision on the protest. The Protest Officer will have the right to seek additional information regarding the procurement from sources they deem appropriate in order to fully consider the protest.
- D. If HCA determines in its sole discretion that a protest from one Bidder may affect the interests of another Bidder, then HCA may invite such Bidder to submit its views and any relevant information on the protest to the Protest Officer. In such a situation, the protest materials submitted by each Bidder will be made available to all other Bidders upon request.
- E. The Protest Officer will issue a written protest response no more than ten (10) Business Days after receipt of the protest, unless additional time is needed, in which case HCA will notify the protesting Bidder in writing. The Protest Officer's decision is final, unless the HCA Director exercises their right to make the final agency decision on the protest. There will be no appeal process.
- F. The final determination of the protest will:
 - i. Find the protest lacking in merit and uphold HCA's action; or
 - ii. Find only technical or harmless errors in HCA's acquisition process and determine HCA to be in substantial compliance and reject the protest; or
 - iii. Find merit in the protest and provide options to the HCA Director, which may include:
 - 1) Correct the errors and re-evaluate all proposals; or
 - 2) Issue a new solicitation document and begin a new process; or
 - 3) Make other findings and determine other courses of action as appropriate.

If the protest is not successful, HCA will enter into a contract with the ASB(s), assuming the parties reach agreement on the contract's terms.

5. RFP EXHIBITS

Exhibit A	Bidder Profile & Submittal Form
Exhibit B	Diverse Business Inclusion Plan
Exhibit C	Reference Form
Exhibit D	Draft Contract
Exhibit E	Proclamation 21-14 COVID-19 Vaccination Certification
Exhibit F	Written Proposal
Exhibit G	Cost Proposal
Exhibit H	Executive Order 18-03 Worker's Rights
Exhibit I	Example Work Order

All Exhibits will be included as a separate attachment.