Washington State Patrol

Electronic Services Division

Request for Proposals (RFP) for

Land Mobile Radio (LMR) System Strategic Plan

RFP #: WSP-RFP-LMR2022

RFP Issue Date: November 1, 2021

Proposals Due: February 10, 2022

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# Introduction

## Purpose

The Washington State Patrol (WSP) – Electronic Services Division (ESD) seeks a highly qualified and experienced consultant to develop a comprehensive strategic plan for the WSP Land Mobile Radio (LMR) system. In response to the recommendation provided as a result of a performance audit by the State Auditor’s Office (SAO) in December 2016, the WSP contracted with a private consultant and completed an engineering study to assess the condition and coverage of the LMR system. That study was completed in 2018. The WSP now requires additional skills, capabilities, and industry knowledge to incorporate the recommendations and observations from the study.

## RFP Coordinator Contact

The RFP Coordinator is the sole point of contact in WSP for this procurement. All communication between the Bidder and WSP upon publication or posting of this RFP shall be with the RFP Coordinator.

Any other communication shall be considered unofficial and non-binding on WSP. 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.

|  |  |
| --- | --- |
| **Item** | **Information** |
| RFP Coordinator | - Julie Hannah |
| Email | - [**contracts@wsp.wa.gov**](mailto:contracts@wsp.wa.gov) |

## RFP Schedule of Events

This section presents the anticipated schedule of events for this acquisition.

|  |  |
| --- | --- |
| **Action** | **Date** |
| RFP Publicly Posted | Nov 1, 2021 |
| Bidder Pre Bid Conference - – Time and Method - Zoom  Notify the RFP coordinator 24 hours in advance if you wish to participate. | Nov 16,2021 2:00 PM |
| Bidder Questions End 4PM PST | Nov 30, 2021 |
| Final Bidder Questions Answered and Addendum Posted | Dec 10, 2021 |
| Bidder Complaints Due NLT 4:00 PM PST | Feb 2, 2022 |
| Bidder Proposals Due NLT 4:00 PM PST | Feb 10, 2022 |
| Bidder -Oral Interviews for Top Scoring | March 10, 2022 |
| Final Scoring | March 15, 2022 |
| Announce Apparently Successful Bidder (ASB) | April 11, 2022 |
| Contract Signing and Earliest Start of Work | May 1, 2022 |

## Background

The Washington State Patrol (WSP) radio system supports in excess of 1,200 agency personnel and provides contracted dispatching services for other state and federal law enforcement using land mobile radio (LMR) statewide. Since 2008, the WSP’s LMR system has developed from a legacy wide-band analog radio system to a Project 25 (P25) Phase-2 capable digital radio system. The development of the WSP system was largely driven by the Federal Communications Commission (FCC) narrowband requirements for radio frequency spectrum. From 2012-2016, the WSP completed a system overhaul in order to comply with the FCC’s Phase-1 narrowband requirements. Through that effort, the WSP implemented a trunked (networked) radio system in the Puget Sound region, partnered with the Department of Justice for trunked (networked) radio capabilities in other parts of the state, implemented conventional (non-networked) digital radio capabilities, and implemented analog narrowband radio capabilities in the North Cascades/Wenatchee areas. Through these efforts, radio system coverage became a major area of emphasis and need for the WSP to address.

In a 2016 report, the State Auditor’s Office (SAO) recommended the WSP develop a long-term strategic plan following completion of an engineering study. The study was completed in 2018 and the WSP committed to establishing a LMR system strategic plan, developing requests for information and proposal from the vendor community to address current coverage and capability gaps, and draft future funding requests to develop the LMR system. The 2018 engineering study established the minimum and desirable coverage standards for the WSP radio system: 90% mobile radio coverage (minimal) and 95% mobile radio coverage (desirable). Portable radio coverage standards were not developed due to physical limitations and prohibitive costs associated with portable radios in a statewide system. The engineering study proposed three additional recommendations:

1. Address Very High Frequency (VHF) system improvements in the near-term (1-5 year range).
2. Migrate from the existing WSP VHF system to a WSP owned and operated P25 Phase-2 700 Megahertz (MHZ) system, augmented by WSP operation on local (countywide systems) where appropriate, as a long-term strategy (10-12 year range).
3. Evaluate alternative technologies, such as wireless microphones and vehicular repeater systems, to address portable radio coverage limitations.

From 2018-2020, in partnership with the Federal Bureau of Investigation (FBI), the WSP upgraded the central call-processing system (radio network core), separated the shared system connection between the two agencies’ radio systems, upgraded our aging audio recording system, and implemented a new interoperability network connection between the independent WSP and FBI radio systems. Those efforts were in line with the SAO’s recommendation to assess the merged radio system with Integrated Wireless Network (IWN) and establish an informed long-term plan for future work.

This RFP will create an actionable implementation strategy in the near-term (1-5 years) and long-term (10-12 years) based on the recommendations from the 2018 Engineering Study Overview (see attachment: WSP 2018 Engineering Study Presentation Overview to the Legislature). The WSP’s goal is to migrate to a statewide P25 Phase-2 700 MHZ system, which prepares the agency for the eventual FCC Phase-2 narrowband requirement. The WSP also seeks to focus on simplifying its LMR system for users and technical staff, evaluating the use of new and emerging technologies like FirstNet and LMR-to-LTE integration, and addressing long-standing coverage challenges specifically for portable radios.

## Definitions

These definitions cover terms used in this document:

1. LMR Coverage Area – the geographic area and sub-divisions of the area in which LMR reliability and coverage will be measured. This is the geographic area in which WSP seeks to implement predictable LMR service.
2. LMR Reliability is defined as the user can expect a signal of the requested quality (for example, DAQ 3.4) X% of the time across X% of the defined geographic area or sub-division of the area.
3. LMR Coverage is defined as those areas with signal strength sufficient to provide a Delivered Audio Quality (DAQ) of 3.4 or better.
4. Mobile radio – WSP uses Motorola APX8500 and APX7500 multiband (VHF/700/800) 50W radios
5. Portable radio – WSP uses Motorola APX8000 and APX7000 multiband (VHF/700/800) radios worn on the hip with a lapel type microphone

## Objectives and Scope of Work

The Washington State Patrol (WSP) is seeking proposals from Bidders to develop a comprehensive LMR System Strategic Plan. The LMR System Strategic Plan will be a comprehensive near-term (1-5 year) and long-term (10-12 year) strategic plan developed through incorporation of industry best practices and focused on developing an implementation strategy founded on the recommendations of the 2018 engineering study. The strategic plan will be focused on the following areas: People, Processes, and Technology.

1. **People:**  Evaluate the current organizational structure for the WSP LMR system operations including staffing and funding levels. Determine gaps and provide recommendations to address the gaps with an emphasis on efficiency and lean principles. Advise on best practice approaches (technical and operational) for partnering with adjacent systems at the state and local levels.
2. **Processes:** Evaluate the WSP’s current system management, integration, and development processes. Evaluate the current WSP radio fleet map and programming, with an emphasis on ease of use for the end user, and provide actionable recommendations for improvement and adjustment.
3. **Technology:** 
   1. Evaluate the current WSP LMR system including interoperability and interconnections with other systems, examples include DOJ and Inter-RF Subsystem Interfaces (ISSI). Provide recommended actions for improvement, standardized methodology of interoperating and interconnecting systems, and provide a recommended strategy to connect with public safety entities across the state of Washington.
   2. Evaluate WSP radio system coverage and provide recommended strategies and actions to address coverage gaps in areas that do not meet the minimum acceptable coverage of 90% mobile radio coverage statewide.
   3. Provide a recommended strategy including timeline, associated cost estimates and resource estimates to migrate the WSP radio system to a single platform (P25 Phase-2 trunked (networked) with an emergency back-up system such as P25 conventional).
   4. Provide recommended strategies to integrate new technologies, such as LMR-to-LTE connectivity, to address long standing portable radio coverage issues and lack of in-building radio coverage in WSP district and detachment offices.

## Deliverables

The selected Bidder will be required to complete, at a minimum, the following Deliverables associated with the LMR System Strategic Plan:

1. **Project Management Plan** outlining team structure, proposed schedule, change (scope) management, risk management, communication management, stakeholder management, and how WSP and contractor will coordinate activities.
2. **Provide monthly status reports** outlining progress towards meeting contract deliverables against the planned schedule. WSP and the Apparently Successful Bidder (ASB) will coordinate for monthly report template.
3. **Document the model and methods** to be used to complete the development of the LMR System Strategic Plan including presentations to stakeholders and approval by WSP management.
4. **Produce a draft report** that provides actionable activities in the near-term (1-5 years) to inform Decision Package (DP) development for the 2023-2025 and 2025-2027 biennia. Report will be submitted to WSP in Microsoft Office/Word format. Report must allow for editing, printing, and content copying.

The draft report is estimated to be completed and submitted to the WSP prior to December 31, 2022.

1. **Produce a draft LMR System Strategic Plan,** for WSP review and feedback, which includes the entirety of the strategic plan, bridging near-term recommendations through long-term recommendations.
2. **Develop and present an executive level presentation** to WSP leadership on the strategic plan. The presentation will outline the model and methods used to develop the strategic plan, how the 2018 engineering study recommendations were incorporated, and the gaps identified and recommendations for WSP based on the areas identified in the scope of work: People, Processes, and Technology.
3. **Produce a final LMR System Strategic Plan** in both Contractor and WSP branding and in Microsoft Word (for document) and PowerPoint (for presentation). The final report will incorporate WSP feedback from the draft report and include the entirety of the strategic plan, bridging near-term recommendations through long-term recommendations which include the objected listed in the scope of work. The final LMR System Strategic Plan will become the intellectual property of the WSP.

The final report is estimated to be completed and submitted to the WSP prior to April 30, 2023.

## Funding

This solicitation may be dependent upon the availability of funding from the Washington State Legislature and authority from the Office of the Chief Information Officer (OCIO) granted to the WSP.

WSP seeks a cost-effective proposal. Proposals shall not exceed $491,000 including all fees and taxes. Proposals above $491,000 (including all fees and taxes) will be considered non-responsive and will be disqualified from further consideration.

## Contract Period

The period of performance of the contract award resulting from this RFP is tentatively scheduled to begin on or around the Contract Start Date as listed in the sample draft model contract. The period of performance may be extended at the WSP’s sole discretion via an amendment and/or the contract amount may be increased, unless terminated in whole or in part by WSP as otherwise provided in the Contract. The selected Contractor is expected to complete the scope of work by April 30, 2023.

# RFP Information

## RFP Approach & Methodology

**This RFP will be completed in stages.** This is designed to reduce the effort required by Bidders to submit an initial proposal and shall focus finalization of the procurement on top scoring bidders selected to complete a final proposal.

The **first and second** **stage** shall determine the most qualified Contractors, with the most applicable experience, and with a clear concept for how to approach the project and estimate its cost. Based on the proposals received and interviewed, top scoring Bidders shall be selected as finalists to move to the third stage.

In the **third** **stage**, Oral Interviews and Presentations. The selected finalists in this stage will be required to attend oral interviews, present their proposal, answer questions regarding their proposed LMR System Strategic Plan, and ask clarifying questions. WSP will contact each finalist to schedule a date, time and location for the Oral Interviews and Presentations, which may be conducted virtually at the WSP’s discretion. Commitments made by the Bidder at the oral interview, if any, will be considered binding. Oral Interviews and Presentations will be scored. Refer to Section 73 in the RFP for more details.

## Electronic Availability

The contents of this RFP, any addenda and/or amendments, and written answers to questions shall be available in the Washington Electronic Business Solution (WEBS) [**https://fortress.wa.gov/ga/webs/**](https://fortress.wa.gov/ga/webs/)**.**

Bidders must be registered in WEBS in order to participate in this procurement and receive current communications and/or changes/amendments to the RFP. Questions about the WEBS registration process may be directed to [**WEBSCustomerService@des.wa.gov**](mailto:WEBSCustomerService@des.wa.gov) or (360) 902-7400 between 8:00 am to 5:00 pm, Monday – Friday.

## Submission of Proposals

Bidders are required to submit an electronic version of its entire proposal in via email to the RFP coordinator by the date and time required for submission in the RFP Schedule of Events.

Late proposals will not be accepted and will be automatically disqualified from further consideration. All proposals and any accompanying documentation become the property of WSP.

Failure to follow or include any of the following requirements may result in rejection of the proposal as non-responsive.

Bidders are required to submit their proposal to the RFP Coordinator via email. Email proposals will not be viewed prior to the due date. The Bidder is required to submit an electronic copy of its proposal in format detailed in the RFP. All electronic documents must allow printing and content copying.

Do not respond by referencing material present elsewhere. The proposal shall be considered complete and stand of its own merits.

**Delivery**

Proposals and related documents can be submitted electronically as an attachment to an email to the RFP Coordinator above, at the email address with the subject line and title.

**Due Date and Time**

Electronic proposal submittals must be received in their entirety by WSP on or prior to 4:00 pm on the proposal due date. Any proposals received after 4:00 pm on the proposal due date will be deem non-responsive and not evaluated. Bidders shall allow sufficient time to ensure timely receipt of the proposal and related documents by the RFP Coordinator. Bidders assume the risk for the method of delivery chosen. Time of receipt is defined as the time that the WSP inbox records that the proposal was received by WSP, not the Bidder’s transmittal. WSP assumes no responsibility for delays caused by Bidder’s email, network problems or any other party. If WSP’s email is not working, appropriate allowances will be made.

**Identification**

Each emailed proposal shall include the RFP number and the Bidder’s Company name in the subject line. Bidders may break email submittals into multiple emails provided each email clearly indicates in the subject line its overall place in the series, as well as the total number of separate emails being sent.

Emails will be titled: RFPLMR2022 \_\_\_\_\_\_\_\_ (Bidder’s Company Name)

For example, if the Bidder is submitting their proposal in three (3) separate emails, the subject line of the first should be “RFP LMR2022 \_\_\_\_\_\_\_\_ (Bidder’s Company Name) 1 of 3”; the next email’s subject line would be “RFP LMR2022 \_\_\_\_\_\_\_\_ (Bidder’s Company Name) 2 of 3”; etc. Bidders are requested to abbreviate long company names as appropriate.

Format

Any documents requiring signature shall be submitted as a PDF.

WSP will not accept Zipped files and cannot be used for submission of Proposals.

All proposal documents shall adhere to the required format and file naming conventions set forth therein. All files in a Bidder’s Proposal shall be formatted in Microsoft Office Suite, PDF, or as otherwise outlined therein. Formats not identified herein or in the submittals may be accepted only with prior written approval of WSP.

The use of a link to a cloud based email box is not acceptable as a method of submittal.

Do not include links in the proposal without prior written approval of the WSP. To request approval prior to the proposal submission due date, send a request to the RFP Coordinator with an explanation of purpose of the link.

**File Naming Convention Expectations For Proposals:**

|  |  |  |  |
| --- | --- | --- | --- |
| **Letter of Submittal** | | | |
| **Required Format:** | Word, Excel or PDF | |  |
| **File naming convention:** | **LtrOfSubmittal.docx/.pdf** | |  |
| **Offer, Certifications, and Assurances including Contractor Certification Wage Theft Prevention, and State Procurement Priorities (Appendix B–P1)**  **Contractor Certification of Compliance with COVID 19 Safety Requirements (Appendix B-P2)** | | | |
| **Required Format:** | | **PDF** |  |
| **File naming convention:** | | AppxB.pdf |  |
| **Proposal Questionnaire: Technical & Management (Appendix C Part 1)** | | | |
| **Required Format:** | | **Microsoft Office** |  |
| **File naming convention:** | | AppxCPart1.pdf |  |
| **Checklist for Responsiveness (Appendix A)**  **Proposal Questionnaire: Deliverables & Cost Proposal Compensation Table and Details (Appendix C Part 2)**  **Bidder’s Profile (Appendix D)**  **Business Reference Form (Appendix E)**  **Minimum Requirements (Appendix F)**  **Exceptions to Model Draft Contract (Appendix G)** | | | |
| **Required Format:** | | Excel |  |
| **File naming convention:** | | AppxAC\_G.xlsx /.docx |  |
| Any Additional Information | | | |
| **Required Format:** | | Microsoft Office or PDF |  |
| **File naming convention:** | | AddtInfo.docx /.xlsx / .pdf |  |

## Proposal Contents

Proposals must include responses to the Objectives and Scope of Work (Section 6), Deliverables (Section 7) and Proposal Questionnaire Technical & Deliverables & Cost Proposal Compensation Table & Details of the RFP. Elaborate proposals in the form of brochures or other presentations beyond that necessary to present a complete and effective proposal are not desired. The proposal should be complete and comprehensive with a corresponding emphasis on being concise and clear.

Proposals must provide information in the same order as presented in this document with the same headings.

The Bidder’s Proposal shall have security that allows the proposal to be printed and to be copied.

|  |
| --- |
| * **Letter of Submittal** * **Offer, Certifications, and Assurances including Contractor Certification Wage Theft Prevention, State Procurement Priorities (Appendix B Part 1),and Contractor Certification of Compliance with COVID 19 Safety Requirements (Appendix B Part 2)** |
| * **Table of Contents** * **Checklist for Responsiveness (Appendix A)** * **Proposal Questionnaire: Technical & Management (Appendix C Part 1 )**   + Project Approach & Methodology   + Work Plan   + Resource Plan   + Outcomes & Performance Measurement   + Internal Controls & Risks & Quality Assurance * **Proposal Questionnaire: Deliverables with Cost Compensation Table (Appendix C Part 2)**    + Project Deliverables and Project Schedule     - Deliverable     - Bidder’s Staff Assigned,     - Estimated Hours & Completion Date,     - Total Costs for each Deliverable including taxes * **Management Proposal**    + Project Management/Project Team Structure   Company experience conducting LMR plans and Similar Projects including other LMR plans with law enforcement agencies and project references   * + Staff Qualifications/Experience   + Company Experience/ Experience of the Bidder * **TOTAL COST** **$ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** (Not to exceed $491,000.00 including all taxes and fees) * **Bidder’s Profile (Appendix D)** * **Business Reference Form (Appendix E)** * **Minimum Requirements (Appendix F)** * **Exceptions to the Model Draft Contract (Appendix G)** |
| * **Additional Information** |
| **See Electronic Submissions** for the File Naming Expectations for electronic proposal submissions format |

## Letter of Submittal Requirements

**(MANDATORY/NOT SCORED)**

The Letter of Submittal must be 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.

| **The Letter of Submittal shall include (Not Scored):** |
| --- |
| **Business Name** |
| **Mailing Address** |
| **Contact person** |
| **Telephone** |
| **Email Address** |
| **Content:** Introductory remarks and , Information about the Bidder and any proposed subcontractors  Identify any state employees or former state employees employed or on the Bidders’ governing board as of the date of the proposal. Include their position and responsibilities within the Bidders’ organization. If following a review of this information it is determined -by WSP that a conflict of interest exists, the Bidder may be disqualified from further consideration for the award of a contract. |

## 15 Mandatory Minimum Requirements

(**MANDATORY/NOT SCORED)** See Appendix Excel

Document

WSP is seeking Contractors with the mandatory minimum levels of experience listed below.

1. A minimum of ten (10) years of experience in public safety communications.
2. Project staff holding current Federal Communications Commission (FCC) license.
3. LMR and microwave radio coordination experience crossing the borders of the United States with Canada.
4. Consulting and operational LMR and microwave experience in areas with unique and challenging terrain such as Washington, Oregon, Idaho, Montana, Colorado or similar areas.

## 16. Project & Approach Methodology

**(MANDATORY/ SCORED)** See Appendix Excel

Document

The proposal must describe the approach proposed to complete the work including major steps. Identify any assumptions made in completing this section. Provide a clear picture of what will be done and why this will be effective in meeting WSP’s objectives.

Include a complete description of the Bidder’s proposed approach and methodology for the project. This section should convey Bidder’s understanding of the proposed project, how the services will be performed, the technology proposed to support the process, and project management methods to be employed in the process. Bidder may include additional elements and strategies as needed.

The Bidder may also present any creative approaches that might be appropriate and may provide any pertinent supporting documentation.

## 17. Work Plan

**(MANDATORY/SCORED)** See Appendix Excel Document

In addition to the SOW, Bidder’s shall produce a work plan that is in alignment with the SOW and the Resource Plan. Include all project requirements and the proposed tasks, services, activities, etc. necessary to accomplish the scope of the project defined in this RFP. This section of the technical proposal shall contain sufficient detail to convey to members of the Evaluation Team the Bidder’s knowledge of the subjects and skills necessary to successfully complete the project.

It should follow standards for project phases and activities and should cover all aspects of the project. At a minimum, the Work Plan will include:

* Major Dependencies
* A proposed Work Breakdown Structure
* Sequencing of activities for strategy development

## 18. Resource Plan

**(MANDATORY/SCORED)** See Appendix Excel Document

A resource plan provides both Bidder and WSP with a tool to identify critical resources for the project’s success and determine the level of commitment needed by those resources to secure the success of the project. The Resource Plan identifies:

* Roles of Bidder and WSP staff
* Role assignments at the task level
* Number of personnel Bidder will assign
* Timing of assignments

These elements are to be considered by Bidder in the development of their Proposal.

## 19. Outcomes & Performance Measurement

(**MANDATORY/SCORED)** See Appendix Excel

Document

Describe the impacts/outcomes the bidder’s propose to achieve as a result of the delivery of these services including how these outcomes would be monitored, measured and reported to the state agency.

## Internal Controls & Risks & Quality Assurance

**(MANDATORY/SCORED)** See Appendix

Excel Document

Bidder shall identify internal controls and the type of management controls to be used during the course of the project and potential risks that are considered significant to the success of the project. Include how the Bidder would propose to effectively monitor and manage these risks, including reporting of risks to the WSP contract manager.

Give a description of the quality assurance employed to ensure the integrity of the process and the quality control methods to ensure the services meet expected standards.

## Project Deliverables & Project Schedule & Cost Breakdown

(**MANDATORY/SCORED)** See Appendix Excel Document

Fully describe deliverables to be submitted under the proposed contract NOT detailed elsewhere in the bid response including the reporting processes used to provide project status throughout the project

Include a project schedule indicating when the elements of the work will be completed and when deliverables, if any, will be provided NOT detailed elsewhere in the bid response. Provide a conceptual project schedule for completing the services.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **SAMPLE – Deliverables, Cost & Schedule Proposal Compensation Table & Details** | | | | | |
| **Deliverable** | **Comments & Bidder(s) Assigned Staff for the Deliverable** | **EST. Hours** | **Estimated Completion**  **Date** | **Cost** | **Cost with Taxes** |
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|  | | | |  |  |
| **Maximum Compensation for This Contract Not to exceed** | | | | **$491,000.00** | |

The contract to be awarded from this RFP will be a fixed-price, deliverable-based contract. Bidder will be compensated based on their timely and successful completion of each of the deliverables and full acceptance of these deliverables by the WSP. Any number of estimated hours for completion of a deliverable or activity and any hourly rate to be proposed or provided by Bidders are for informational purposes only. Bidder will not be compensated based on hourly rate and the method of payment or compensation will not be on time and material. Therefore, the actual number of hours worked or spent by a Bidder for completion of a deliverable may exceed or fall short of the estimated hours proposed.

Bidders must be able to successfully complete and in a timely manner all deliverables identified in the fixed-cost deliverable worksheet as provided in the Appendix C Part 2, Proposal Questionnaire: Deliverables & Cost Proposal Compensation Table & Details excel document.

Compensation for work associated with the Contract awarded from this RFP will be based on completion of the deliverables described herein. Milestone payment for each deliverable will be due within a specified reasonable timeframe upon submittal, approval, and acceptance of the completed deliverable by WSP and received of an invoice from the Bidder. Invoices must be prepared in accordance with the billing procedures as described in the Contract, and presented to the WSP for payment upon written acceptance by the WSP of the completed deliverable.

This Contract may be renegotiated to provide for additional services subject to continued satisfactory completion of work as specified herein and written approval from the WSP.

**MANAGEMENT PROPOSAL**

## Project Management/ Project Team Structure

**(MANDATORY/SCORED)** See Appendix Excel Document.

Provide a brief description of its entity (including business locations, size, areas of specialization and expertise, customer base and any other pertinent information that would aid an evaluator in formulating a determination about the stability and strength of the entity).

Provide an organizational chart of your Firm indicating lines of authority for personnel by role involved in performance of this potential contract and relationships of this staff to other programs or functions of the firm. This chart shall also show lines of authority to the next senior level of management.

Provide a description of the proposed project team structure to be used during the course of the project, including any subcontractors. Include who within the firm will have prime responsibility and final authority for the work by their role. List key personnel by their role that will handle the project. The personnel roles listed must be committed to this project for the expected term of the agreement.

## Staff Qualifications of Individual(s) Proposed & Exp

**erience (MANDATORY/SCORED)**

See Appendix Excel Document

The proposal shall describe the experience of the company and the proposed individuals in completing work similar to the scope of work required by WSP. Provide concise and relevant examples. Provide references for specific experience cited and other references relevant to the work proposed.

• Indicate the responsibilities and qualifications of the staff Identified in the project team structure above including subcontractors, who will be assigned to the potential contract. May include a bio outlining the experience of the key personnel that will be involved.

* Include information on the individual’s particular skills related to this project, education, experience, significant accomplishments and any other pertinent information.
* The proposal must include resumes for the individuals proposed to do the work.

• The Bidder shall commit staff identified in its proposal will actually perform the assigned work.

• Any staff substitution shall have the prior approval of the WSP.

## Prior Company Experience/Experience of the Bidder

**(MANDATORY/SCORED) See**

Appendix Excel Document

Prior experience conducting LMR plans and similar projects Bidder has provided, including other LMR plans other law enforcement agencies and project references.

Indicate relevant experience that indicates the qualifications of the Bidder, and any subcontractors, for the performance of the potential contract.

## Proposal Questionnaire: Cost Proposal

**(MANDATORY/SCORED)** See Appendix Excel Document

Proposals shall not exceed $491,000 including all fees and taxes. Proposals above $491,000 (including all fees and taxes) will be considered non-responsive and will be disqualified from further consideration

## Required Statements and Certifications

Pursuant to statute, the Proclamation is a legal requirement, having the force and effect of law. Any person who willfully violates the Proclamation is guilty of a gross misdemeanor. See RCW 43.06.220(5). This section includes the required statements, forms, and certifications associated with this procurement. See Appendices.

## Wage Theft/ Wage Laws Certification

Prior to awarding a contract, agencies are required to determine that a bidder is a ‘responsible bidder,’ per [**RCW 39.26.160(2) & (4)**](http://app.leg.wa.gov/RCW/default.aspx?cite=39.26.160). Pursuant to legislative enactment in 2017, the Bidder shall certify that the Bidder has not willfully violated Washington’s wage laws.

## Worker’s Right, Executive Order (EO) 18-03

## (OPTIONAL/ SCORED)

Pursuant to [**RCW 39.26.160(3)**](https://app.leg.wa.gov/RCW/default.aspx?cite=39.26.160) (best value criteria) and consistent with EO 18-03- Supporting Workers’ Rights to Effectively Address Workplace Violations (dated June 12, 2018), Washington State Patrol will evaluate proposal for best value and provide a proposal preference in the amount not to exceed five (5) percent points to any bidder who certifies, pursuant to the Bidder’s Offer, Certification, and Assurances appendix for Executive Order 18-03 – Workers’ Rights certification appendix, 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.

The indicated point value for each preference and priority is the value that a Bidder can receive in addition to the final score. Bidder must qualify per the terms outlined in each section. To certify or for self-certification see the Offer, Certification, and Assurance Appendix.

## Veteran-Owned Business

(**OPTIONAL/ SCORED)**

In furtherance of Washington’s business inclusion goals, WSP will evaluate proposals for best value and will provide a bid preference in the amount not to exceed three (3) percent points to any bidder who certifies, pursuant to the Bidder’s Offer, Certification, and Assurances appendix, their firm status as a certified or self-certified veteran-owned business under RCW 43.60A.190 and is identified as such on WEBS (which is confirmed by the Washington Department of Veterans’ Affairs). To certify or for self-certification see the Offer, Certification, and Assurance Appendix B.

The indicated point value for each preference and priority is the value that a Bidder can receive in addition to the final score. Bidder must qualify per the terms outlined in each section.

## Small Washington Business

(**OPTIONAL/ SCORED)**

In furtherance of Washington’s business inclusion goals, WSP will evaluate proposals for best value and will provide a bid preference not to exceed three (3) percent to any bidder who certifies or self-certifies, pursuant to the Bidder’s Offer, Certification, and Assurances appendix, and documents its status as a ‘Washington small business’ as defined in RCW 39.26.010(22). For self-certification form see Appendix. A Washington small business means an in-state business, including a sole proprietorship, corporation, partnership, or other legal entity, that:

* Certifies on WEBS, under penalty of perjury, that it is owned and operated independently from all other businesses and has either:
* Fifty or fewer employees; or
* A gross revenue of less than $7 million annually as reported on its federal income tax return or its return filed with the department of revenue over the previous three consecutive years; or
* Is certified with the office of women and minority business enterprises under chapter [39.19](http://app.leg.wa.gov/RCW/default.aspx?cite=39.19) RCW.

The indicated point value for each preference and priority is the value that a Bidder can receive in addition to the final score. Bidder must qualify per the terms outlined in each section. To certify or for self-certification see the Offer, Certification, and Assurance Appendix.

## Exceptions to Model Draft Contract

The ASB shall be expected to enter into a contract which is substantially the same as attached Attachment B – Model Draft Contract. In no event is a Bidder to submit its own standard contract terms and conditions in response to this solicitation. If the Bidder does not notify WSP of any exceptions to the Model Draft Contract at the time the proposal is submitted, the Bidder will be deemed to have accepted the terms of the Model Draft Contract.

Issues, concerns, exceptions or objections to any of the terms or conditions contained in the Contract and Project documents must be set out in writing by the Bidder in the Exceptions to Model Draft Contract. The Exceptions to Model Draft Contract response must set out by section or paragraph a description of each issue, concern, exception and/or objection using the Appendix document included in the proposal submission. The Exceptions to the Model Draft Contract must also provide the reason or rationale supporting the issue, concern, exception, or objection and then propose a compromise that is reasonable in light of the commitment being sought by WSP. Stating that a paragraph is "not acceptable" or supplying proposed Contract terms without describing the reason or rationale will not be considered. If the Exceptions to Model Draft Contract in the Appendix document included in the proposal submission, fails to identify a particular term or condition, the term or condition will be deemed accepted, and WSP will not negotiate further changes to such paragraphs or sections.

The Bidder must propose all Exceptions with their proposal submission in the Appendix document, in this format and must incorporate any Third Party or other Subcontractor’s exceptions as well. WSP reserves the right to discuss the Exceptions to the Model Draft Contract with the Bidders and require Bidders to clarify the Exceptions any time after the evaluations. The Exceptions to Model Draft Contract frames discussions between WSP and Bidders regarding the Terms and Conditions contained in the Contract and proposal documents. Any changes to the Exceptions to the Model Draft Contract may require Bidder to clarify, revise, and resubmit their Exceptions.

**Redlined Documents Will Not Be Reviewed**

The Exceptions to Model Draft Contract is the mechanism to communicate issues and concerns on the Contract and Project documents. Do not provide in the Proposal, in the Exceptions to Model Draft Contract or otherwise, a redlined contract. The Bidder must copy the contract language from the Model Contract to the Exception to the Model Draft Contract and use track changes to modify the language.

**Standard Bidder Contracts Will Not Be Reviewed**

Bidders own standard contract terms and conditions in response to this RFP is not allowed. Do not provide a copy of Bidder's standard Contract or proposed language to WSP in the Proposal. The Bidder’s standard Contract will not be reviewed by WSP.

The Exceptions to Model Draft Contract will be used initially to determine the responsiveness of the Proposal depending on the nature of the exceptions and whether they impact the ability of the proposal to meet project requirements. The number and nature of the items on the Bidders Exceptions to Model Draft Contract may factor into WSP’s determination of the likelihood of completing a Contract with the Bidder. Proposed exceptions to contract terms and conditions that violate Washington state law or Washington procurement rules and standards will not be accepted and may result in disqualification of a proposal.

## Selection of Finalists

Proposals received shall be evaluated as described in Evaluation Process and Criteria and Evaluation Approach.

# PROCUREMeNT Requirements

## No Changes to Material Terms

Bidders are reminded that this is a competitive solicitation for a public Contract and that WSP cannot accept a Proposal or enter into a Contract that substantially changes the material terms and specifications published in this RFP.

Bidders are also instructed to base their Cost Response on the Model Draft Contract, not terms as proposed by the Bidders.

## Proprietary Information/Public Disclosure

WSP is subject to the Public Records Act (chapter 42.56 RCW). All Proposals received shall remain confidential until announcement of the ASB as provided in the RFP; thereafter, the Proposals shall be deemed public records as defined in the Public Records Act.

To the extent consistent with [Chapter 42.56 RCW, the Public Records Act](http://apps.leg.wa.gov/RCW/default.aspx?cite=42.56) and Chapter 143-06 of the Washington Administrative Code, WSP shall maintain the confidentiality of Bidder’s information marked confidential or proprietary. Marking the entire proposal exempt from disclosure shall not be honored. If any information is marked as proprietary in the proposal, such information shall not be made available until the affected proposer has been given an opportunity to seek a court injunction against the requested disclosure or the requester and Bidder reach an agreement on the extent of such disclosure, which agreement shall be forwarded to WSP by the requester prior to WSP’s date for the proposed disclosure. If Bidder fails to obtain the requester agreement or the court order enjoining disclosure, WSP shall release the requested information on the date specified.

The Bidder must be reasonable in designating information as confidential. Any information contained in the Proposal that is proprietary or confidential must be clearly designated. Each page claimed to be exempt from disclosure must reference the specific basis claimed under [Chapter 42.56 RCW, the Public Records Act](http://apps.leg.wa.gov/RCW/default.aspx?cite=42.56) or other state or federal law that provides for the nondisclosure of your Proposal information. Any portion which you claim to be proprietary, confidential or exempt from disclosure must be clearly identified by the word “Confidential” printed on the lower right hand corner of the page. Marking of the Cost Proposal as proprietary or confidential shall not be accepted nor honored. Any attempts to restrict disclosure through use of footers on every page and/or statements restricting disclosure shall not be honored and may subject Bidder to disqualification.

The state’s sole responsibility with regard to matters in the Proposal marked confidential or proprietary shall be limited to maintaining the information in a secure area and to notify Bidder of any request(s) for disclosure within five (5) years of the announcement of the Apparent Successful Bidder. For further details on how WSP handles requests for public records, please go to the Public Records section of our website at [**http://www.wsp.wa.gov/publications/disclosure.htm**](http://www.wsp.wa.gov/publications/disclosure.htm)**.**

When a Bidder requests for public information, a charge shall be made for copying and shipping, as outlined in RCW 42.56.120. No fee shall 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.

## Acceptance Period

Proposals must provide 90 days for acceptance by WSP from the due date for receipt of proposals.

## Responsiveness/Non-Responsiveness

All proposals shall be reviewed by the RFP Coordinator to determine compliance with administrative requirements and instructions specified in this RFP. The Bidder is specifically notified that failure to comply with any part of the RFP may result in rejection of the proposal as non-responsive.

WSP also reserves the right, however, at its sole discretion to waive minor administrative irregularities.

WSP may determine a proposal at any time as non-responsive for any of the following reasons:

* Proposal is not received by the required deadline;
* Incomplete Proposal is submitted;
* Submission of a Proposal that proposes services that deviate from the technical requirements set forth in this document;
* Failure to comply with any part of this RFP or any exhibit or appendix to this RFP;
* Submission of incorrect, misleading, or false information;
* Required form(s) not signed; or
* Proposal is not in the required format;
* Proposals that propose alternate or additional terms and conditions. The Exceptions to Model Draft Contract may be used initially to determine the responsiveness of the Proposal. WSP may consider the number and nature of the items on the Bidders Exceptions to Model Draft Contract in determining the likelihood of completing a Contract with the Bidder.

If a proposal is found to be non-responsive, the Proposal will not receive any further consideration.

## Proposal Property of WSP

All materials submitted in response to this procurement become the property of WSP. WSP shall not own the underlying intellectual property rights (e.g., trademarks) contained in the proposals submitted in response to this procurement. WSP has the right to use any of the ideas presented in any material offered. Selection or rejection of a proposal does not affect this right.

## Bidder as Prime Contractor

The selected Bidder shall be responsible for the implementation and performance of the scope of work. The Bidder shall be the sole point of contact with respect to all contractual matters, including any and all contract performance issues and obligations. Additionally, the Bidder is responsible and accountable for all obligations delegated to a subcontractor or third party.

Bidders may subcontract with third party subcontractors provided that all proposals on behalf of multiple Bidders must be consolidated into a single proposal and identify a single Bidder as the “Prime Bidder” and all other Bidders as “subcontractors.” A Bidder may only act as a Prime Bidder for one proposal. Only one contract (and not a series of separate contracts) shall be entered into between WSP and the successful Bidder. The Bidder must ensure that appropriate contractual relationships are established with all subcontractors. The Bidder must identify all existing or proposed contracts with subcontractors related to this Statement of Work. Subcontractors are required to comply with the same security requirements as the Bidder (e.g., fingerprint background checks). WSP reserves the right to request a replacement subcontractor during any stage of the procurement.

## RFP Written and Oral Communication with Bidders

Bidders shall be accorded fair and equal treatment with respect to any opportunity for discussion or communications about their Proposal. As required by RCW 39.26, the RFP is being conducted as a competitive solicitation requiring a documented formal process providing an equal and open opportunity to Bidders and culminating in a selection based on predetermined criteria. Accordingly, WSP shall not be scheduling meetings with any potential Bidder except as set forth in the RFP and the RFP Schedule of Events.

Once Proposals are submitted, WSP shall communicate with Bidders only for the limited purpose of clarifying such factors as may be necessary for WSP to determine the lowest responsive and responsible Bidder. Discussions may be conducted with Bidders for the purpose of clarification to assure full understanding of, and Bidder responsiveness to, the RFP requirements. WSP may request meetings with Bidder for this purpose. In conducting discussions, there shall be no disclosure of any information derived from Proposals submitted by competing Bidders.

Some opportunities for dialogue between WSP and Bidders have been structured into the RFP Schedule of Events. WSP may, at its discretion, conduct additional communications with Bidders to clarify Proposals, or to respond to information relating to relevant past performance. All these communications, whether oral or written, shall be referred to as “discussions.”

Such discussions may not be used to change the terms or specifications of a Proposal or to solicit such changes, cure Proposal deficiencies or omissions, alter the technical or cost elements of the Proposal or otherwise revise the Proposal. Discussions may be used to eliminate minor irregularities, informalities or apparent clerical mistakes in the Proposal.

## Revisions to the RFP

In the event it becomes necessary to revise any part of this RFP, addenda shall be provided and posted on WEBS in the same manner as the original RFP. For this purpose, the published questions and answers and any other pertinent information shall be provided as an addendum to the RFP.

Any changes or corrections to the RFP shall be made as an amendment and notification shall be in the same manner as the original RFP and posted on WEBS. If there is any conflict between or among addenda, or between an addendum and the RFP, whichever document was issued last in time shall take precedence.

## Errors and Omissions

If the Bidder discovers any discrepancy, error, or omission in this RFP or in any of the attached appendices or attachments, the Bidder shall notify the RFP Coordinator immediately. If WSP is in agreement with the notice, an amendment shall be posted on WEBS in the same manner as the original RFP.

If the Bidder does not notify WSP of any discrepancy, error, or omission discovered in this RFP or submit any complaint or exceptions to the contract, the Bidder shall be deemed to have accepted all terms of the RFP.

## Right to Cancel

WSP reserves the right to cancel all or part of this RFP or reissue at any time without obligation or liability.

## Bidder Questions and Answers

Specific questions concerning this RFP should be submitted in writing via e-mail to the RFP Coordinator. Questions must be received by the RFP Coordinator no later than the date and time as specified in the RFP Schedule of Events. Official answers to the Bidders’ questions shall be issued and posted on WEBS. The Bidders that submit questions shall not be identified. Only written responses posted to WEBS shall be considered official and binding. Bidders shall not be contacted directly in response to their questions.

## Complaint Process

WSP intends to undertake this procurement process in a fair and impartial manner. The complaint process is designed to accept complaints and issues about the procurement process and resolve them expeditiously. The purpose of the complaint process is to settle unresolved Bidder issues or concerns that either were not, or could not, be resolved during the question and answer period. Bidder complaints may not be raised again during the Protest process.

Bidders are expected to raise any questions they have concerning the RFP early in the process.

**Criteria for Complaint**

* If a Bidder believes the RFP unnecessarily restricts competition, or
* contains inadequate or insufficient requirements to prepare a response, or
* utilizes an evaluation process that is unfair or flawed

The Bidder may submit a formal written email complaint to the RFP Coordinator. The complaint process allows Bidders to focus on the RFP requirements and evaluation process and raise issues with these processes early enough to allow WSP to correct a problem before Proposals are submitted and time expended on evaluations.

**Complaint Deadline**

The complaint period ends five (5) business days before the proposal due date.

**Initiating a Complaint**

If a Bidder has a complaint about the procurement process they shall send their complaint to the RFP Coordinator via email

* Be submitted to and received by the RFP Coordinator no less than five (5) business days prior to the deadline for proposal submittal, and
* Be in writing and clearly articulate the basis of the complaint and explaining the issue and the impact on their organization.
* Should clearly articulate the basis of the complaint must include a proposed remedy.

**Complaint Handling and Response**

The RFP Coordinator shall upon receipt record the complaint and forward a copy of the complaint to the WSP Budget and Fiscal (BFS) Chief Contracts Officer (or designee). Complaints which are filed in accordance with the terms of the RFP shall be promptly investigated and a response provided before the deadline for submitting bids.

The RFP Coordinator, in consultation with the BFS Chief Contracts Officer (or designee), shall consider the complaint, evaluate the issue, and make a determination regarding the substance of the complaint.

The following actions can be taken to remedy a complaint:

* Deny the complaint.
* Issue an amendment to the RFP.
* Issue a statement of clarification or information to all Bidders.

**Response is Final**

WSP reserves the right to modify the RFP if it is determined, at the sole discretion of the WSP that the complaint is valid or the recommended change is in the best interest of the WSP. The WSP‘s decision is final and no appeal process shall be available to the Bidder once a decision has been made.

WSP’s response to the complaint, including any resulting changes to the RFP, shall be posted on WEBS. The WSP Chief shall be notified of the complaint and provided with a copy of WSP’s response. Bidder shall be notified directly if Complaint does not result in any changes.

## Diversity Participation

In accordance with the intent of Chapter 39.26.005 RCW, the state encourages agency purchases of goods and services from state small businesses. State small business, mini-business, and micro-business are defined in RCW Chapter 39.26.010 (21), (18), and (17) respectively. For information on how small business status impacts the scoring process, see the Appendices.

In accordance with Chapter 43.60A.200 RCW, the state encourages participation in all of its procurement contracts from firms certified by the Washington State Department of Veterans Affairs (DVA). For information on these certified firms, Bidders may contact DVA at [**http://www.dva.wa.gov/BusinessRegistry/**](http://www.dva.wa.gov/BusinessRegistry/)**.** For more information on how veteran-owned status impacts the scoring process, see the Appendices.

**Economic Goals**

In support of the state’s economic goals, bidders are encouraged to consider the following in responding to this RFP:

* + Support for a diverse supplier pool, including veteran-owned, minority-owned, and women-owned business enterprises.
  + Achievement of these goals is encouraged whether directly or through subcontractors.
  + Bidders may contact the [Office of Minority and Women’s Business Enterprises](http://www.omwbe.wa.gov/) for information on certified firmsor to become certified.
  + Veterans and U.S. active duty, reserve or National Guard service-members are eligible for the registry. The veteran or service-member must control and own at least fifty-one (51) percent of the business and the business must be legally operating in the State of Washington. Control means the authority or ability to direct, regulate or influence day-to-day operations.

While participation in these programs is encouraged, no minimum level of participation shall be required as a condition for receiving an award and proposals shall not be rejected or considered non-responsive on that basis.

In some cases, a small business as described above may also be certified by the Office of Minority and Women’s Business Enterprises (OMWBE) in accordance with Chapter 39.19 RCW. For information of these certified firms, Bidders may contact OMWBE at: [**http://www.omwbe.wa.gov/**](http://www.omwbe.wa.gov/)**.**

Bidders must identify in Appendix B –Offer, Certifications, and Assurances, Bidder Diversity Requirements if they, or any subcontractors, meet the definitions and/or are certified as described above.

## Most Favorable Terms

WSP reserves the right to make an award without further discussion of the proposal submitted in Stage 2 of the procurement process. Therefore, the proposal should be submitted on the most favorable terms which the Bidder can propose. WSP may, at its option, contact a Bidder for clarification of its proposal.

It is understood that the proposal shall become a part of the official procurement file on this matter without obligation to WSP.

## Cost to Propose and Participate in the Procurement

WSP shall 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 demonstration, or any other activities related to responding to this RFP.

## No Obligation to Contract

WSP reserves the right to refrain from contracting with any and all Bidders. Neither the release of this RFP nor other activities surrounding this solicitation obligates the State of Washington or WSP to make any purchases. Proposals made by Bidders are offers to Contract and shall not be binding upon WSP until accepted by execution of the Contract.

## Waive Minor Administrative Irregularities

WSP reserves the right to waive minor administrative irregularities contained in any proposal. Additionally, WSP reserves the right, at its sole option, to make corrections to Bidders’ proposals when an obvious arithmetical error has been made in the price quotation. Bidders shall not be allowed to make changes to their quoted price after the proposal submission deadline.

## Errors in Proposal

Bidders are liable for all errors or omissions contained in their proposals. Bidders shall not be allowed to alter proposal documents after the deadline for proposal submission. WSP is not liable for any errors in proposals. WSP reserves the right to contact Bidder for clarification of proposal contents.

In those cases where it is unclear to what extent a requirement or price has been addressed, the Evaluation Team(s) may, at their discretion and acting through the RFP Coordinator, contact a Bidder to clarify specific points in the submitted proposal. However, under no circumstances shall the responding Bidder be allowed to make changes to the proposed items after the deadline stated for receipt of proposals or best and final offers.

## Rejection of Proposals

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

## Rejection Due to Unsatisfactory Performance

According to RCW 39.26.160, WSP may reject Proposals of any Bidder who has failed to perform satisfactorily under any previous contract. WSP shall notify the Bidder of such a rejection.

## Commitment of Funds

The Chief of the Washington State Patrol or those with authority delegated by the Chief of the Washington State Patrol are the only individuals who may legally commit WSP to the expenditures of funds for a Contract resulting from this RFP. No cost chargeable to the proposed Contract may be incurred before receipt of a fully executed Contract.

## Incorporation of Documents into Contract

This solicitation document, the proposal, and additional written information from demonstrations or oral interviews that further clarify the proposal shall be incorporated into any resulting Contract.

## Non-Endorsement and Publicity

In selecting a Bidder to supply services to the state of Washington, the state is neither endorsing a Bidder’s products or services, nor suggesting that they are the best or only solution to the state’s needs. By submitting a proposal, the Bidder agrees to make no reference to WSP or the state of Washington in any literature, promotional material, brochures, sales presentation or the like, regardless of method of distribution, without the prior review and express written consent of WSP.

## Withdrawal of Proposal

Bidders may withdraw a proposal that has been submitted at any time up to the proposal due date and time as identified in RFP Schedule of Events. To accomplish proposal withdrawal, a written request signed by an authorized representative of Bidder must be submitted to the RFP Coordinator. After withdrawing a previously submitted proposal, the Bidder may submit another proposal at any time up to the proposal submission due date and time.

## Selection of Apparently Successful Bidder (ASB)

Upon successful completion of the evaluation process and selection and evaluation approach of the RFP, WSP shall announce that Bidder as the ASB. WSP shall notify the ASB of selection in writing. Announcement of the ASB shall be posted to WEBS. WEBS posting shall be official notification to all Bidders of the ASB.

After the announcement of the ASB, WSP shall offer a debriefing conference to any Bidder.

Consistent with RCW 39.26.030, following the announcement of the ASB, Proposal and bid evaluations shall be made available for public inspection.

## Execution of Contract and Commitment of Funds

After WSP and the ASB have reached mutual agreement on the contract terms, the Bidder shall sign and tender the Contract to WSP for acceptance and ratification by the designated WSP contracting authority. While the intent is to follow the RFP Schedule of Events, WSP shall have sixty (90) business days to sign, accept and ratify the tendered Contract offer.

Following announcement of the ASB, WSP anticipates it shall execute a final Contract for the project as tendered to WSP. The Contracting Officer (WSP Chief or designee) is the only governmental authority who may legally commit WSP to the expenditure of funds for a Contract resulting from this RFP. No costs chargeable to the proposed Contract may be incurred or encumbered by WSP before receipt of a fully executed Contract approved by the WSP Contracting Officer. WSP may not sign a Contract before the Protest process is completed except when the Director of DES grants WSP the authority to do so due to exigent circumstances.

## Negative Findings

Each Bidder must disclose in their proposal if the Bidder, Subcontractors or any of their principal owners or partners have been debarred or prohibited from submitting a Proposal, having a Proposal considered or entering into a public contract by any public entity or governmental agency within the last five years. If applicable, a Bidder must make such disclosure in the Bidder’s Offer, Certification, and/or Assurances Appendix.

A Bidder must indicate whether the Bidder, or other Subcontractors, or any of the Bidder or subcontractor principal owners, officers or partners are currently under investigation for or have been convicted within the last five (5) years of any of the following:

* Conviction for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract.
* Conviction or a final determination in a civil action under state or federal statutes of fraud, embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, violation of the federal false claims act, 31 U.S.C. Sec. 3729 et seq., or the state Medicaid fraud false claims act, chapter [74.66](http://apps.leg.wa.gov/rcw/default.aspx?cite=74.66) RCW, or any other offense indicating a lack of business integrity or business honesty that currently, seriously, and directly affects responsibility as a state contractor.
* Conviction under state or federal antitrust statutes arising out of the submission of Proposals.

Submit full details of the terms of the incident including the customer and/or other adverse party name, address, and telephone number. Present the Bidder’s position on the matter. WSP reserves the right to contact the customer or other adverse party and their representatives for further investigation of the incident. WSP will evaluate the facts and may, at its sole discretion, reject the Proposal on the grounds of the past conviction, pursuant to the Bidder’s Offer, Certification, and Assurances appendix.

If no such criminal conviction has been experienced by the Bidder or other Subcontractors in the past five (5) years, so indicate, pursuant to the Bidder’s Offer, Certification, and Assurances appendix.

If the Bidder or other Subcontractor has had a customer contract terminated for default, threatened to be terminated for default or has received a written notice of default in the last five (5) years, describe such incident. For publicly-held companies, do not refer WSP to Bidder's financial statements or state that there is no material litigation; rather, any customer contract arrangements that fall within the foregoing description must be disclosed.

## Contracting Restrictions

The terms set forth in this Section constitute the WSP Negotiation Procedure. Specific restrictions apply to contracting with current or former state employees pursuant to Chapter 42.52 RCW. This section summarizes the statute. Bidders must familiarize themselves with such requirements prior to submitting a proposal. Bidders must comply with these restrictions and are required to meet all the applicable requirements in the statute.

Bidders, subcontractors, and individuals that have assisted in preparation of the RFP or with project management oversight of this project, are precluded from bidding or submitting a proposal for this RFP.

The Bidder shall not compensate in any manner, directly or indirectly, any officer, agent or employee of the WSP for any act or service that he/she may do, or perform for, or on behalf of, any officer, agent, or employee of the Bidder. No officer, agent, or employee of the WSP shall have any interest, directly or indirectly, in any contract or purchase made, or authorized to be made, by anyone for, or on behalf of, the WSP or the State of Washington.

The Bidder shall have no interest and shall not acquire any interest that shall conflict in any manner or degree with the performance of the services required under the Contract resulting from this RFP.

# INSURANCE COVERAGE

## 61. General

During the term of any Contract resulting from this RFP, the Bidder shall maintain in full force and effect, the insurance & requirements for Proof of Insurance described in the Model Draft Contract under Exhibit B General Terms and Conditions, Insurance. The Bidder shall acquire such insurance from an insurance carrier or carriers licensed to conduct business in the state of Washington and having a rating of A-, Class VII or better, in the most recently published edition of Best’s Reports. In the event of cancellation, non-renewal, revocation or other termination of any insurance coverage required by the Contract, the Bidder shall provide written notice of such to WSP within one (1) Business Day of the Bidder’s receipt of such notice. Failure to buy and maintain the required insurance may, at WSP’s sole option, result in the Contract’s termination.

## 62. Licensing, Accreditation, and Registration

The Bidder shall comply with all applicable local, state, and federal licensing, accreditation and registration requirements/standards, necessary for the performance of this Contract.

# 5. IN PERSON MEETINGS REGARDING COVID & PRE BID ZOOM

## 63. In Person Meetings & Location of Meeting

Any meetings that are held in-person will be conducted at a location to be determined by WSP. However, to the extent possible, meetings will be conducted by electronic means in accordance with state and federal regulations to prevent the spread of COVID-19.

At all times during the term of the RFP process and during the term of the ASB Contract , the Bidder shall comply with all applicable federal, state, and local laws and regulations, including but not limited to, nondiscrimination laws and regulations.

**COVID-19 Vaccination Requirement.**  Contractor shall abide by the vaccination requirements of Governor Jay Inslee’s Proclamation 21-14.1. Contractor Staff who are reasonably likely or contractually obligated to engage in work while physically present at a building, facility, jobsite, project site, unit, or other defined area owned, leased, occupied by, or controlled by WSP after October 18, 2021 must be fully vaccinated against COVID-19 unless they have been granted a valid medical or religious accommodation by Contractor. Contractor shall obtain a copy of, or visually observe proof of full vaccination against COVID-19 for all Staff who are subject to the vaccination requirement in the Governor’s Order. Contractor shall follow the requirements for granting medical and religious accommodations to Contractor’s Staff that apply to State Agencies under the Governor’s Order. Contractor and Contractor Staff shall provide proof of such vaccination or accommodation upon request by WSP. Contractor shall cooperate with any investigation or inquiry WSP makes into the employer’s compliance with these requirements, including by providing information and records upon request, except any information or records that the employer is prohibited by law from disclosing. Appendix B Part 2, Contractor Certification 21 – 14.1 Employer Declaration is attached hereto and incorporated herein and must be returned with the initial proposal.

## 64. Pre Bid Conference - Attendance is strongly encouraged

A Pre-Bid Conference will be held as specified in the RFP Schedule of Events. Bidders are encouraged to attend and participate. Attendance is not mandatory. The purpose of the Pre-Bid conference is to clarify the RFP and raise any issues or concerns that bidders may have. If interpretations, specifications or other changes to the RFP are required as a result of the conference, the RFP Coordinator will post an amendment to this RFP to WEBS. Accommodations for persons with disabilities and persons with sight or hearing impairments who wish to attend the Pre-Bid Conference is available with prior arrangement by contacting the RFP Coordinator.

WSP plans to provide a brief overview of the following topics:

* Background
* RFP Schedule and Scoring
* Bidder Questions and Answers

Conference will be held through Zoom. Login information is below. Attendance will be taken during the Pre-Bid Conference.

**Topic:** Pre-Bid Conference Meeting

**Time:** Nov 16, 2021 02:00 PM Pacific Time (US and Canada)

**Location:** Virtual- Zoom

**Facilitator:** Julie Hannah, WSP RFP Coordinator

Join Zoom Meeting

<https://zoom.us/j/93917795904?pwd=UUhKRERIYVA3Mm1jdTlieDFvNXNYZz09>

Meeting ID: 939 1779 5904

Passcode: 478702

One tap mobile

+12532158782,,93917795904#,,,,\*478702# US (Tacoma)

+13462487799,,93917795904#,,,,\*478702# US (Houston)

Dial by your location

        +1 253 215 8782 US (Tacoma)         +1 346 248 7799 US (Houston)

        +1 669 900 6833 US (San Jose)         +1 301 715 8592 US (Washington DC)

        +1 312 626 6799 US (Chicago)         +1 929 205 6099 US (New York)

Meeting ID: 939 1779 5904

Passcode: 478702

Find your local number: <https://zoom.us/u/a2vbvSQvd>

Join by Skype for Business

<https://zoom.us/skype/93917795904>

# CRITERIA AND EVALUATION APPROACH

**CRITERIA AND EVALUATION APPROACH**

**This section describes the evaluation of Proposals. Evaluation Process and Selection**

## 65. Selection Criteria

The Evaluation Team is determined by the WSP, and may include representatives from the WSP business and technical units. The Evaluation Team will consider how well the Bidder’s proposal meets all requirements detailed in this RFP. Proposals should be clear and complete so the evaluators can adequately understand all aspects of the proposal.

This RFP and the evaluation of proposals shall be made in conformance with applicable WSP procurement policies and Washington State law. Responsive proposals will be evaluated strictly in accordance with the requirements stated in this RFP and any addenda issued. The evaluation of proposals shall be accomplished by an Evaluation Team to be designated by the WSP, which will determine the scoring of the proposals.

The proposal must contain information that will demonstrate to the Evaluation Team the Bidder’s understanding of the requirements, the Bidder’s ability to provide the service, and the ability to meet timeframes.

The WSP’s evaluation process may include, but not be limited to, evaluating Bidder’s information, written proposals to the RFP, references, and other public information available regarding the Bidder and its services/product.

The evaluation process is designed to award this RFP to the Bidder who is qualified, reliable, experienced, and capable of providing effective and quality services, and whose proposal best meets the requirements. Bidders are encouraged to submit proposals which are consistent with state government efforts to conserve state resources.

The decision shall be based on consideration of the total best value. Best value includes, but is not limited to, the responsiveness of the Proposal to the requirements as set forth in the RFP, the competence and responsibility of the Bidder, quality of service, breadth and depth of offering, the strength and form of contractual commitments made by Bidder to WSP and total cost.

Items in the Checklist for Responsiveness appendix and items in the Proposal Questionnaire appendix marked Mandatory must be included as part of the proposal for the proposal to be considered responsive. Items marked Scored are those that are awarded points as part of the evaluation conducted by the Evaluation Team. Items marked not scored/not mandatory, will not be scored.

## 66. Evaluation Approach

The evaluation process includes steps identified below. The Evaluation process is intended to identify the Proposal that is in WSP’s best interest and offers WSP the best value, which may not necessarily be the Proposal with the lowest cost. Best value includes, but is not limited to, the responsiveness of the Proposal to the requirements as set forth in the RFP, the competence and responsibility of the Bidder, quality of service, scope and depth of offering, the strength and form of contractual commitments made by the Bidder to WSP and Bidder’s total cost.

The evaluation process evaluates Bidder Proposals in a structured step-by-step approach.

| Stage/Step | Description |
| --- | --- |
| **Stage 1/**  **Step 1: Administrative Screening, Contract Exceptions Review, Minimum Qualifications** | * Proposals shall be reviewed by WSP to determine, on a pass/fail basis, compliance with administrative requirements as specified in the RFP. * WSP shall evaluate the Exceptions to Model Draft Contract to determine, on a pass/fail basis, if proposals are responsive. * **WSP will consider the completeness of, and potential gaps in, the Minimum Qualifications requirements.**   These steps shall determine, on a pass/fail basis, which Bidders advance to **Stage 2** |
| **Stage 2/**  **Step 1: Score Written Proposals** | WSP shall evaluate and score the required written Proposals. Based on the scores, WSP shall determine which bidders advance to Step 2. Each of the following criteria shall receive points:   * Project Approach & Methodology * Work Plan * Resource Plan * Outcomes & Performance Measurement * Internal Controls & Risks & Quality Assurance * Project Deliverables, Cost Breakdown, and Project Schedule * Project Management/ Team Structure * Staff Qualifications/Exp * Company Experience/ Experience of the Bidder   Prior LMR Strategic Plan Experience for other Law Enforcement Agencies   * Proposal Total Cost Proposal (NTE $491,000.00) |
| **Stage 2/Step 2: -**  **Reference Checks** | **WSP, at its discretion. may complete reference checks**  **WSP shall add up to 20 points to bidders**’ scores based on the results of the reference checks, if conducted. Points awarded in Stage 2 shall determine the top scoring finalists. The number of finalists selected shall be at WSP’s discretion.  **Points awarded in Stage 2 do not carry over to Stage 3.** |
| **Stage 3, Step 1**  **Oral Interviews & Presentation** | Upon completion of Stage 1 & 2, the Top Scoring Bidders will be invited to an Oral Interview & Presentation. See Section 73 of the RFP for more details.  At the Oral Interview & Presentation WSP will:   * Present Bidder’s proposal and ask answer any clarifying questions. * WSP shall interview Bidder’s Key Personnel as specified in the Bidder’s proposal. * Bidders will meet in Olympia or via Zoom or other virtual platform with WSP to discuss final details to ensure understanding identified in Stage 1 & 2. |
| **Stage 4, Step 1 Contractor Selection** | A WSP evaluation committee shall evaluate oral interview/presentation along any information previously received, to determine **final qualifications scores.**  **200 points shall be awarded for the oral interview & presentation**.  The high scoring bidder shall be named the Apparently Successful Bidder (ASB). |

## 67. Overall Technical & Management Proposal/Relevant Experience /Organization Capabilities

* The quality of the Bidder’s proposal, compliance with specifications, and timeline;
* The ability, capacity, and skill of the Bidder to perform the contract or provide the service required;
* The character, integrity, reputation, judgment, experience, and efficiency of the Bidder;
* Whether the Bidder can perform the contract within the timeframe specified;
* The previous and existing compliance by the Bidder with laws relating to the contract or services;

## 68. Meeting Administrative Requirements

WSP will review each proposal to ensure:

* The proposal was received on time.
* All assurances are provided.
* All mandatory elements are addressed in the proposal.

**Purpose**

* Screen Bidder proposals to ensure they meet minimum administrative requirements.

If a proposal is deficient, WSP may, based upon the seriousness of the deficiency, to:

* Determine Proposal as non-responsive. Non-Responsive Proposals will not receive any further consideration.
* Waive the requirements as an administrative irregularity, and/or
* Request the Bidder address the issue and resubmit the proposal.

## 69. Screening/Meeting Minimum Mandatory Qualifications

Proposals will be reviewed by the WSP RFP Coordinator and WSP Contract Manager to determine if they are complete and provide all response components identified in the Minimum Qualifications section of the RFP.

WSP will consider the completeness of, and potential gaps in, the minimum mandatory requirements. This step involves identifying Bidders who comply with the list of qualifications that all Bidders must meet.

Proposals determined not to be in substantial compliance will not receive any further consideration.

Bidders should not submit a Proposal if they do not meet the qualifications and requirements detailed to this RFP.

## 70. Responsibility Analysis

For responsive proposals, WSP will make reasonable inquiry to determine the responsibility of any bidder. WSP will determine responsibility on a pass/fail basis. In determining responsibility, WSP will consider the following statutory elements:

* The ability, capacity, and skill of the bidder to perform the contract or provide the service required;
* The character, integrity, reputation, judgment, experience, and efficiency of the bidder;
* Whether the bidder can perform the contract within the time specified;
* The quality of performance of previous contracts or services;
* The previous and existing compliance by the bidder with laws relating to the contract or services;
* Whether, within the three-year period immediately preceding the date of the competitive solicitation, the Bidder has been determined by a final and binding citation and notice of assessment issued by the Washington State Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in RCW 49.48.082, any provision of chapter 49.46, 49.48, or 49.52 RCW; and
* Such other information as may be secured having a bearing on the decision to award the Contract.

In addition, WSP may consider the following as allowed per RCW 39.26.160(2)(a)-(f):

* **Financial Information:** WSP may request financial statements, credit ratings, references, record of past performance, clarification of bidder’s offer, on-site inspection of bidder's or subcontractor's facilities, or other information as necessary. Failure to respond to these requests may result in a proposal being rejected as non-responsive and will not receive any further consideration.
* **References**: WSP reserves the right to use references to confirm satisfactory customer service, performance, satisfaction with service/product, knowledge of products/service/industry and timeliness. Any negative or unsatisfactory reference can be reason for rejecting a bidder as non-responsible and will not receive any further consideration.

## 71. Review Exceptions to Model Draft Contract

WSP will review Exceptions to Model Contract. WSP is interested in an expedient contracting period and Bidders with fewer or no exceptions to the model contract may factor into WSP’s determination of the likelihood of completing a Contract with the Bidder.

Proposed exceptions to contract terms and conditions that violate Washington state law or Washington procurement rules and standards will not be accepted and may result in disqualification of a proposal. WSP cannot accept changes that violate state law or state procurement rules or standards. WSP may reject a proposed based upon requests for changes that violate state law or state procurement rules or standards.

See Exceptions to Model Draft Contract section in the RFP and the Appendix document for more details.

## 72. Total Cost Proposal Compensation Scoring

The score for the cost proposal will be calculated by dividing the lowest cost proposal received by the Bidder’s total cost proposal. The resultant number will be multiplied by the maximum possible points for the cost proposal section.

The lowest cost proposal will receive the maximum amount of points for this category, while the highest cost proposal will receive the least amount of points.

* Total Project Costs (all fixed bid deliverables)

The total cost points shall be awarded to the Bidder with lowest total project costs. Other Bidder costs scores shall be awarded based upon a curve in relationship to the Lowest Bidder Cost.

(Lowest Bidder Proposed Cost/

Bidder Proposed Cost \* 100 ) \* Possible Cost Points

## 73. Oral Interviews & Presentations

(**Scheduled after evaluations)**

WSP will provide top-scoring Bidders invited to the Oral Interviews & Presentations with the agenda prior to the scheduled time. The Oral Interview & Presentations will be evaluated and scored based upon how well the Bidder addresses the agenda items. The interviewees will be requested to respond to questions and demonstrate the breadth of their knowledge of their proposal, WSP’s needs, common or typical implementation issues and proposed responses and their proposed solutions. Evaluators will score each element for the Oral Interview & Presentation.

Bidder’s proposed key personnel for design, development, and implementation of the proposed solutions or LMR System Strategic Plan, including at a minimum, if applicable, the project manager, systems architect, lead developer or engineer, and any other designated key personnel, must participate in the demonstration and oral interview. It is expected that each Bidder spend up to one (1) hour presenting their proposal and up to one (1) hour in the oral interview and questions. The Oral Interview and Presentation shall not exceed two (2) hours total.

WSP will make available technical and business Subject Matter Experts (SME) to provide the information required. At the Oral Interview and Presentation, it is expected that the Bidder will work with WSP to clarify scope and intent, and to develop solid work and implementation plans for their proposed LMR System Strategic Plan.

|  |  |  |
| --- | --- | --- |
| **Points** | | **Scoring Points Guidelines 0--200 where 200 is High:** |
| 200 | Excellent | **Significantly exceeded expectations- Value Added.** The Bidder has demonstrated an innovative, superior capability to meet the scenario element in a manner that “more fully meets minimum requirements.” |
| 150 | Good | **Exceeds – Value Added.** The Bidder has demonstrated an above-average, effective capability to meet the scenario element in a manner that “better meets minimum requirements. |
| 100 | Average | **Met requirements.**  The scenario element is acceptable, and/or the Bidder has described their approach in sufficient detail to be considered “as meeting minimum requirements.” |
| 50 | Poor | **Indicated issues or problems**. The scenario does not fully establish the capability to accomplish the scenario element, and/or has only marginally demonstrated this capability. |
| 0 | No Value | **Not addressed/wholly deficient**. The Bidder has failed to demonstrate the scenario element can be met. |

## 74. Reference Checking

Reference checks of Bidders may be conducted, at WSP’s discretion, prior to or in coordination with the oral interviews and presentation and at any time there after during the evaluation process. WSP reserves the right to use its own or other organization’s experience using key personnel on other projects as a factor in evaluating the probability of success for key personnel proposed by the Bidder.

If References are checked, will follow the reference check process and be scored with the number of possible points listed in the Evaluation Weights table and added to the total score. When references are contacted, a member of the WSP will contact the References and score each Reference.

Reference contacts must be for Customers for whom Bidder has provided similar services as described in this RFP within the past three (3) years. If references checks are scored, WSP shall make a total of three (3) efforts to contact the Reference. If WSP is unable to contact the Reference, the Reference may be considered non-responsive. WSP will only interview and score two (2) of the three (3) References. WSP will score the responses based on the scoring methodology described below, and may, at its sole discretion, reject the Bidder's response if references report the Bidder’s inability to comply with one or more of the mandatory requirements.

If references are checked, points will be award for each response to reference questions, based on the following methodology

|  |  |
| --- | --- |
|  | |
|  | | **Scoring Points Guidelines 0--20 where 20 is High:** | |
| 20 points | | Excellent | Significantly exceeded expectations - Value Added |
| 15 points | | Good | Exceeds - Reference was happy with work |
| 10 points | | Average | Met requirements |
| 5 points | | Poor | Reference indicated issues or problems |
| 0 points | | No Value | Reference Not available |

The references will be contacted and asked questions similar to the following:

* Did the Contractor complete the Statement of Work, and met deadlines and expectations?
* Were there any problems or issues and were you satisfied with the Contractor’s solution?
* How would you rank the quality of their work and was the Contractor easy to work with?
* Would you recommend this Contractor to other businesses?

## 75. Scoring Strategy

Each scored item will be awarded points by each evaluator, or by the team in total. Points will be assigned based on the evaluator’s interpretation of the effectiveness and efficiency of the Bidder’s response to each requirement. To receive the most points possible, Bidders are encouraged to provide as much clarifying detail as possible while be as concise as possible.

## 76. Final Score Computations

The final score shall be computed by the RFP Coordinator and shall be the sum of the various sections of the proposal, and/or reference scores. The final score will be used to identify the ASB.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Scoring Table Point Ranges** | | | | | |
| **Maximum Scoring Points** | **Assigned Weights** | | | | |
|  | **200** | **100** | **50** | **25** | **20** |
|  | | | | | |
| Prorated Numbers Below Suggested For Scoring | | | | | |
| **Qualification Rating** | **Scoring Guidelines For Rating For Weight Above** | | | | |
| Excellent/ Exceed Expectations / Response indicates excellent capability and support of the requirements | 200 | 100 | 20 | 25 | 20 |
| Above Average / There are no shortfalls / Response is above expectations | 175 | 75 | 15 | 20 | 15 |
| Average / Met Requirements/  Response is at expectation and for most areas meets desired quality. | 100 | 50 | 10 | 15 | 10 |
| Below Average / Significant deficiencies identified / Fails to establish minimum expectations. Response information is incomplete, or deficiencies exist | 50 | 25 | 5 | 10 | 5 |
| Unacceptable / Does not meet the standard or is not addressed/ Response is not complete and serious shortfalls in capability exist. | 0 | 0 | 0 | 0 | 0 |

**Evaluation Weights**

WSP will use the weighted criteria below to score the Bidder’s Proposal to determine which Proposals are the best value for of WSP. This will be accomplished by identifying the Proposals that most closely match the requirements and provides the best value to WSP.

The following weighting and points will be assigned to the proposal for evaluation purposes:

|  |  |  |
| --- | --- | --- |
| **Evaluation Scoring Weights by Category** | | **Possible Points** |
| **Technical Proposal** | **Proposal Evaluation Criteria** |  |
| **Project Approach / Methodology** | Thoroughness and understanding of the proposed plan; partnership strength / innovative and unique features / solutions / and implementation plan.  Evaluate the Bidder’s approach and how they plan to develop the strategic plan. | **25** |
| **Quality of Work Plan** |  | **25** |
| **Quality of Resource Plan** |  | **25** |
| **Outcomes & Performance Measurement** |  | **25** |
| **Internal Controls & Risks and Quality Assurance** |  | **25** |
| **Project Deliverables, Cost Breakdown & Quality of Project Schedule** |  | **100** |
| **Prior experience conducting LMR plans & similar projects, including for law enforcement agencies** |  | **25** |
| **Subtotal – Overall Technical Proposal** | | **250** |
|  | | |
| **Management Proposal** | **Proposal Evaluation Criteria** |  |
| **Project Management/Project Team Structure** | Qualifications, experience, and expertise of team to be assigned to this project. Including any subcontractors who may be assigned to this project.  Quality of similar projects / similar scope.  The proposal must include resumes for the individuals proposed to do the work. | **25** |
| **Staff Qualifications of Individuals Proposed/ Experience** | **25** |
| **Company Experience/ Experience of Bidder** | **25** |
| **Subtotal – Management Proposal** | | **75** |
|  | | |
| **Total Cost Proposal** |  |  |
|  | Proposal Questionnaire Deliverables & Cost Proposal Compensation Table and Details NTE $491,000.00 | **20** |
| **Subtotal – Total Cost Proposal** | | **20** |
|  | |  |
| **State Procurement Priorities** |  |  |
| **EO-18** | **Not to exceed 5%** | **17** |
| **Veteran Owned Business** | **Not to exceed 3%** | **10** |
| **Small Business** | **Not to exceed 3%** | **10** |
| **Subtotal – Cost Proposal & EO 18-03** | | **37** |
|  | | |
| **Total Points without optional References** | | **382** |
|  | | |
| **References Checks, Optional** | | **20** |
| **Subtotal – References** | | **20** |
|  | | |
| **Total Points with optional References** | | **402** |
|  | |  |
| **Points awarded reset to zero for third stage** | | |
| **Evaluation Scoring Weights by Category** | | **Possible Points** |
|  | **Proposal Evaluation Criteria** |  |
| **Oral Interviews & Presentation including Key Personnel** |  | **200** |
| **TOTAL** | | **200** |

# 

# Contract Negotiations & Announcement of Apparently Successful Bidder (ASB)

## 77. Contract Negotiations

WSP shall select the top bidder from of the evaluation process and enter into contract negotiation the specific wording of the SOW, based on the requirements of this RFP and the terms of the ASB’s RFP Proposal. Inability to reach agreement in negotiation to sign the final contract within ten (10) Business days of delivery to the Bidder shall result in WSP, at its discretion, may elect to cease contract negotiations and entering into negotiations with the next highest scoring bidder.

## 78. Announcement of the Apparently Successful Bidder

(**ASB)**

After WSP and the Bidder have resolved all project issues and reached mutual agreement on the Contract terms, the Bidder shall sign and tender the Contract to WSP for acceptance and ratification by the designated WSP contracting authority.

To protect the best interest of the agency and ensure successful contract negotiation, the contract negotiation between WSP and the ASB is included in and a part of the entire proposal evaluation process. The proposal evaluation process is not complete until and unless the contract negotiation is successfully completed and the contract terms are in their final form and mutually agreed to by both the Apparently Successful Bidder and WSP.

The RFP Coordinator shall make announcement of the ASB via WEBS and/or emails.

## 79. Notification to Bidders

Bidders whose proposals have not been selected for further negotiation or award shall be notified via email by WEBS.

## 80. Optional Bidder Debriefing

Following the announcement of the ASB, a Bidder who has submitted a proposal in response to the RFP may request a debriefing conference by submitting a request in writing via email to the RFP Coordinator within three business days of the announcement or by the date and time RFP Schedule of Events, whichever is longer.

Debriefings shall be scheduled -within five (5) Business Days of the request. If additional time is required, the requesting Bidder shall be notified of the delay.

A debriefing conference may, will be conducted via by telephone and is limited to a maximum of one hour in length.

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

1. Critique of proposal based on evaluators’ comments and
2. Review of final score in comparison with other Bidders' final scores without identifying the other Bidders.
3. Feedback on what the Bidders could have done to improve their future opportunities.

WSP will **not** discuss other Bidder’s proposals or evaluations during debriefing.

Submit the debrief request to:

|  |  |
| --- | --- |
| Email Address | [contracts@wsp.wa.gov](mailto:contracts@wsp.wa.gov) |
| Email Subject line | DEBRIEF – WSP LMR2022 System Strategic Plan |

## 81. Protest Procedures

The Protest process occurs after the Proposals are submitted and evaluated. This process allows unsuccessful Bidders to focus on the evaluation process to ensure its integrity and fairness. Protests can raise issues related to the evaluation process as set out in the RFP or how the process was executed. This allows WSP to correct evaluation process errors and problems before a Contract is executed.

An unsuccessful Bidder may submit a Protest in response to this RFP, provided that all of the following conditions have been met:

1. The protesting party has submitted a Proposal in response to this RFP.
2. An announcement of the ASB has been posted on WEBS.
3. The protesting Bidder has requested a debriefing conference within three (3) Business Days of the announcement of the ASB.
4. The protesting Bidder has participated in a debriefing conference with WSP.
5. The protesting Bidder has not been chosen as the ASB.

**Grounds for Protest**

Protesting Bidders should include all issues they wish to raise when submitting a Protest, including:

1. Bias, discrimination, or conflict of interest on the part of an evaluator.
2. Errors made in computing the scores.
3. WSP’s non-compliance with procedures described in this RFP document or DES’s requirements.

Protesting Bidders are limited to one Protest in response to this RFP. Protesting Bidders may not raise issues previously resolved by WSP through the Complaint Process. Protesting Bidders may not raise issues which reasonably could have been addressed through Bidder Questions and Answers or Complaints.

The agency must provide an appropriate written response to the Protest response in accordance with DES policy and established Protest procedures.

**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 Bidder to a contractual relationship. At a minimum, the Protest must include:

* The name of the protesting Bidder, mailing address and phone number, and the name of the individual responsible for submission of the Protest;
* The RFP number and title;
* A detailed and complete statement of the specific action(s) by WSP under Protest;
* Grounds for the protest with specific facts (not speculation or conjecture) and complete statements of the action(s) being protested.
* Facts and arguments that are relied on as the basis for the protest
* Description of the relief or corrective action requested.
* Any relevant exhibits or evidence supporting the protest

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

**Submitting a Protest.**

* Protests must be in writing and must be signed by the protesting party or an authorized Agent of the Bidder; and
* WSP must receive the written Protest via email within five (5) business days after the debriefing conference.
* Include protest content requirements and format; and
* Summit the protest to:

|  |  |
| --- | --- |
| Email Address | [contracts@wsp.wa.gov](mailto:contracts@wsp.wa.gov) |
| Email Subject line | PROTEST – WSP LMR2022 System Strategic Plan |

**Protest Process.**  The RFP Coordinator shall forward the Protest to the WSP designated Protest Coordinator with copies of the following:

* This RFP and any amendments,
* The protesting Bidder’s proposal,
* The evaluators' scoring sheets, and
* Any other documents showing evaluation and scoring of the proposal in question.

WSP shall follow these procedures in reviewing a Protest:

* WSP shall conduct an objective review of the Protest, based on the contents of the written Protest, The materials provided by the RFP Coordinator and any other relevant facts known to WSP.
* If a Protest may affect the interest of any other Bidder, WSP reserves the right to provide such Bidder with a copy of the Protest and provide them with an opportunity to submit any relevant information regarding the Protest to WSP.
* WSP shall send the protestor a written decision within ten (10) business days after WSP receives the Protest, unless more time is required to review the Protest and make a determination. The protesting Bidder shall be notified by the RFP Coordinator if additional time is necessary.

WSP shall make a final determination of the Protest and shall either:

* Find that the Protest lacks merit and uphold WSP’s actions;
* Find that any errors in the RFP process or in WSP's conduct did not influence the outcome of the RFP, and uphold WSP’s actions; or
* Find merit in the Protest and provide options for corrective action by WSP which may include:
* That WSP correct any errors and re-evaluate all proposals affected by its determination of the Protest;
* That WSP reissue the RFP document; or
* That WSP make other findings and take such other action as may be appropriate.

The WSP Protest decision is final and no appeal process is allowed. If the protesting Bidder does not accept the WSP response to the Protest, the Bidder may seek relief from the Superior Court. This protest procedure constitutes the sole administrative remedy available to Bidders under this RFP. Chapter 34.05 RCW, Administrative Procedures Act does not apply to this procurement.

If an award is cancelled as a result of a protest filed after award, the WSP shall not be liable to the awardee for, and the awardee shall not claim against the WSP, any alleged (a) proposal preparation charges, (b) cost incurred to ensure that the awardees proposal is responsive, (c) claims for anticipated lost profits, or (d) claims for damages.

# Attachment 2018 Engineering Study OVERVIEW



# Attachment B: Model Draft Contract



# RESOURCES

* + Register for competitive RFP notices at the **Washington Electronic Business Solution (WEBS**) [WEBS Registration](http://www.des.wa.gov/services/ContractingPurchasing/Business/Pages/WEBSRegistration.aspx). Note: There is no cost to register on WEBS.
  + If you qualify as a W**ashington small business**, identify yourself in WEBS. Call WEBS Customer Service at 360-902-7400.
  + Contact the **Washington State Office of Minority and Women’s Business Enterprises** about state and federal certification programs at Phone 866-208-1064 or [OMWBE](http://www.omwbe.wa.gov/).
  + Contact the **Washington State Department of Veterans’ Affairs** about veteran-owned businesses certification at (360) 725-2169 or [DVA](http://www.dva.wa.gov/).
  + Contact the **Washington Procurement Technical Assistance Center (PTAC)** who has eight (8) centers across Washington State assisting small businesses with marketing to the government, solicitations, and other areas relating to the government. PTAC is dedicated to helping businesses navigate government contracting. Contact [**https://washingtonptac.org/**](https://washingtonptac.org/) to locate your local counselor if you have any questions PTAC can advise you on how to properly.