

Washington State Arts Commission

Request for Proposals – No. ARTS-2019-RFP-001-Web-Design

Introduction

This Request for Proposals (RFP) is a competitive procurement issued by the Washington State Arts Commission (ArtsWA) pursuant to Revised Code of Washington (RCW) chapter 39.26. Pursuant to this RFP, ArtsWA desires to solicit and award a contract for website modernization and development.

The current site has a number of back-end and front-end functionality issues, and is built on a customized content management system (CMS) by our previous vendor. We would like to replace this with an industry-standard CMS system, such as Wordpress or Drupal CMS (preferably Wordpress). Additionally, we have a second stand-alone website called [My Public Art Portal](#). The agency would like to merge the two websites into one seamless site, preserving the MySQL database the Portal currently pulls its data from.

The form of the Contract that will be awarded as a result of this RFP is attached as *Exhibit D –Contract*. As set forth in the attached Contract for this RFP, the contract term is no longer than 6 months. Bidders are to specify prices for the Contract term. The Contract is subject to earlier termination.

This RFP is divided into four (4) sections:

- Section 1 – Deadlines & Questions
- Section 2 – How to Prepare & Submit A Proposal for this RFP
- Section 3 – Proposal Evaluation
- Section 4 – Contract Award

In addition, this RFP includes the following Exhibits:

- *Exhibit A – Bidder Information*: This exhibit identifies the information that bidders must provide to ArtsWA to constitute a responsive proposal.
- *Exhibit B – Statement of Work Requirements and Specifications*: This exhibit outlines the requirements and specifications for the good and/or service that are the subject of this RFP.
- *Exhibit C –Price Proposal*: This exhibit provides the pricing information that bidders will complete as part of their bid and the price evaluation tool that ArtsWA will use to evaluate bids.
- *Exhibit D – Contract*: This exhibit is the Contract that the successful bidder(s) will execute with ArtsWA
- *Exhibit E – Complaint, Debrief, & Protest Requirements*: This exhibit details the applicable requirements to file a complaint, request a debrief conference, or file a protest regarding this RFP.

- *Exhibit F – Doing Business with the State of Washington*: This exhibit provides information regarding contracting with the State of Washington.

Section 1 – Deadlines & Questions

This section identifies important deadlines for this RFP and where to direct questions regarding the RFP.

Important dates: The following table identifies important dates for this RFP:

Item	Date
RFP Posting Date:	February 19, 2019
Question & Answer Period:	February 19, 2019 – February 28, 2019
Deadline for submitting Proposals:	March 4, 2019
Anticipated Announcement of Apparent Successful Bidder(s):	March 14, 2019
Anticipated Contract Execution:	March 29, 2019

The RFP (and award of the Contract) is subject to complaints, debriefs, and protests as explained in *Exhibit E – Complaint, Debrief & Protest Requirements*, which may impact the dates set forth above.

ArtsWA reserves the right to amend and modify this RFP. Only bidders who have properly registered and downloaded the original RFP directly via WEBS will receive notifications of amendments to this RFP, which bidders must download, and other correspondence pertinent to this procurement. To be awarded a Contract, bidders must be registered in WEBS. Visit <https://fortress.wa.gov/ga/webs> to register.

Questions: Questions or concerns regarding this RFP must be directed to the following Procurement Coordinator for the RFP:

RFP Procurement Coordinator	
Name:	Annette Roth
Telephone:	360-586-8098
Email:	annette.roth@arts.wa.gov

Section 2 – How to Prepare and Submit a Proposal for this RFP

This section identifies how to prepare and submit your proposal to ArtsWA for this RFP. By responding to this RFP and submitting a proposal, bidders acknowledge having read and understood the entire RFP

and accept all information contained within this RFP. In addition, bidders will need to review and follow the requirements included in *Exhibit A – Bidder Information*, which identifies the information that bidders must provide to ArtsWA to constitute a responsive proposal.

2.1. Bidder Communications & Questions. During the RFP process, all bidder communications regarding this RFP must be directed to the Procurement Coordinator identified in Section 1 of this RFP. Bidders should rely only on this RFP and written amendments to the RFP issued by the Procurement Coordinator. In no event will oral communications regarding the RFP be binding.

- Bidders are encouraged to make any inquiry regarding the RFP as early in the process as possible to allow ArtsWA to consider and, if warranted, respond to the inquiry. If a bidder does not notify ArtsWA of an issue, exception, addition, or omission, ArtsWA may consider the matter waived by the bidder for protest purposes.
- If bidder inquiries result in changes to the RFP, written amendments will be issued and posted on WEBS.
- Unauthorized contact regarding this RFP with other state employees involved with the RFP may result in bidder disqualification.

2.2. Pricing. Proposal prices must include all cost components needed for the delivery of the goods and/or services as described in this RFP. *See Exhibit C –Price Proposal.* A bidder’s failure to identify all costs in a manner consistent with the instructions in this RFP is sufficient grounds for disqualification.

- **Inclusive Pricing:** Bidders must identify and include all cost elements in their pricing. In the event that bidder is awarded a Contract, the total price for the goods and/or services shall be bidder’s price as submitted. The cost for the project shall not exceed \$22,000. Except as provided in the Contract, there shall be no additional costs of any kind.
- **Credit Cards (P-Cards):** In the event that bidder is awarded a Contract, the total price for the goods and/or services shall be the same regardless of whether purchasers make payment by cash, credit card, or electronic payment. Bidder shall bear, in full, any processing or surcharge fees associated with the use of credit cards or electronic payment.

2.3. Proposal Submittal Checklist – Required Proposal Submittals. This section identifies the proposal submittals that must be provided to ArtsWA to constitute a responsive proposal. The submittals must be delivered electronically as set forth below. Bids that do not include the submittals identified below may be rejected as nonresponsive. In addition, a bidder’s failure to complete any submittal as instructed may result in the bid being rejected.

Bidders must identify each of the submittals and any supplemental materials with bidder’s name and the following naming convention: VendorName-Document-Name (e.g., CompanyX-Exhibit-A1-Bidder’s-Certification).

Exhibit A1 – Bidder’s Certification

This document is the Bidder’s Certification.

Complete the certification (insert name of bidder, date, and sign), attach to the bid along with any exceptions, and submit ArtsWA

Exhibit A2 – Bidder Profile

This document is required information for contract administration purposes.
Complete as instructed and submit with the bid to ArtsWA

Exhibit B – Statement of Work Requirements and Specifications

Bidder will need to confirm that they meet or exceed the detailed specifications addressed in *Exhibit B – Statement of Work Requirements and Specifications*.

Exhibit C - Price Proposal

Bidder will need to complete the price worksheet templates as instructed in *Exhibit C – Price Proposal*.

2.4. Proposal Format. Proposals must be complete, legible, and, as applicable, signed. Unless otherwise specified in writing by ArtsWA, documents included with an electronic proposal must be prepared in MS Word, MS Excel, or Adobe PDF, preferably in PDF format. The proposal must be signed (original, electronic, or scanned) by a person authorized to contract on behalf of the firm submitting the proposal.

2.5. Submitting Bids. Your proposal – electronic – must be delivered to the following:

Deliver Bids to:	
Electronic**:	<p>Email your bid to the following:</p> <p>Annette Roth, annette.roth@arts.wa.gov</p> <p>Please use: “Submittal for ArtsWA website proposal, [company name]” as your email subject line</p>

****Note for electronic submissions:** ArtsWA email in-boxes only can accept emails that total less than 30MB in size. Bidders are cautioned to keep email sizes to less than 25MB to ease delivery. Zipped files cannot be accepted.

Section 3 – Proposal Evaluation

This section identifies how ArtsWA will evaluate RFP proposals.

3.1. Overview. ArtsWA will evaluate proposals for this RFP as described below.

- ArtsWA reserves the right to determine a bidders’ compliance with the requirements specified in this RFP, request clarification, and to waive informalities in a proposal. An informality is an immaterial variation from the exact requirements of the competitive RFP, having no effect or merely a minor or negligible effect on quality, quantity, or performance of the services being procured, and the correction or waiver of which would not affect the relative standing of, or be otherwise prejudicial, to bidders.
- ArtsWA reserves the right to: (1) Waive any informality; (2) Reject any or all proposals, or portions thereof; (3) Accept any portion of the items proposed unless the bidder stipulates all or nothing in their proposal; (4) Cancel an RFP and re-solicit proposals; and/or

(5) Negotiate with the highest scored responsive and responsible bidder to determine if that proposal can be improved.

- ArtsWA will use the following process and evaluation criteria for an award of a Contract:

Evaluation Criteria	Assigned Points
Minimum Requirements/Responsiveness	Pass/Fail
Functionality Responses	40 Points
Implementation Plan	20 Points
Price	40 Points
Total	100 Points
Top three (3) highest scored proposals will be invited to conduct demonstrations/interviews. Point scores will not carry forward into Demonstration/Interview stage.	
Demonstrations/Interviews	25 Points

3.2. Responsiveness (Step 1). ArtsWA will review proposals – on a pass/fail basis – to determine whether the proposal is ‘responsive’ to this RFP. This means that ArtsWA will review each proposal to determine whether the proposal is complete – i.e., does the proposal include each of the required proposal submittals, are the submittals complete, signed, legible. ArtsWA reserves the right – in its sole discretion – to determine whether a proposal is responsive. Bidders whose proposals are determined to be non-responsive will be rejected and will be notified of the reasons for this rejection.

3.3. Requirements and Specifications Evaluation (Step 2). ArtsWA will evaluate and score each Bidder’s proposals provided in response to Exhibit B. There is a maximum of 40 points available.

3.4. Pricing Evaluation/Scoring Criteria (Step 3). ArtsWA will evaluate and score each Bidder’s proposals provided in Exhibit C. There is a maximum of 40 points available for price.

3.5. Responsibility Analysis (Step 4). ArtsWA will make reasonable inquiry to determine the bidder’s responsibility. ArtsWA will determine bidder responsibility on a pass/fail basis. In determining whether the bidder is a responsible bidder, ArtsWA will consider the following 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; and
- Such other information as may be secured having a bearing on the decision to award the contract.

ArtsWA may request financial statements, credit ratings, audit documents, and additional information to thoroughly assess bidders' financial viability. The evaluation of financial documents will be based on ArtsWA's review, at its sole discretion, resulting in a pass/fail determination. ArtsWA may request record of past performance, clarification of a bidder's offer, on-site inspection of a bidder's or subcontractor's facilities, or other information as necessary. ArtsWA may use references to confirm satisfactory customer service, performance, satisfaction with service/product, knowledge of products/service/industry and timeliness. ArtsWA reserves the right to be its own reference. Any negative or unsatisfactory reference can be reason for rejecting a bidder as non-responsible.

3.6. Security Review (Step 5). The highest scored responsive and responsible bidder ("Top Bidder") will be required to fill out IT Security Assessment Checklist. ArtsWA may request Top Bidder to provide clarifications of the responses or supporting documentation. ArtsWA reserves the right – in its sole discretion – on a pass/fail basis - to determine whether the proposal meets ArtsWA's security requirements. If the Top Bidder's proposal fails the security review, ArtsWA may disqualify the Top Bidder from the competition and repeat Step 3 and Step 4 with the second highest scored bidder from Step 2.

Section 4 – Contract Award

This section identifies how ArtsWA will award a contract.

4.1. Contract Negotiations. ArtsWA will negotiate with the Top Bidder to finalize contract terms and to determine if the proposal may be improved. If, after a reasonable period of time, ArtsWA, in its judgement, cannot reach agreement on acceptable contract terms with the Top Bidder, ArtsWA may suspend negotiations and undertake negotiations with the next bidder as determined by the evaluations.

4.2. Announcement of Apparent Successful Bidder. ArtsWA will determine the Apparent Successful Bidder ("ASB"). The ASB will be the responsive and responsible bidder, whose proposal, in the sole opinion of ArtsWA, best meets the requirements of this RFP and presents the best total value to ArtsWA.

- Designation as an ASB does not imply that ArtsWA will issue an award for a contract to your firm. Rather, this designation allows ArtsWA to perform further analysis and ask for additional documentation. A bidder's failure to provide requested information to ArtsWA within ten (10) business days may result in disqualification. The bidder must not construe this as an award, impending award, attempt to negotiate, etc. If a bidder acts or fails to act as a result of this notification, it does so at its own risk and expense.
- Upon announcement of the ASB, bidders may request a debriefing conference as specified in *Exhibit E – Complaint, Debrief & Protest Requirements*.

4.3. **Contract Execution.** Subject to protests, if any, ArtsWA and the ASB will enter into a contract as set forth in *Exhibit D – Contract*.

- An award, in part or full, is made and a contract formed by signature of ArtsWA and awarded bidder on the contract. ArtsWA reserves the right to award on an all-or-nothing consolidated basis.
- Following the award of the contract, all bidders will receive a Notice of Award, usually through an email to the bidder's email address provided in the bidder's proposal.

Exhibit A1 – Bidder’s Certification

RFP No.:	ARTS-2019-RFP-001-Web-Design
Bidder:	

Bidder makes this certification as a required element of submitting this bid, affirming the truthfulness of the facts declared here and acknowledging that the continuing compliance with these statements and all requirements of the RFP are conditions precedent to the award or continuation of the resulting Contract.

1. Bidder has read, understands, and agrees to abide by the RFP.
2. Bidder’s bid prices have been arrived at independently, without engaging in collusion, bid rigging, or any other illegal activity, and without for the purpose of restricting competition any consultation, communication, or agreement with any other bidder or competitor relating to (a) those prices, (b) the intention to submit a proposal, or (c) the methods or factors used to calculate the prices offered. Bidder has not been and will not knowingly disclose its proposal prices, directly or indirectly, to any other bidder or competitor before award of a Contract, unless otherwise required by law. No attempt has been made or will be made by the bidder to induce any other person to submit or not to submit a proposal for the purpose of restricting competition. Bidder, however, freely may join with other persons or organizations for the purpose of presenting a proposal.
3. Bidder’s attached proposal is a firm offer for a period of ninety (90) days following the bid due date specified in the RFP, and it may be accepted by ArtsWA without further negotiation at any time within such ninety (90) day period. In the event of a protest, bidder’s proposal will remain valid for ninety (90) days or until the protest and any related court action is resolved, whichever is later.
4. In preparing this proposal, bidder has not been assisted by any current or former employee of the State of Washington whose duties relate (or did relate) to this RFP, or prospective Contract, and who was assisting in other than his or her official, public capacity. Neither does such a person nor any member of his or her immediate family have any financial interest in the outcome of this proposal.
5. Bidder is a lawful licensee or owner of the proposed solution and has all the necessary rights in the solution to grant the use to ArtsWA. The proposed solution and any other work performed by the bidder hereunder shall not infringe upon any United States or foreign copyright, patent, trade secret, or other proprietary right, or misappropriate any trade secret of any third-party, and that it has neither assigned nor otherwise entered into an agreement by which it purports to assign or transfer any right, title, or interest to any technology or intellectual property right that would conflict with its obligations under this proposal.
6. Bidder understands that the State of Washington will not reimburse bidder for any costs incurred in the preparation of this proposal. All proposals become the property of the State of

Washington, and bidder claims no proprietary right to the ideas, writings, items, or samples unless so stated in the proposal.

7. Except as disclosed to ArtsWA in writing attached hereto, Bidder states that at no time during the prior five (5) years was it party to a contract that was terminated for default. For purposes of this certification, "terminated for default" means that notice was given to the bidder to stop performance due to the its nonperformance or poor performance, and the performance issue was either (a) not contested or (b) litigated, with an unfavorable finding. I the event an explanation is necessary, please provide a statement below fully describing the contract, the circumstances surrounding the termination, reason for the termination, date of the termination and the name, address and telephone number of the other party to the contract.
8. Bidder understands that its submittal of a proposal and execution of this Bidder's Certification certifies bidder's willingness to comply with the Contract if awarded such. By submitting this proposal, bidder hereby offers to furnish materials, supplies, services and/or equipment in compliance with all terms, conditions, and specifications contained in the Contract.

Dated this ____ day of _____, 2019.

Print Name of Company

By: _____
Signature

Name: _____
Print Name

Title: _____
Print Title

EXHIBIT A-1 – BIDDER’S CERTIFICATION

Competitive Solicitation:	No. _____		
Bidder:	_____ Type/print full legal name of Bidder		
Bidder’s Address:	_____ Type/print Bidder’s Address		
Bidder Organization Type: Check appropriate box	Corporation:	<input type="checkbox"/> Domestic	<input type="checkbox"/> Foreign
	Limited Liability Company (LLC):	<input type="checkbox"/> Domestic	<input type="checkbox"/> Foreign
	Partnership:	<input type="checkbox"/> Domestic	<input type="checkbox"/> Foreign
	Sole Proprietorship:	<input type="checkbox"/>	
State of Formation:	_____ Type/print the state where the corporation, LLC, or partnership is formed – e.g., ‘Washington’ if domestic and the name of the state if ‘Foreign’ (i.e., not Washington)		

Bidder, through the duly authorized undersigned, makes this certification as a required element of submitting a responsive bid. Bidder certifies, to the best of its knowledge and belief:

9. UNDERSTANDING. Bidder has read, thoroughly examined, and fully understands all of the provisions in the Competitive Solicitation (including all exhibits) and the terms and conditions of the Contract and any amendments or clarifications to the Competitive Solicitation, and agrees to abide by the same.
10. ACCURACY. Bidder has carefully prepared and reviewed its bid and fully supports the accuracy of the same. Bidder further understands that ArtsWA shall not be responsible for any errors or omission on the part of Bidder in preparing its bid. The facts declared here are true and accurate. Bidder further acknowledges that the continuing compliance with these statements and all requirements of the Competitive Solicitation are conditions precedent to the award or continuation of the resulting Contract.
11. NO COLLUSION OR ANTI-COMPETITIVE PRACTICES. Bidder has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with this Competitive Solicitation. Bidder’s bid prices have been arrived at independently, without engaging in collusion, bid rigging, or any other illegal activity, and without for the purpose of restricting competition any consultation, communication, or agreement with any other bidder or competitor relating to (a) those prices, (b) the intention to submit a bid, or (c) the methods or factors used to calculate the prices offered. Bidder has not been and will not knowingly disclose its bid prices, directly or indirectly, to any other bidder or competitor before award of a Contract, unless otherwise required by law. No attempt has been made or will be made by the bidder to induce any other person to submit or not to submit a bid for the purpose of restricting competition. Bidder, however, freely may join with other persons or organizations for the purpose of presenting a bid.

12. **FIRM OFFER.** Bidder agrees that its bid, attached hereto, is a firm offer which cannot be withdrawn for a period of ninety (90) days from and after the bid due date specified in the Competitive Solicitation. ArtsWA may accept such bid, with or without further negotiation, at any time within such period. In the event of a protest, Bidder's bid shall remain valid for such period or until the protest and any related court action is resolved, whichever is later.
13. **CONFLICT OF INTEREST.** In preparing this bid, bidder has not been assisted by any current or former employee of the State of Washington whose duties relate (or did relate) to this Competitive Solicitation, or prospective Contract, and who was assisting in other than his or her official, public capacity. Neither does such a person nor any member of his or her immediate family have any financial interest in the outcome of this bid.
14. **NO REIMBURSEMENT.** Bidder understands that the State of Washington will not reimburse bidder for any costs incurred in the preparation of this bid. All bids become the property of the State of Washington, and bidder claims no proprietary right to the ideas, writings, items, or samples unless so stated in the bid.
15. **PERFORMANCE.** Bidder understands that its submittal of a bid and execution of this Bidder's Certification certifies bidder's willingness to comply with the Contract if awarded such. By submitting this bid, Bidder hereby offers to furnish the goods and/or services solicited pursuant to this Competitive Solicitation in compliance with all terms, conditions, and specifications contained in this Competitive Solicitation and the resulting Contract or, if applicable, as detailed on a Contract Issue List, if permitted in this Competitive Solicitation.
16. **INSURANCE.** Bidder certifies as follows (must check one):
- BIDDER HAS REQUIRED INSURANCE.* Bidder has attached a current, valid Certificate of Insurance with each and all of the required insurance coverages (note: Bidder must attach the Insurance Certificate).
- OR
- BIDDER DOES NOT HAVE REQUIRED INSURANCE.* As detailed on the attached explanation (Bidder to provide), Bidder either does not have a current, valid Certificate of Insurance with each and all of the required insurance coverages or, if designated as the Apparent Successful Bidder will provide such a Certificate of Insurance within twenty-four (24) hours or be deemed a nonresponsive bid.
17. **DEBARMENT.** Bidder certifies as follows (must check one):
- NO DEBARMENT.* Bidder and/or its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from contracting with any federal, state, or local governmental entity.
- OR
- DEBARRED.* As detailed on the attached explanation (Bidder to provide), Bidder and/or its principals presently are debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from contracting with a federal, state, or local governmental entity.
18. **CRIMINAL OFFENSE.** Bidder certifies as follows (must check one):
- NO CRIMINAL OFFENSE.* Bidder has not, within the three (3) year period preceding the date of this Competitive Solicitation, been convicted or had a civil judgment rendered against Bidder for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a governmental contract;

violation of any federal or state antitrust statute; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property. Bidder further certifies that it is not presently indicted or otherwise criminally or civilly charged by a governmental entity with commission of any of the offenses enumerated in this paragraph.

OR

- CRIMINAL OFFENSE.* As detailed on the attached explanation (Bidder to provide), within the three (3) year period preceding the date of this Competitive Solicitation, Bidder has been convicted or had a civil judgment rendered against Bidder for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a governmental contract; violation of any federal or state antitrust statute; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.

19. WAGE THEFT PREVENTION. Bidder certifies as follows (must check one):

- NO WAGE VIOLATIONS.* Bidder has NOT been determined by a final and binding citation and notice of assessment issued by the Washington 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 RCW chapters [49.46](#), [49.48](#), or [49.52](#) within three (3) years prior to the date of the above-referenced Competitive Solicitation date.

OR

- VIOLATIONS OF WAGE LAWS.* Bidder has been determined by a final and binding citation and notice of assessment issued by the Washington 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](#), a provision of RCW chapters [49.46](#), [49.48](#), or [49.52](#) within three (3) years prior to the date of the above-referenced Competitive Solicitation date.

20. WORKERS' RIGHTS (EXECUTIVE ORDER 18-03). Bidder certifies as follows (must check one):

- NO MANDATORY INDIVIDUAL ARBITRATION CLAUSES AND CLASS OR COLLECTIVE ACTION WAIVERS FOR EMPLOYEES.* Bidder does NOT require its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waivers.

OR

- MANDATORY INDIVIDUAL ARBITRATION CLAUSES AND CLASS OR COLLECTIVE ACTION WAIVERS FOR EMPLOYEES.* Bidder requires its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waivers.

21. TERMINATION FOR DEFAULT OR CAUSE. Bidder certifies as follows (must check one):
- NO TERMINATION FOR DEFAULT OR CAUSE.* Bidder has not, within the three (3) year period preceding the date of this Competitive Solicitation, had one (1) or more federal, state, or local governmental contracts terminated for cause or default.
- OR
- TERMINATION FOR DEFAULT OR CAUSE.* As detailed on the attached explanation (Bidder to provide), within the three (3) year period preceding the date of this Competitive Solicitation, Bidder has had one (1) or more federal, state, or local governmental contracts terminated for cause or default.
22. TAXES. Bidder certifies as follows (must check one):
- TAXES PAID.* Except as validly contested, Bidder is not delinquent and has paid or has arranged for payment of all taxes due to the State of Washington and has filed all required returns and reports as applicable.
- OR
- DELINQUENT TAXES.* As detailed on the attached explanation (Bidder to provide), Bidder has not paid or arranged for payment of all taxes due to the State of Washington and/or has not timely filed all required returns and reports as applicable.
23. LAWFUL REGISTRATION. Bidder, if conducting business other than as a sole proprietorship (e.g., Bidder is a corporation, limited liability company, partnership) certifies as follows (must check one):
- CURRENT LAWFUL REGISTRATION.* Bidder is in good standing in the State of Washington and the jurisdiction where Bidder is organized, including having timely filed of all required annual reports.
- OR
- DELINQUENT REGISTRATION.* As detailed on the attached explanation (Bidder to provide), Bidder currently is not in good standing in the State of Washington and/or the jurisdiction where Bidder is organized.
24. SUBCONTRACTORS. Bidder certifies as follows (must check one):
- NO SUBCONTRACTORS.* If awarded a Contract, Bidder will not utilize subcontractors to provide the goods and/or services subject to this Competitive Solicitation.
- OR
- SUBCONTRACTORS.* As detailed on the attached explanation (Bidder to provide), If awarded a Contract, Bidder will utilize subcontractors to provide the goods and/or services subject to this Competitive Solicitation. In such event, Bidder agrees to assume responsibility for contract obligations and any liability for all such actions of such subcontractors. Note: Bidder must provide the precise legal name (including state of organization), business address, and federal tax identification number (TIN) for each subcontractor. Note: If the TIN is a SSN, provide only the last four (4) digits.
25. REFERENCES. Bidder authorizes ArtsWA (or its agent) to contact Bidder's references and others who may have pertinent information regarding Bidder's prior experience and ability to perform the Contract, if awarded. Bidder authorizes such individuals and firms to provide such references and release to ArtsWA information pertaining to the same.

I hereby certify, under penalty of perjury under the laws of the State of Washington, that the certifications herein are true and correct and that I am duly authorized to make these certifications on behalf of the Bidder listed herein.

BIDDER NAME: _____
Print Name of Bidder – Print full legal entity name of the firm submitting the Bid

By: _____
Signature of Bidder’s authorized person Print Name of person making certifications for Bidder

Title: _____ Place: _____
Title of person signing certificate Print city and state where signed

Date: _____

Return Contractor Certification to Procurement Coordinator at: annette.roth@arts.wa.gov

EXHIBIT A2 – BIDDER’S PROFILE

RFP No.:	ARTS-2019-RFP-001-Web-Design
Bidder:	

Company Information		
Legal Company name (from Business License) and address _____ _____ _____	Indicate entity type (LLC, Inc, Corp., etc.): _____	_____
	Indicate state of registration/incorporation:	_____
Wash. Dept. of Revenue Registration No. Unified Business Identifier (UBI)	_____	
Federal Tax ID No. (TIN) If TIN is a Social Security number, provide only the last four digits	_____	
Is your firm certified as a minority or woman owned business with OMWBE?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, provide MWBE certification no. _____	
Is your firm a self-certified Washington State small business?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, what is your business size? Small <input type="checkbox"/> Mini <input type="checkbox"/> Micro <input type="checkbox"/>	
Is your firm certified as Veteran Owned with Washington State Department of Veteran Affairs?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, provide WSDVA certification no. _____	
Contract Management Points of Contact		

Authorized Representative Name: _____ Email: _____ Phone: _____	Contract Administrator Name: _____ Email: _____ Phone: _____		
Sales Reporting Representative Name: _____ Email: _____ Phone: _____	Sales Reporting Alternate Name: _____ Email: _____ Phone: _____		
Management Fee Representative Name: _____ Email: _____ Phone: _____	Management Fee Contact Alternate Name: _____ Email: _____ Phone: _____		
Address to send management fee invoices Company name: _____ Attn: _____ Address: _____ City/State/Zip: _____			
Ordering/Sales Points of Contact (expand as necessary)			
Name	Phone Number	E-mail	Area of Responsibility

REFERENCES

Provide a minimum of three (3) commercial or government references for which bidder has delivered goods and/or services similar in scope as described in the RFP.

Reference 1	
Company Name:	_____

Contact:	_____
Phone:	_____
Email:	_____
Reference 2	
Company Name:	_____
Contact:	_____
Phone:	_____
Email:	_____
Reference 3	
Company Name:	_____
Contact:	_____
Phone:	_____
Email:	_____

SUBCONTRACTORS/DEALERS

If applicable, identify any subcontractors or dealers who will perform services in fulfillment of contract requirements. Include a federal tax identification number (TIN) for each subcontractor; if TIN is a SSN, only provide the last four (4) digits. If a subcontractor is a certified minority or woman-owned business, small business or Veteran owned indicate that socio-economic status in the table below. Also include the nature of services to be performed by that subcontractor/dealer. Expand the table below as needed.

The contractor, by including subcontractor(s) as part of your signed bid, agrees to assume responsibility for contract obligations and any liability for all actions of such subcontractors. Washington State Arts Commission reserves the right to approve or disapprove any subcontractor.

Sub/Dealer	TIN	Socio-economic Status	Nature of services covered by Sub/Dlr

Exhibit B – Statement of Work Requirements and Specifications

Statement of Work – Washington State Arts Commission website

1.1 INTRODUCTION/BACKGROUND

Washington State Arts Commission (ArtsWA) has embarked upon a complete overhaul of its [agency website](#). The current site has a number of back-end and front-end functionality issues, is visually out of date, is not mobile responsive, and does not comply with Washington State accessibility requirements. It is built on a customized CMS by our previous vendor, which we plan to replace with an industry-standard CMS system. We are interested in having the new site based on either Wordpress or Drupal CMS (preferably Wordpress).

Additionally, the agency has a second stand-alone website called [My Public Art Portal](#). This website contains a database of 4700 works of arts in Washington's State Art Collection. The agency would like to merge the two websites into one seamless site, preserving the MySQL database the Portal currently pulls its data from.

The maximum budget for this project is \$22,000. The agency has decided to hire an outside web designer to build and code the website. This vendor will work closely with a 4-person workgroup of ArtsWA staff. This workgroup is tasked with guiding the process of developing and redesigning the site. The group has done a fair amount of site 'discovery' work, primarily in an effort to streamline the process and reduce the costs of the project. More description of our process thus far can be found in the *Current Website/Background* section of this RFP.

Our deadline for the site to go live is during the first half of calendar year 2019. **Site must be complete and live on the web before June 15, 2019.**

New Website Objectives

The main objectives of our new site from a visitor's perspective are:

- Provide relevant, timely, easy to find information to users who are seeking it (for example, finding all News items in one place)
- Improve the site's accessibility to approach meeting standards
- Install current, professional security standards
- Expand the site to allow for more interactive and digital assets (blogs, videos, and podcasts)
- Include responsiveness to mobile devices
- Improve searching within our website and when using search engines

Additionally, we have a number of less concrete objectives we would like to achieve:

- Increase our reach to rural and underserved areas in Washington who do not always have access to high-speed internet
- Provide advocacy and support on behalf of our partners and the organizations we fund

- Generate more clicks/traffic on the website as a way to measure and evaluate the site's value as a communications tool
- Generate more supporters of the arts
- Provide additional services to constituents across Washington
- Increase our agency's profile, both in Washington and in the United States

1.2 ORGANIZATIONAL OVERVIEW

Established in 1961, the Washington State Arts Commission (ArtsWA) works to advance the role of the arts of the live of individuals and communities throughout Washington State. Our vision is that the arts thrive and are celebrated throughout the state, and are woven into the fabric of vital and vibrant communities. We serve the constituents of Washington through four main programs:

Art in Public Places (AIPP): This program manages the State Art Collection, which consists of 4700 publicly owned, sited and selected artworks across Washington State. One of the largest and oldest state public art collections, these works can be found at state-funded building projects such as colleges, universities, K-12 public schools and state agencies. The program oversees the Public Artist Roster, a registry of artists who are eligible to create these public art projects. Additionally, the program hosts an online gallery website of the State Art Collection through My Public Art Portal (more information about this website is included in this RFP in the *Current Website* portion of this section).

Arts in Education (AIE): This program works to support and strengthen K-12 arts education in public schools across the state. It provides grants to community-based arts education partnerships. AIE supports Poetry Out Loud, a national poetry recital competition sponsored by the National Endowment of the Arts. The program also sponsors the Teaching Artists Training Lab, a professional development program for teaching artists throughout the state.

Grants to Organizations: ArtsWA provides funding to arts organizations, community service groups and local or tribal governments that provide arts events targeted to the public. It also funds organizations that provide services to support artists and arts professionals. Funding levels are based on organizational size.

Certified Creative Districts: This program helps communities in Washington use arts, culture and related activities to grow their local economy and increase cultural and social vibrancy for residents and visitors. The certification is a state endorsement of these vibrant regions, and can be used as a marketing tool to attract visitors, new residents and businesses, and investment into the community.

We also provide several other programs and services for Washington State constituents (see <https://arts.wa.gov> for more info):

- Creative Forces/Arts Healing in the Military
- Governor's Arts & Heritage Awards
- Washington State Poet Laureate
- Center for Washington Cultural Traditions

1.3 CURRENT WEBSITE/BACKGROUND

Our current site was created by a design company based on a proprietary CMS solution that they developed. In our opinion, this platform does not function well, has limited capacity, and is not user friendly on the back end. Additionally, it has a number of bugs that have not been fixed or addressed by the creator of the CMS. While the front-end look is not terrible, it definitely needs to be modernized, and have mobile-friendly features added.

Based on feedback we received from staff and constituent surveys, and a site analysis, our internal work team has determined that the main issues with the site are:

- Our site has too much information that is difficult to sift through. Too many words, too many redundancies, too much archived info that may not be necessary to keep (or could be organized differently)
- The structure of the navigation makes it difficult for people to find information.
- The navigation doesn't work as well as it could. In particular, the left sub-navigation on the internal pages is disliked. The left navigation buries too much information.
- Search fields and contact Us links needs to be added to the top of the pages, above the main navigation
- The News modules are too numerous
- Searching within our website needs improvement
- The Resources sections are a historical repository for documents and can be confusing or overwhelming for users
- Users overall are neutral or slightly positive about the colors, images, and the clean look of the site.
- The site was built on a proprietary CMS the previous vendor designed, and that they manage. They will not provide us with the capacity to make edits to the CSS or html, nor do we have permission to add small structural functionalities when we need it (such as revamping the navigation and adding more top-level nav sections).
- The company that designed this site for us also hosts our site currently.
- Additionally, we host an online gallery of the State Art Collection called My Public Art Portal (<http://www.artswa.org/>). This is currently a stand-alone website with its own URL. The site is currently self-hosted through GoDaddy, using a proprietary system created by Axiell. The database is in MySQL format.

Information about the My Public Art Portal web interface and the State Art Collection Database

The ArtsWA My Public Art Portal website (www.artswa.org) is an online gallery of Washington's State Art Collection.

- We currently use a proprietary, off-the-shelf web interface (MIMSY designed by Axiell www.alm.axiell.com) which uses JavaScript and CSS to pull data from the MySQL database (all of which is on our GoDaddy web server). We have been told that this existing platform

would be difficult to be taken over by an outside company (our vendor is very willing to cooperate with such a situation by the way). Either way, we are interested in a web interface that is easier to update and maintain – either by us or by our future web designers.

- The My Public Art Portal web interface uses about 30 database fields that are pulled from the MySQL database.
- My Public Art Portal has about 11 separate web template pages.
- The database includes approximately 4,700 artworks, and each artwork has 1 to 11 photos related to it. We can provide a data dictionary for the MySQL database. The web server holds approximately 7,300 images for the artworks.
- The MySQL database on the web server is a copy of the Collection database system (MIMSY XG by Axiell www.alm.axiell.com) that we use internally to manage the State Art Collection. The MySQL database and images are updated nightly via an FTP utility. We do not directly manage or update the MySQL database at all. And we are not interested in changing or designing a new collection database.
- We do know that other institutions using the Axiell MIMSY collection database have done this type of website integration.

Our internal work group has done most of the ‘discovery’ work for the site, including: gathering and analyzing analytics data, determining basic site architecture and create site map, preliminary user experience design activities, and we are currently working on creating wireframes. The site map contains approximately 60 unique pages for the ‘main portion’ of the site (does not include pages for the MyPublic Art Portal). We anticipate there will be 12-15 unique wireframe page templates, which includes wireframes for the MyPublic Art Portal portion of the site. The agency will also write and provide all content (written and visual assets) to the designer for inclusion in the site.

1.4 SCOPE OF WORK

Because ArtsWA has a modest budget for this project, the staff workgroup has tackled most of the preliminary ‘discovery’, site mapping and preliminary wireframe work for the creation of the site. The primary responsibilities of the vendor will be to: manage the project; find theme that fits look/feel of wireframes and integrates existing ArtsWA branding; build and code the site; ensure functionality, both amongst the databases as well as from the end-user perspective; work with us to test our wireframes and visual design, and provide best practices advice during this phase; provide initial training to staff members on how to use the system; setup and/or migrate the site to our host account, and provide maintenance contract. Deeper detail is provided in the Work Requirements section.

1.5 PERIOD OF PERFORMANCE

Our deadline for the site to go live is during the first half of calendar year 2019. **Site must be complete and live on the web before June 15, 2019.** We absolutely must adhere to this deadline, and expect vendor to create timeline to accommodate this deadline. We anticipate beginning this project immediately after awarding the contract to the winning bidder, and are targeting early March 2019 as the start time.

1.6 PLACE OF PERFORMANCE

Work for this project will be performed by the vendor primarily at their place of work. We reserve the right to request up to three on-site meetings at ArtsWA's offices for project meetings. Travel costs for onsite meetings must be included in project proposal. ArtsWA expects that the vendor has all the appropriate (and secure) technology and equipment to build a website, and will not provide any computer hardware or software to the vendor. ArtsWA also expects that vendor will build the site on a secure test server.

1.7 WORK REQUIREMENTS

As mentioned in the Scope of Work description, the staff workgroup has tackled most of the preliminary 'discovery' work on the creation of the site. We have: gathered and analyzed analytics data, determined the basic site architecture and site mapping, and have begun creating visual wireframes and preliminary user experience design activities. The agency will also write, gather and provide all content (written and visual assets) to the designer for inclusion in the site. All of the preliminary research data we have collected will be provided to vendor when work begins. The vendor will be responsible for tasks in the following categories. **In your proposal, please provide narrative that explains how you intend to achieve the objectives in the following categories:**

Project Management

- Provides a detailed list of the work activities to complete the project, including but not limited to, planned start and finish dates, resource assignments and allocation, milestones, deliverables, etc.
- The vendor must be able to work in a collaborative and communicative fashion with our internal agency workgroup.
- Keep project moving forward, adhering to all deadlines. Manage vendor and ArtsWA staff to ensure project meets benchmarks and deadlines.
- Vendor must provide a timeline for the project as part of its proposal that accommodates agency deadline for website. *This is a minimum requirement for vendor proposal. Proposals that do not demonstrate vendor ability to accommodate this will not be considered (Pass/Fail).*

Theme Development & Wireframe Testing

- Determine an appropriate design theme to be used for the build. Vendor can create a customized theme/template; however, ArtsWA's preference is that vendor uses an off-the-shelf theme that can be customized for our needs. This will allow ArtsWA to maximize the shelf-life of the theme.
- Work with agency to test wireframes and visual design. Although will be providing initial wireframes to vendor to base website design on, we would like feedback and to work collaboratively with vendor to determine final visual design. We have a several examples of features from other websites that we would like to incorporate into our new design
- Provide basic usability testing and provide best practices advice during the wireframe phase.

Functionality Development & Coding

- Build and code site based on a standard CMS system, such as Wordpress or Drupal. We prefer Wordpress. *This is a minimum requirement for vendor proposal. Proposals that do not demonstrate vendor ability to accommodate this will not be considered (Pass/Fail).*
- Must adhere to State of Washington Accessibility standards – WCAG 2.0, as much as is reasonable
- Site must contain industry-standard, updatable security features
- CMS database for main portion of the site must interface with My Public Art Portal MySQL database. We do NOT want to have the My Public Art Portal MySQL database rebuilt, but want it to ‘integrate’ seamlessly with the main section of the site. We recognize this means there will likely be two databases that the CMS must pull from in order to populate the appropriate information in the correct places, using one common design theme. We need a simple, functional CMS and design theme that can handle both databases. *This is a minimum requirement for vendor proposal. Proposals that do not demonstrate vendor ability to accommodate this will not be considered (Pass/Fail).*
- CMS system must be simple, functional, and able to easily pull data from both databases that were previously described.
- Theme design must accommodate functionality requirements of our site map, which will be provided to selected vendor upon commencement of project. The site map contains approximately 60 unique pages (does not include the pages for the MyPublic Art Portal).
- Ensure functionality, both amongst the databases as well as from the end-user perspective.
- Finished site must be mobile responsive, and accommodate various browsers.
- CMS must accommodate various user permission levels for ArtsWA staff

Functional and Quality Assurance Testing

- Must ensure all features of site are 100% functional when site goes live.
- Must provide proposal for post-launch technical support in case of functionality issues. Plan for post-launch technical support must be provided in proposal. *This is a minimum requirement for vendor proposal. Proposals that do not demonstrate vendor ability to accommodate this will not be considered (Pass/Fail).*

Training and Documentation Support

- Provide initial training for staff on new platform/CMS/theme(s).
- Provide documentation for basic site functionality, including image specs, core theme functionality, etc. that can be shared with all future CMS users.
- Provide full documentation for back-end functionality of site, including database passwords, server and hosting login information.

Website Setup and/or Migration

- Migration to new hosting service (our current site is hosted by previous design company, which at this point is not optimal). We are open to either self-hosting (using a managed webserver such as GoDaddy), or having our site hosted by vendor. If vendor proposes site hosting as part of its proposal, proposal must provide monthly and/or annual cost breakdown.

Website Maintenance Contract

- Maintenance contract so that if the site gets broken or hacked, the vendor can be available to fix it. Or provide a list of a minimum of three (3) recommended vendors that can maintain the site, if website maintenance is not a service vendor generally provides. This maintenance contract must be submitted as a supplement to the cost proposal, and provide monthly and/or annual cost breakdown.

1.8 SCHEDULE/MILESTONES

We have a hard deadline for the completion of our website, which is June 15, 2019. Vendor must craft a project timeline as part of their proposal that will accommodate this deadline. *This is a minimum requirement for vendor proposal. Proposals that do not demonstrate vendor ability to accommodate this will not be considered (Pass/Fail).*

1.9 ACCEPTANCE CRITERIA

Project will be considered complete when project timeline benchmarks are met, and site is live and fully functional. At every benchmark, ArtsWA will approve work in writing and provide written approval to vendor.

Exhibit C – Price Proposal

Price sheet: Bidders must record their bid pricing in the appropriate cells using the following table as a guide. Bidders must submit pricing for each individual item; failure to do so may result in disqualification from award. Bidders must submit pricing proposal as a supplemental document, following document naming conventions described in Section 2 of this RFP following

NOTE: Pricing provided on the Price Worksheet is to be rounded to the nearest whole cent.

Vendor Proposed Pricing for Website Development		
Category of Service	\$Hourly Rate ¹	Estimated hours
Project Management		
Theme Development & Wireframe Testing		
Functionality Development & Coding		
Functional and Quality Assurance Testing		
Training and Documentation Support		
Website Setup and/or Migration		
	SUBTOTAL	

When responding to request for website maintenance, vendor must use the following table to itemize services, providing monthly and annual cost breakdown. If vendor chooses to provide a list of recommended vendors that can maintain the site instead (because website maintenance is not a service vendor generally provides), vendor must attach list, with complete and accurate contact information of at least three (3) recommended vendors to this proposal as a supplemental document, following document naming conventions described in Section 2 of this RFP. This maintenance contract and/or vendor list must be submitted as a supplement to the cost proposal.

Vendor Proposed Pricing for Website Maintenance Contract (Supplemental, not required)		
Category of Service	Monthly Cost	Annual Cost
Service 1 (please describe service here)		
Please describe additional itemized services as rows, using the table as a guide		
	SUBTOTAL	

Exhibit D –Contract

See attached Sample Contract for RFP No. ARTS-2019-RFP-001-Web-Design.

Exhibit E – Complaint, Debrief, & Protest Requirements

This appendix details the applicable requirements for complaints, debriefs, and protests.

Complaints

This IFB offers a complaint period for bidders wishing to voice objections to this solicitation. The complaint period ends five (5) business days before the bid due date. The complaint period is an opportunity to voice objections, raise concerns, or suggest changes that were not addressed during the Question & Answer Period or at the Pre-Bid Conference. Failure by the bidder to raise a complaint at this stage may waive its right for later consideration. ArtsWA will consider all complaints but is not required to adopt a complaint, in part or in full. If bidder complaints result in changes to the IFB, written amendments will be issued and posted on WEBS.

- *Criteria for Complaint:* A formal complaint may be based only on one or more of the following grounds: (a) The solicitation unnecessarily restricts competition; (b) The solicitation evaluation or scoring process is unfair or flawed; or (c) The solicitation requirements are inadequate or insufficient to prepare a response.
- *Initiating A Complaint:* A complaint must: (a) Be submitted to and received by the Procurement Coordinator no less than five (5) business days prior to the deadline for bid submittal; and (b) Be in writing (see *Form and Substance, and Other* below). A complaint should clearly articulate the basis of the complaint and include a proposed remedy.
- *Response:* When a complaint is received, the Procurement Coordinator (or designee) will consider all the facts available and respond in writing prior to the deadline for bid submittals, unless more time is needed. ArtsWA is required to promptly post the response to a complaint on WEBS.
- *Response is Final:* The Procurement Coordinator's response to the complaint is final and not subject to administrative appeal. Issues raised in a complaint may not be raised again during the protest period. Furthermore, any issue, exception, addition, or omission not brought to the attention of the Procurement Coordinator prior to bid submittal may be deemed waived for protest purposes.

Debrief Conferences

A Debrief Conference is an opportunity for a bidder and the Procurement Coordinator to meet and discuss the bidder's bid. A debrief is a required prerequisite for a bidder wishing to file a protest. Following the evaluation of the bids, ArtsWA will issue an announcement of the ASB. That announcement may be made by any means, but ArtsWA likely will use email to the bidder's email address provided in the Bidder's Profile. Bidders will have three (3) business days to request a Debrief Conference. Once a Debrief Conference is requested, ArtsWA will offer the requesting bidder one meeting opportunity and notify the bidder of the Debrief Conference place, date, and time. Please note, because the debrief process must occur before making an award, ArtsWA likely will schedule the Debrief Conference shortly after the announcement of the ASB and the bidder's request for a Debrief Conference. ArtsWA will not allow the debrief process to delay the award. Therefore, bidders should plan for contingencies and alternate representatives; bidders who are unwilling or unable to attend the Debrief Conference will lose the opportunity to protest.

- *Timing:* A Debrief Conference may be requested by a bidder following announcement of the Apparent Successful Bidder.
- *Purpose of Debrief Conference:* Any bidder who has submitted a timely bid response may request a Debrief Conference (see *Form and Substance, and Other* below). A Debrief Conference provides an opportunity for the bidder to meet with ArtsWA to discuss its bid and evaluation.
- *Requesting a Debrief Conference:* The request for a Debrief Conference must be made in writing via email to the Procurement Coordinator and received within three (3) business days after the announcement of the Apparent Successful Bidder. Debrief conferences may be conducted either in person at the ArtsWA offices in Olympia, Washington, or by telephone, as determined by ArtsWA, and may be limited by ArtsWA to a specified period of time. The failure of a bidder to request a debrief within the specified time and attend a debrief conference constitutes a waiver of the right to submit a protest. Any issue, exception, addition, or omission not brought to the attention of the procurement coordinator before or during the debrief conference may be deemed waived for protest purposes.

Protests

Following a Debrief Conference, a bidder may protest the award of the Contract.

- *Criteria for a Protest:* A protest may be based only on one or more of the following: (a) Bias, discrimination, or conflict of interest on the part of an evaluator; (b) Error in computing evaluation scores; or (c) Non-compliance with any procedures described in the IFB.
- *Initiating a Protest:* Any bidder may protest an award to the ASB. A protest must: (a) Be submitted to and received by the Procurement Coordinator, within five (5) business days after the protesting bidder's Debriefing Conference (see *Form and Substance, and Other* below); (b) Be in writing; (c) Include a specific and complete statement of facts forming the basis of the protest; and (d) Include a description of the relief or corrective action requested.
- *Protest Response:* After reviewing the protest and available facts, ArtsWA will issue a written response within ten (10) business days from receipt of the protest, unless additional time is needed.
- *Decision is Final:* The protest decision is final and not subject to administrative appeal. If the protesting bidder does not accept ArtsWA's protest response, the bidder may seek relief in Thurston County Superior Court.

Communication During Complaints, Debriefs, and Protests

All communications about this IFB, including complaints, debriefs, and protests, must be addressed to the Procurement Coordinator unless otherwise directed.

- *Form, Substance, & Other:* All complaints, requests for debrief, and protests must (a) Be in writing; (b) Be signed by the complaining or protesting bidder or an authorized agent, unless

sent by email; (c) Be delivered within the time frame(s) outlined herein; (d) Identify the solicitation number; (e) Conspicuously state “Complaint,” “Debrief” or “Protest” in any subject line of any correspondence or email, and (f) Be sent to the address identified in the table below.

- *Complaints & Protests:* All complaints and protests must (a) State all facts and arguments on which the complaining or protesting bidder is relying as the basis for its action; and (b) Include any relevant documentation or other supporting evidence.

How to contact ArtsWA

Complaint

Email

To the Procurement Coordinator listed in this RFP.

Subject line must include “Complaint”

Mail

(**Name** of Procurement Coordinator)
Contracts, Procurement and Risk Mgmt.
Washington State Arts Commission
P. O. Box 41411
Olympia, WA 98504-1411

Debrief Conference

Email

To the Procurement Coordinator listed in this RFP.

Subject line must include “Debrief”

Protest

Email

To the Procurement Coordinator listed in this RFP.

Subject line must include “Protest”

Mail

(**Name** of Procurement Coordinator)
Contracts, Procurement and Risk Mgmt.
Washington State Arts Commission
P. O. Box 41411
Olympia, WA 98504-1411

Exhibit F– Doing Business with the State of Washington

Washington’s Public Records Disclosure Act

All documents submitted by bidders to ArtsWA as part of this procurement will become public records. Such records are subject to public disclosure unless specifically exempt under RCW chapter 42.56. ArtsWA strongly discourages submittal of confidential material – i.e. any portion of your submittal clearly marked “Confidential,” “Proprietary,” or “Trade Secret” (or the equivalent). In the event ArtsWA receives a public records request, for such documents, ArtsWA will notify such bidder of the date of disclosure and it is that bidder’s responsibility to take legal action to block disclosure if it chooses to do so. ArtsWA will not withhold or redact your documents without a court order requiring such action.

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. Results Washington has established for this RFP voluntary numerical goals of:
 - Ten (10) percent minority-owned businesses (MBE);
 - Six (6) percent women-owned businesses (WBE);
 - Five (5) percent veteran-owned businesses (VB).

Achievement of these goals is encouraged whether directly or through subcontractors. Bidders may contact the Office of Minority and Women’s Business Enterprises for information on certified firms or to become certified.

- ArtsWA is directed, by the Washington State Legislature, to “develop procurement policies, procedures, and materials that encourage and facilitate state agency purchase of goods and services from Washington small businesses.” See RCW 39.26.005.
- 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.

Environmental Goals

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

- Use of environmentally preferable goods and services, including post-consumer waste and recycled content.
- Products made or grown in Washington.

Resources

- Register for free for solicitation notices at the Washington Electronic Business Solution (WEBS)
www.des.wa.gov/services/ContractingPurchasing/Business/Pages/WEBSRegistration.aspx.
- If you qualify as a Washington 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 www.omwbe.wa.gov.
- Contact the Washington State Department of Veterans' Affairs about certification at (360) 725-2169 or www.dva.wa.gov.