

**STATE OF WASHINGTON,
OFFICE OF THE SECRETARY OF STATE,
CORPORATIONS DIVISION**

REQUEST FOR PROPOSALS

RFP NO. 15-11

PROJECT TITLE: Nonprofit Corporations and Charities Training Program

PROPOSAL DUE DATE: August 26, 2015

EXPECTED TIME PERIOD FOR CONTRACT: 1 year with option for one additional year

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

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1. INTRODUCTION

1.1 PURPOSE AND BACKGROUND

The Washington State Office of the Secretary of State, Corporations & Charities Division, hereinafter called "OSOS," is initiating this Request for Proposals (RFP) to solicit proposals from firms interested in participating on a project to:

Develop and implement a comprehensive training program for nonprofit corporations and charities.

The Charities Education program was created in 2007 through legislation now codified as RCW 19.09.510. The intent of the program was to provide professional governance, financial, and general corporate management training to nonprofit and charity boards, executive directors, and members. This need was determined by the Secretary of State in 2006 when a series of round table meetings were conducted throughout the state. The new law also created a Charities Advisory Council to advise the program on educational needs of the sector.

Currently, the program consists of one coordinator who uses volunteers to implement a curriculum that was designed by the Charities Advisory Council in 2007 – 2008. Between 2011 and 2014, the program delivered 47 workshops or symposiums to approximately 4,397 participants. These events were held in both eastern and western Washington and represent approximately 4% of current nonprofit and charity board members.

While the program has been well received by those attending, there are needs that are not being met. First and foremost, reaching a larger percentage of board members in the state is highly desired. Traditionally, board members of a nonprofit and/or charity are often made up of volunteers who come and go often. This causes information and learning to be lost more often and the importance of continuing education for boards to be a concern. Our office cannot fully meet these needs with current funding and staff.

The funding of this program is determined by the number of charitable registrations and renewals that are filed in the Office of the Secretary of State. As of the writing of this document, the office reports more than 58,000 nonprofit corporations and over 10,000 charity registrations, 95% of which are nonprofit corporations. It is likely that there are more -nonprofits that should be registered as charities, but may not even know about the requirement. We also have discovered that nonprofit corporations are administratively dissolved on average, over 500 per month. This is usually due to a failure to maintain current information, again, most likely because of changes in the board membership and loss of knowledge.

1.2 OBJECTIVE

We seek to find a consultant with the resources to develop and provide a training program and curriculum, incorporating a list of topics developed by the Council, and who will collaborate with the office of the Secretary of State as a partner in determining changes to the curriculum for future educational needs of this particular sector of business.

1.3 MINIMUM QUALIFICATIONS

The Consultant must be licensed to do business in the state of Washington. The Consultant must be registered to do business with the state and have a current Unified Business Identifier (UBI) number and have two years' experience in developing and providing training seminars with the ability to address the needs of nonprofits, both large and small in eastern and western Washington State.

1.4 FUNDING

OSOS has budgeted an amount not to exceed \$300,000 for the initial period of the contract from date of execution on or about September 24, 2015 through June 30, 2016 and another \$300,000 for July 1, 2016 through June 30, 2017 as an optional one year extension of the contract.

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

1.5 PERIOD OF PERFORMANCE

The period of performance of any contract resulting from this RFP is tentatively scheduled to begin on or about September 24, 2015 and to expire on June 30, 2016. An extension of the contract will be for July 1, 2016 through June 30, 2017. The option extending the period of performance, if any, shall be at the sole discretion of OSOS.

1.6 DEFINITIONS

Definitions for the purposes of this RFP include:

OSOS – The Office of the Secretary of State is the agency of the state of Washington that is issuing this RFP.

Consultant – Individual or company submitting a proposal in order to attain a contract with OSOS.

Contractor – Individual or company whose proposal has been accepted by OSOS and is awarded a fully executed, written contract.

Proposal – A formal offer submitted in response to this solicitation.

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

2. GENERAL INFORMATION FOR CONSULTANTS

2.1 RFP COORDINATOR

The RFP Coordinator is the sole point of contact in OSOS for this procurement. All communication between the Consultant and OSOS upon receipt of this RFP shall be with the RFP Coordinator, as follows:

Name	Rebecca Sherrell
Address	PO Box 40234
City, State, Zip Code	Olympia, WA 98504-0234
Phone Number	360.725.0380
Fax Number	360.664.4250
E-Mail Address	Rebecca.Sherrell@sos.wa.gov

Any other communication will be considered unofficial and non-binding on OSOS. Consultants 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 Consultant.

2.2 ESTIMATED SCHEDULE OF PROCUREMENT ACTIVITIES

Issue Request for Proposals	7/27/15
Question and answer period	7/28 – 8/11
Last date for questions regarding RFP	8/11
Place complete list of Q&As on WEBS and OSOS web site	8/12
Last amendment to RFP	8/17
Last day for complaint	8/19
Proposals due	8/26
Evaluate proposals	8/27 – 9/2
Conduct oral interviews with finalists, if required	9/3 – 9/4
Announce “Apparent Successful Bidder” (ASB) and send notification via fax or e-mail to unsuccessful proposers	9/8
Hold debriefing conferences (if requested)	See 4.5
Protest	See 4.6
Negotiate contract	9/9 -9/23
Begin contract work	9/24

All Q&As and amendments will be posted on WEBS and Secretary of State website: <http://www.sos.wa.gov/office/procurements.aspx>.

OSOS reserves the right to revise the above schedule.

2.3 SUBMISSION OF PROPOSALS

Consultants are required to submit an electronic copy of their proposal. The proposal must be received by OSOS no later than 4:00 p.m., Pacific Time, on August 26, 2015. Attachments to the e-mail shall be in Microsoft Word or PDF format.

The proposal is to be sent to the RFP Coordinator at the e-mail address noted in Section 2.1.

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

The Consultant’s Response must respond to all of the solicitation requirements. Do not respond by referencing material presented elsewhere. The e-mailed Response shall be considered complete and stand on its own merits. Failure to respond to any portions may result in rejection of the proposal as non-responsive.

Include Consultant’s contact information for this RFP with name, title, email, and telephone number.

The Apparent Successful Contractor will be expected to enter into a contract which is substantially the same as the sample contract and its general terms and conditions attached as Exhibit B. In no event is a Consultant to submit its own standard contract terms and conditions in response to this solicitation. The Consultant may submit exceptions as allowed in the Certifications and Assurances form, Exhibit A to this solicitation. All exceptions to the contract terms and conditions must be submitted as an attachment to Exhibit A, Certifications and Assurances form. The OSOS will review requested exceptions and accept or reject the same at its sole discretion.

2.4 PROPRIETARY INFORMATION/PUBLIC DISCLOSURE

Materials submitted in response to this competitive procurement shall become the property of OSOS.

All proposals received shall remain confidential until the contract, if any, resulting from this RFP is signed by the Deputy Secretary of State and the apparent successful Contractor; thereafter, the proposals shall be deemed public records as defined in RCW 42.17.250 to 42.17.340, “Public Records.”

Any information in the proposal that the Consultant desires to claim as proprietary and exempt from disclosure under the provisions of RCW 42.17.250 to 42.17.340 must be clearly designated. The page must be identified and the particular exception from disclosure upon which the Consultant is making the claim. Each page claimed to be exempt from disclosure must be clearly identified by the word "Confidential" printed on the lower right hand corner of the page.

OSOS will consider a Consultant's request for exemption from disclosure; however, OSOS will make a decision predicated upon chapter 42.17 RCW and chapter 143-06 of the Washington Administrative Code. Marking the entire proposal exempt from disclosure will not be honored. The Consultant must be reasonable in designating information as confidential. If any information is marked as proprietary in the proposal, such information will not be made available until the affected proposer has been given an opportunity to seek a court injunction against the requested disclosure.

A charge will be made for copying and shipping, as outlined in RCW 42.17.300. No fee shall be charged for inspection of contract files, but twenty-four (24) hours notice to the RFP Coordinator is required. All requests for information should be directed to the RFP Coordinator.

2.5 REVISIONS TO THE RFP

In the event it becomes necessary to revise any part of this RFP, amendments will be published on WEBS and the OSOS web site, as follows: <http://www.sos.wa.gov/office/procurements.aspx>. For this purpose, the published questions and answers from the preproposal conference and any other pertinent information shall be considered an amendment to the RFP and also placed on these sites.

OSOS also reserves the right to cancel or to reissue the RFP in whole or in part, prior to execution of a contract.

2.6 MINORITY & WOMEN-OWNED BUSINESS PARTICIPATION

In accordance with the legislative findings and policies set forth in chapter 39.19 RCW, the state of Washington encourages participation in all of its contracts by firms certified by the Office of Minority and Women's Business Enterprises (OMWBE). Participation may be either on a direct basis in response to this solicitation or on a subcontractor basis. However, no preference will be included in the evaluation of proposals, no minimum level of MWBE participation shall be required as a condition for receiving an award, and proposals will not be rejected or considered non-responsive on that basis. Any affirmative action requirements set forth in federal regulations or statutes included or referenced in the contract documents will apply.

The established annual procurement participation goals for MBE is 8 percent and for WBE, 4 percent, for this type of project. These goals are voluntary. Bidders may contact OMWBE at 360/753-9693 to obtain information on certified firms.

2.7 ACCEPTANCE PERIOD

Proposals must provide 45 days for acceptance by OSOS from the due date for receipt of proposals.

2.8 RESPONSIVENESS

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

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

2.9 MOST FAVORABLE TERMS

OSOS reserves the right to make an award without further discussion of the proposal submitted. Therefore, the proposal should be submitted initially on the most favorable terms which the

Consultant can propose. There will be no best and final offer procedure. OSOS does reserve the right to contact a Consultant for clarification of its proposal.

The Consultant should be prepared to accept this RFP for incorporation into a contract resulting from this RFP. Contract negotiations may incorporate some or all of the Consultant's proposal. It is understood that the proposal will become a part of the official procurement file on this matter without obligation to OSOS.

2.10 CONTRACT AND GENERAL TERMS & CONDITIONS

The apparent successful contractor will be expected to enter into a contract which is substantially the same as the sample contract and its general terms and conditions attached as Exhibit B. In no event is a Consultant to submit its own standard contract terms and conditions in response to this solicitation. The Consultant may submit exceptions as allowed in the Certifications and Assurances section, Exhibit A to this solicitation. OSOS will review requested exceptions and accept or reject the same at its sole discretion.

2.11 COSTS TO PROPOSE

OSOS will not be liable for any costs incurred by the Consultant in preparation of a proposal submitted in response to this RFP, in conduct of a presentation, or any other activities related to responding to this RFP

2.12 NO OBLIGATION TO CONTRACT

This RFP does not obligate the state of Washington or OSOS to contract for services specified herein.

2.13 REJECTION OF PROPOSALS

OSOS 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.

2.14 COMMITMENT OF FUNDS

The Director of OSOS or his delegate are the only individuals who may legally commit OSOS 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.

2.15 ELECTRONIC PAYMENT

The state of Washington prefers to utilize electronic payment in its transactions. The successful contractor will be provided a form to complete with the contract to authorize such payment method.

2.16 INSURANCE COVERAGE

Should a contract be awarded pursuant to this RFP, the Contractor will be required to provide insurance coverage as described in Exhibit B, Personal Service Contract with General Terms and Conditions.

Worker's Compensation Coverage

The Contractor will at all times comply with all applicable workers' compensation, occupational disease, and occupational health and safety laws, statutes, and regulations to the full extent

applicable. The State will not be held responsible in any way for claims filed by the Contractor or their employees for services performed under the terms of this contract.

3. PROPOSAL CONTENTS

Proposals must be submitted on eight and one-half by eleven (8 1/2 x 11) inch paper with tabs separating the major sections of the proposal. The four major sections of the proposal are to be submitted in the order noted below:

1. Letter of Submittal, including signed Certifications and Assurances (Exhibit A to this RFP).
2. Technical Proposal.
3. Management Proposal.
4. Cost Proposal.

Proposals must provide information in the same order as presented in this document with the same headings. This will not only be helpful to the evaluators of the proposal, but should assist the Consultant in preparing a thorough response.

Items in this section marked "mandatory" must be included as part of the proposal for the proposal to be considered responsive; however, these items are not scored. Items marked "scored" are those that are awarded points as part of the evaluation conducted by the evaluation team.

3.1 LETTER OF SUBMITTAL (MANDATORY)

The Letter of Submittal and the attached Certifications and Assurances form (Exhibit A to this RFP) must be signed and dated by a person authorized to legally bind the Consultant 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. Along with introductory remarks, the Letter of Submittal is to include by attachment the following information about the Consultant and any proposed subcontractors:

1. Name, address, principal place of business, telephone number, and fax number/e-mail address of legal entity or individual with whom contract would be written.
2. Name, address, and telephone number of each principal officer (President, Vice President, Treasurer, Chairperson of the Board of Directors, etc.).
3. Legal status of the Consultant (sole proprietorship, partnership, corporation, etc.) and the year the entity was organized to do business as the entity now substantially exists.
4. Federal Employer Tax Identification number or Social Security number and the Washington Uniform Business Identification (UBI) number issued by the state of Washington Department of Revenue.
5. Location of the facility from which the Consultant would operate.
6. Identify any State employees or former State employees employed or on the firm's governing board as of the date of the proposal. Include their position and responsibilities within the Consultant's organization. If following a review of this information, it is determined by OSOS that a conflict of interest exists, the Consultant may be disqualified from further consideration for the award of a contract.

3.2 TECHNICAL PROPOSAL (SCORED)

The Technical Proposal must contain a comprehensive description of services including the following elements:

- A. **Project Approach/Methodology** – Include a complete description of the Consultant's proposed approach and methodology for the project. This section should convey Consultant's understanding of the proposed project. Consultant will develop, organize, and implement a curriculum for educational seminars, workshops and/or conferences to improve the operations of nonprofits and charities across the state of Washington.

- B. Work 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 must contain sufficient detail to convey to members of the evaluation team the Consultant’s knowledge of the subjects and skills necessary to successfully complete the project. Include any required involvement of OSOS staff. The Consultant may also present any creative approaches that might be appropriate and may provide any pertinent supporting documentation. Consultants must have knowledge of Washington state laws and regulations regarding the operation of nonprofit corporations and charities, including internal operations and external compliance requirements. Consultants must develop a curriculum from a suggested list of topics developed by the Charities Advisory Council, and is attached to this document Exhibit C. Subject matter includes board development, financial controls, and day to day operational issues. Materials developed may include handouts, booklets, and other presentation resources, as well as input into an annual survey of nonprofit corporations and charities.
- C. Project Schedule** – Include a project schedule indicating when the elements of the work will be completed and when deliverables, if any, will be provided. This project will run from the date of execution through June 30, 2016. The optional year is July 1, 2016 through June 30, 2017.
- D. Deliverables** – Fully describe deliverables to be submitted under the proposed contract. Deliverables should include a curriculum that details the subject matter, presentation materials, and 24 training events the first year on topics from the curriculum in Exhibit C. These events will be provided throughout the state of Washington according to the distribution of nonprofit corporations and charities throughout the state. This information will be provided from the Corporations & Charities Division’s database. Contact information for attendees will be gathered and shared with the OSOS for future surveys. The optional year will be 48 training events and be the same in other respects to the initial year.
- E. Outcomes and Performance Measurement** – Describe the impacts/outcomes the consultants propose to achieve as a result of the delivery of these services including how these outcomes would be monitored, measured and reported to the OSOS. As more boards and staff members of non-profit corporations are instructed in their responsibilities, which include remaining in compliance with state regulations, we expect the administrative dissolution rate for non-profit corporations to decrease. This will be measured against historic levels from OSOS databases. We will also review the databases to monitor compliance with charities regulations. We also expect the board and staff members who attend training provided by the consultants to feel confident that they understand more of their responsibilities and the training and curriculum were valuable. This will be measured by surveys of participants of the classes, administered by the consultants and potentially by OSOS. A separate survey or additional questions may be conducted for those nonprofit corporations that are charities. These outcomes will be reported at least annually.

3.3 MANAGEMENT PROPOSAL

A. Project Management (SCORED)

- 1. Project Team Structure/Internal Controls** - Provide a description of the proposed project team structure and internal controls to be used during the course of the project, including any subcontractors. Provide an organizational chart of your firm indicating lines of authority for personnel involved in performance of this potential contract and relationships of this staff to other programs or functions of the firm. This chart must also show lines of authority to the next senior level of management. Include who within the firm will have prime responsibility and final authority for the work.

2. **Staff Qualifications/Experience** – Identify staff, including subcontractors, who will be assigned to the potential contract, indicating the responsibilities and qualifications of such personnel, and include the amount of time each will be assigned to the project. Provide resumes¹ for the named staff, which include information on the individual's particular skills related to this project, education, experience, significant accomplishments and any other pertinent information. The Consultant must commit that staff identified in its proposal will actually perform the assigned work. Any staff substitution must have the prior approval of OSOS.

B. Experience of the Consultant (SCORED)

1. The successful vendor will have a minimum of two years experience, an ability to demonstrate their knowledge, and/or references regarding their experience in the following areas:
 - a. Curriculum development
 - b. Use of media including, but not limited to, print, web pages and web video
 - c. Fiduciary and legal obligations of nonprofit corporations
 - d. Best practices for nonprofit corporations including those that are also charities soliciting from the public
 - e. Washington State compliance requirements for nonprofit corporations, including, Secretary of State, Department of Revenue, Labor and Industry, and Employment Security.
2. Indicate other relevant experience that indicates the qualifications of the Consultant, and any subcontractors, for the performance of the potential contract. Other relevant experience would be conducting similar trainings or working with other state agencies in a similar manner.
3. Include a list of contracts the Consultant has had during the last five years that relate to the Consultant's ability to perform the services needed under this RFP. List contract reference numbers, contract period of performance, contact persons, telephone numbers, and fax numbers/e-mail addresses.

C. References (SCORED)

List names, addresses, telephone numbers, and fax numbers/e-mail addresses of three business references for whom work has been accomplished and briefly describe the type of service provided. The Consultant must grant permission to OSOS to contact the references. Do not include current OSOS staff as references. References will be contacted for the top-scoring proposal(s) only.

D. Related Information (MANDATORY)

1. If the Consultant or any subcontractor contracted with the state of Washington during the past 24 months, indicate the name of the agency, the contract number and project description and/or other information available to identify the contract.
2. If the Consultant's staff or subcontractor's staff was an employee of the state of Washington during the past 24 months, or is currently a Washington state employee, identify the individual by name, OSOS division previously or currently employed by, job title or position held and separation date.
3. If the Consultant has had a contract terminated for default in the last five years, describe such incident. Termination for default is defined as notice to stop performance due to the Consultant's non-performance or poor performance and the issue of performance was either (a) not litigated due to inaction on the part of the Proposer, or (b) litigated and such litigation determined that the Proposer was in default.

4. Submit full details of the terms for default including the other party's name, address, and phone number. Present the Consultant's position on the matter. OSOS will evaluate the facts and may, at its sole discretion, reject the proposal on the grounds of the past experience. If no such termination for default has been experienced by the Consultant in the past five years, so indicate.

E. OMWBE Certification (Optional)

Include proof of certification issued by the Washington State Office of Minority and Women-Owned Business if certified minority-owned firm and/or women-owned firm(s) will be participating on this project.

3.4 COST PROPOSAL

The maximum fee for this contract must be \$300,000 for the initial year and the same amount for the optional year or less to be considered responsive to this RFP.

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

A. Identification of Costs (SCORED)

Costs are to be identified per deliverable. The Consultant's Cost Proposal should be a listing of costs per prescribed deliverable. Each deliverable will be billable upon acceptance by OSOS and will be billable at the amount of the cost proposal for the given deliverable item.

Identify all costs including expenses to be charged for performing the services necessary to accomplish the objectives of the contract. The Consultant is to submit a fully detailed budget including staff costs and any expenses necessary to accomplish the tasks and to produce the deliverables under the contract. Consultants are required to collect and pay Washington state sales tax, if applicable.

Costs for subcontractors are to be broken out separately. Please note if any subcontractors are certified by the Office of Minority and Women's Business Enterprises.

B. Computation

The score for the cost proposal will be computed by dividing the lowest cost bid received by the Consultant's total cost. Then the resultant number will be multiplied by the maximum possible points for the cost section.

4. EVALUATION AND CONTRACT AWARD

4.1 EVALUATION PROCEDURE

Responsive proposals will be evaluated strictly in accordance with the requirements stated in this solicitation and any addenda issued. The evaluation of proposals shall be accomplished by an evaluation team, to be designated by OSOS, which will determine the ranking of the proposals.

OSOS, at its sole discretion, may elect to select the top-scoring firms as finalists for an oral presentation.

4.2 EVALUATION WEIGHTING AND SCORING

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

Technical Proposal – 35%		70 points
Project Approach/Methodology	15 points (maximum)	
Quality of Work Plan	35 points (maximum)	
Project Schedule	10 points (maximum)	
Project Deliverables	10 points (maximum)	
Management Proposal – 30%		60 points
Project Team Structure/ Internal Controls	15 points (maximum)	
Staff Qualifications/Experience	15 points (maximum)	
Experience of the Consultant	30 points (maximum)	
Cost Proposal – 35%		70 points
		<hr/>
Sub-Total		200 points
References [top-scoring proposer(s) only]		10 points
		<hr/>
GRAND TOTAL FOR WRITTEN PROPOSAL		210 POINTS

References will be contacted for the top-scoring proposer(s) only and will then be scored and added to the total score.

4.3 ORAL PRESENTATIONS MAY BE REQUIRED

Written submittals and oral presentations, if considered necessary, will be utilized in selecting the winning proposal. OSOS, at its sole discretion, may elect to select the top scoring finalists from the written evaluation for an oral presentation and final determination of contract award. Should OSOS elect to hold oral presentations, it will contact the top-scoring firm(s) to schedule a date, time and location. Commitments made by the Consultant at the oral interview, if any, will be considered binding. The score from the oral presentation will be considered independently and will determine the apparently successful proposer.

4.4 NOTIFICATION TO PROPOSERS

Firms whose proposals have not been selected for further negotiation or award will be notified via FAX or by e-mail.

4.5 DEBRIEFING OF UNSUCCESSFUL PROPOSERS

Upon request, a debriefing conference will be scheduled with an unsuccessful Proposer. The request for a debriefing conference must be received by the RFP Coordinator within three (3) business days after the Notification of Unsuccessful Consultant letter is faxed/e-mailed to the Consultant. The debriefing must be held within three (3) business days of the request.

Discussion will be limited to a critique of the requesting Consultant's proposal. Comparisons between proposals or evaluations of the other proposals will not be allowed. Debriefing conferences may be conducted in person or on the telephone and will be scheduled for a maximum of one hour.

4.6 PROTEST PROCEDURE

This procedure is available to Consultants who submitted a response to this solicitation document and who have participated in a debriefing conference. Upon completing the debriefing conference, the Consultant is allowed five (5) business days to file a protest of the acquisition with the RFP Coordinator. Protests may be submitted by facsimile, but should be followed by the original document.

Consultants protesting this procurement shall follow the procedures described below. Protests that do not follow these procedures shall not be considered. This protest procedure constitutes the sole administrative remedy available to Consultants under this procurement.

All protests must be in writing and signed by the protesting party or an authorized Agent. The protest must state the grounds for the protest with specific facts and complete statements of the action(s) being protested. A description of the relief or corrective action being requested should also be included. All protests shall be addressed to the RFP Coordinator.

Only protests stipulating an issue of fact concerning the following subjects shall be considered:

- A matter of bias, discrimination or conflict of interest on the part of the evaluator.
- Errors in computing the score.
- Non-compliance with procedures described in the procurement document or OSOS policy.

Protests not based on procedural matters will not be considered. Protests will be rejected as without merit if they address issues such as: 1) an evaluator's professional judgment on the quality of a proposal, or 2) OSOS's assessment of its own and/or other agencies needs or requirements.

Upon receipt of a protest, a protest review will be held by OSOS. OSOS director or an employee delegated by the Director who was not involved in the procurement will consider the record and all available facts and issue a decision within five business days of receipt of the protest. If additional time is required, the protesting party will be notified of the delay.

In the event a protest may affect the interest of another Consultant which submitted a proposal, such Consultant will be given an opportunity to submit its views and any relevant information on the protest to the RFP Coordinator.

The final determination of the protest shall:

- Find the protest lacking in merit and uphold OSOS's action; or
- Find only technical or harmless errors in OSOS's acquisition process and determine OSOS to be in substantial compliance and reject the protest; or
- Find merit in the protest and provide OSOS options which may include:
 - Correct the errors and re-evaluate all proposals, and/or
 - Reissue the solicitation document and begin a new process, or
 - Make other findings and determine other courses of action as appropriate.

If OSOS determines that the protest is without merit, OSOS will enter into a contract with the apparently successful contractor. If the protest is determined to have merit, one of the alternatives noted in the preceding paragraph will be taken.

5. RFP EXHIBITS

- Exhibit A Certifications and Assurances
- Exhibit B Service Contract Format including General Terms and Conditions (GT&Cs)
- Exhibit C Charities Advisory Council Suggested List of Topics

