

**STATE OF WASHINGTON
OFFICE OF THE SECRETARY OF STATE
OLYMPIA, WASHINGTON**

**REQUEST FOR QUALIFICATIONS AND QUOTATIONS
RFQQ NO. 18-07**

PROJECT TITLE: Washington Digital Newspapers Web Portal Solution

PROPOSAL DUE DATE: May 30, 2018

EXPECTED TIME PERIOD FOR CONTRACT: 5 years with options to extend

VENDOR ELIGIBILITY: This procurement is open to those vendors 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 Office of the State Secretary of State, Washington State Library (WSL) Division, hereafter called "OSOS," is initiating this Request for Qualifications and Quotations (RFQQ) to solicit proposals from firms interested in participating on the following project:

WSL maintains the Washington Digital Newspapers collection of approximately 402,000 online newspaper pages at the Washington State Library in Olympia. The library continues to grow the collection, digitizing up to 100,000 newspaper page images per year.

OSOS seeks a vendor who can provide online access via a user friendly web portal and a stable hosting platform. The website should allow users to perform advanced search techniques for full-text searchable OCR and metadata-rich content created using the Library of Congress' METS/ALTO standards, as listed in the 2018 National Digital Newspaper Program (NDNP) Technical Guidelines (http://www.loc.gov/ndnp/guidelines/NDNP_201820TechNotes.pdf). OSOS is a three-time grant recipient of the NDNP and an active member of the NDNP community. OSOS is currently using an open source viewing tool based on the Chronicling America platform (<https://chroniclingamerica.loc.gov/>) and wishes to maintain a similar or improved user experience that allows growth for long-term preservation and access. The website should also reflect OSOS branding and design consistent with other agency websites.

The contract awarded from this RFQQ will be for five years with options to extend.

1.2 OBJECTIVE

OSOS will provide raw TIFF images created to NDNP technical standards (e.g. 8-bit, grayscale, uncompressed TIFF, with Optical Character Recognition (OCR) & METS/ALTO metadata already applied). Deliverable images may also include JP2000 and PDF files if appropriate. Data delivery should be seamless, ideally through an FTP system or other similar secure file delivery system suitable for large amounts of data (e.g. 300-500 gigabytes per image batch). Data should be uploaded regularly, within a consistent agreed upon amount of time, for public access via the web platform. Vendor would maintain website and data storage for public access 24/7.

Required deliverables:

- Create and maintain user friendly newspaper web portal with OSOS branding.
- Upload and display approximately 50,000-100,000 new newspaper images per year.
- Host and maintain full collection of newspaper pages with optimal room for collection growth.
- Display advanced search capabilities with keyword, calendar & date range, term proximity, with Boolean style search features.
- Provide full page display with zoom & PDF download features.
- Software compatibility with Microsoft development platforms.
- Provide software support during standard Monday-Friday, 8AM-5PM business hours, Pacific Standard/Daylight Time.
- Provide 100% quality assurance guarantee with quick issue resolution.

Optional deliverables:

- Provide full text searchable OCR (Optical Character Recognition) results for English and European language newspapers, with options for Asian languages such as Japanese, Vietnamese, Tagalog, & Chinese.
- Provide structural and page/article level OCR metadata in METS/ALTO XML format according to NDNP standards.
- Linked Data options for links to related physical resources in library catalog.
- Allow library card access to secure or copyrighted collections.
- Crowd-sourced OCR text correction features.
- Accessibility display enhancements (WSL oversees Washington Talking Book & Braille Library).

1.3 MINIMUM QUALIFICATIONSVendor Qualifications:

The Vendor must be licensed to do business in the state of Washington. The Vendor must meet all state requirements to do business with the state of Washington and have a current Unified Business Identifier (UBI) number

The Vendor must have at least 5-10 years of experience in hosting and displaying digital newspaper collections and metadata standards. Please provide examples of previous projects and references. Selection preference will be made for candidates with an understanding of the National Digital Newspaper Program technical requirements as described above.

The Vendor must demonstrate that the staff assigned to this project are experienced and knowledgeable in their assigned responsibilities.

The Vendor must demonstrate experience in successfully completing projects of similar scope to this. RFQQ.

The Vendor must provide telephone support during OSOS's normal business hours of 8:00 a.m. to 5:00 p.m. M-F, Pacific Time Zone for the duration of the contract.

Vendor Financial Stability: All information provided will be held in confidence within the proposal evaluation team and not used for any purpose beyond evaluation of the Vendor as a potential business partner for the proposed products and/or services.

- During the past two (2) years and currently, has the Vendor been the subject of any merger or acquisition inquiries? This includes any discussions that led to successful, ongoing, or abandoned proposals. If yes, please provide brief details as permitted.
- During the past two (2) years and currently, has the Vendor initiated any merger or acquisition inquiries to another Vendor? This includes any discussions that led to successful, ongoing, or abandoned proposals. If yes, please provide brief details as permitted.
- During the past two (2) years and currently, has the Vendor undergone bankruptcy proceedings? If yes, please provide brief details as permitted.

1.4 FUNDING

The OSOS has budgeted an amount not to exceed \$45,000 for web portal set up and maintenance in the first fiscal year. The best offer for ongoing support and maintenance will be a factor in the selection process. 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 RFQQ is tentatively scheduled to begin on or about July 1, 2018 and to end on June 30, 2023. Amendments extending the period of performance, if any, shall be at the sole discretion of the OSOS.

1.6 DEFINITIONS

Definitions for the purposes of this RFQQ include:

OSOS – The Office of the Secretary of State is the Agency of the state of Washington that is issuing this RFQQ.

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

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

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

Request for Qualifications and Quotations (RFQQ) – 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 RFQQ is to permit the vendor community to suggest various approaches to meet the need at a given price.

2. GENERAL INFORMATION FOR VENDORS

2.1 RFQQ COORDINATOR

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

Name	Shawn Schollmeyer
Division	Washington State Library
Address	PO Box 42460
City, State, Zip Code	Olympia, WA 98504
Street Address	6880 Capitol Blvd SE
City, State, Zip Code	Olympia, WA 98504
Phone Number	360.570.5568
Fax Number	360.586.7575
E-Mail Address	shawn.schollmeyer@sos.wa.gov

Any other communication will be considered unofficial and non-binding on the OSOS. Vendors are to rely on written statements issued by the RFQQ Coordinator. Communication directed to parties other than the RFQQ Coordinator may result in disqualification of the Vendor.

2.2 ESTIMATED SCHEDULE OF PROCUREMENT ACTIVITIES

Issue Request For Qualifications and Quotations	5/9/2018
Question and answer period	5/10 - 16/2018
Last date for questions regarding RFQQ	5/16/2018
Place complete list of Q&As on WEBS and OSOS web site	5/17/2018
Last amendment to RFQQ	5/21/2018
Last day for complaint	5/23/2018
Proposals due	5/31/2018
Evaluate proposals	6/1 - 6/15/2018
Announce "Apparent Successful Bidder" (ASB) and send notification via fax or e-mail to unsuccessful Vendors	6/18/2018
Hold debriefing conferences (if requested)	6/19 – 21/2018
Protest Period	See 4.11 B
Negotiate contract	To 6/28/2018
Begin contract work	7/1/2018

The OSOS reserves the right to revise the above schedule.

2.3 SUBMISSION OF PROPOSALS

Vendors 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 Thursday, May 31, 2018. Attachments to the e-mail should be in Microsoft Word or PDF format.

The proposal is to be sent to the RFQQ 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 Vendor'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 Vendor's contact information for this RFQQ 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 Vendor to submit its own standard contract terms and conditions in response to this solicitation. The Vendor 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 the OSOS.

All proposals received shall remain confidential until the contract, if any, resulting from this RFQQ is signed by the Director of the OSOS 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 Vendor 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 Vendor 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.

The OSOS will consider a Vendor's request for exemption from disclosure; however, the 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 Vendor 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 Vendor 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 RFQQ Coordinator is required. All requests for information should be directed to the RFQQ Coordinator.

2.5 REVISIONS TO THE RFQQ

In the event it becomes necessary to revise any part of this RFQQ, addenda will be published on the Washington Electronic Business Solution (WEBS) and Secretary of State website: <http://www.sos.wa.gov/office/procurements.aspx>. For this purpose, any pertinent information and answers to substantive questions by potential Contractors shall be considered an addendum to the RFQQ and also placed in WEBS and the Secretary of State website. The OSOS also reserves the right to cancel or to reissue the RFQQ 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 two (2) days for acceptance by OSOS from the due date for receipt of proposals.

2.8 OFFER IN EFFECT FOR 75 CALENDAR DAYS

Vendor agrees that it may not modify, withdraw or cancel its proposal for a 75-day period following the RFQQ due date or receipt of best and final offer, if required.

2.9 RESPONSIVENESS

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

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

2.10 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 Vendor can propose. OSOS reserves the right to contact a Vendor for clarification of its proposal. OSOS reserves the right to enact a best and final offer (BAFO). If so enacted the procedure is described in Section 4.

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

2.11 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 Vendor to submit its own standard contract terms and conditions in response to this solicitation. The Vendor may submit exceptions as allowed in the Certifications and Assurances section, Exhibit A to this solicitation. The OSOS will review requested exceptions and accept or reject the same at its sole discretion.

2.12 COSTS TO PROPOSE

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

2.13 NO OBLIGATION TO CONTRACT

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

2.14 REJECTION OF PROPOSALS

The 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 RFQQ.

2.15 COMMITMENT OF FUNDS

The Assistant Secretary of State, or his delegate, are the only individuals who may legally commit the OSOS to the expenditures of funds for a contract resulting from this RFQQ. No cost chargeable to the proposed contract may be incurred before receipt of a fully executed contract.

2.16 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.

2.17 INSURANCE COVERAGE

Should a contract be awarded pursuant to this RFQQ, the Contractor will be required to provide insurance coverage as described in Exhibit B, 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 responsive 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 electronically using Microsoft Word (Version 2013 or later) or PDF format. The four major sections of the proposal are to be submitted in the order noted below:

- Letter of Submittal, including signed Certifications and Assurances (Exhibit A to this RFQQ).
- Management Proposal.
- Cost Proposal.
- Links to Samples of Work

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 Vendor 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 RFQQ) must be signed and dated by a person authorized to legally bind the Vendor 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 Vendor 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 Vendor (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 Vendor 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 Vendor's organization. If following a review of this information, it is determined by the OSOS that a conflict of interest exists, the Vendor may be disqualified from further consideration for the award of a contract.**

3.2 MANAGEMENT PROPOSAL (SCORED)

A. Staff Qualification and Experience

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. 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 resumes' 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 Vendor must commit that staff identified in its proposal will actually perform the assigned work. Any staff substitution must have the prior approval of the OSOS. Include a list of contracts the Vendor has had during the last five years that relate to the Vendor's ability to perform the services needed under this RFQQ. List contract

reference numbers, contract period of performance, contact persons, telephone numbers, and fax numbers/e-mail addresses.

B. Workflow Management

1. Describe your company's process for setting up branded web portals and then maintaining the content platform. What is the normal turnaround time for website design and setup? Does your company provide an online website with security layers to allow search of copyright free content and content allowable only with library membership? If yes, please provide examples. What are the access points? Can the database be searched by newspaper title, city of publication, county of publication or date? Does the website allow users to perform advanced search techniques for full-text searchable OCR and metadata-rich content created using the Library of Congress' METS/ALTO standards, as listed in the 2018 NDNP Technical Guidelines (http://www.loc.gov/ndnp/guidelines/NDNP_201820TechNotes.pdf)
2. Describe the regular process and typical turnaround time for newspaper content upload. Data should be regularly uploaded within a consistent agreed upon amount of time for public access via the web platform. Please describe the process and turnaround time.
3. Describe other processes that may apply.

3.3 TECHNICAL PROPOSAL (SCORED)

A. Processing Operation.

1. Describe your company's digital newspaper processing operation.
2. What equipment and materials does your company use?
3. How is content typically transferred between client & vendor?
4. Depending on transfer method,
5. How are international content transfers managed for efficient delivery and upload?
6. Where are the facilities in which the work takes place?
7. What considerations are taken when transferring intellectual and physical property internationally or within the U.S.?
8. What quality control procedures are followed? What steps are taken to guarantee that content is fully loaded and accessible?

B. Storage System.

1. Describe your company's digital storage facility (ies) and operations.
2. Where are your company's digital storage facilities located?
3. What kind of inventory control does your company offer?
4. Describe your company's disaster recovery plan. Are assets stored in multiple facilities or in general how quickly can assets be restored.

C. Invoices & Accounting.

1. Describe your company's invoicing and accounting systems. Provide a sample of any forms that OSOS would need to fill out for upload requests. Can these forms be filled out electronically and emailed to your company? Provide a sample of your company's invoices.
2. Does your company accept payment through accept electronic fund transfers?

D. Customer Service & Support

1. Describe your company's customer services and support. Is there a toll free number? What is your normal turnaround time for responding to voice mail messages? Note: For this project contractors must provide telephone support during regular business hours of 8 a.m. to 5 p.m., M-F, Pacific Time Zone. Vendors must also provide email support. What is your company's normal turnaround time for responding to email inquiries?
2. What is your reporting process to the client as you work on a project? Does your company provide an online issue tracking system that allows OSOS staff to check on issue status? If yes, please provide examples.
3. Will Vendor maintain the website and data storage for public access 24/7? Please describe the website support process for public and staff.

3.4 COST PROPOSAL (SCORED)

The OSOS seeks an amount not to exceed \$45,000 for web portal set up and maintenance in the first fiscal year. The OSOS also seeks a cost for ongoing support and maintenance in the years following.

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

A. Identification of Costs

Identify all costs including expenses to be charged for performing the services necessary to accomplish the objectives of the contract. The Vendor 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. Vendors are required to collect and pay Washington State sales tax, if applicable.

List all costs for software licensing, data hosting, remote processing options, language processing options, support and maintenance costs should all be listed separately.

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.

Fees

Provide detailed schedules of all fees, charges, and discounts that you propose for service to OSOS.

This schedule should include, but may not be limited to: Web set up costs, web maintenance costs, per page upload fees, long term storage costs, QA fees, and other storage or maintenance costs.

B. Computation

The score for the cost proposal will be computed by dividing the lowest cost bid received by the Vendor's total cost. Then the resultant number will be multiplied by the maximum possible points for the cost section. Score for costs proposal will take into consideration overall costs of software licenses, hosting, support and annual maintenance.

3.5 References (SCORED)

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

3.6 Related Information (MANDATORY)

1. If the Vendor 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 Vendor'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, the Agency previously or currently employed by, job title or position held and separation date.
3. If the Vendor 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 Vendor's non-performance or poor performance and the issue of performance was either (a) not litigated due to inaction on the part of the Vendor, or (b) litigated and such litigation determined that the Vendor was in default.
4. Submit full details of the terms for default including the other party's name, address, and phone number. Present the Vendor's position on the matter. The 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 Vendor in the past five years, so indicate.

3.7 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.

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 the 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 RESPONSIVENESS

4.2.1. "Responsible" and "Responsive"

A "**Responsible Offeror**" is an offeror who meets the elements demonstrating ability, integrity, and performance set out in RCW 39.26.160(2) and RFQQ 18-06.

A "**Responsive Offeror**" is an offeror who has submitted an offer which meets all the minimum mandatory requirements and specifications for the products and solicited in RFQQ 18-06.

4.2.2. Classification of Proposals as Responsive or Nonresponsive. OSOS shall initially classify all proposals as either "responsive" or "nonresponsive" RCW 39.26.160(1)(ii). OSOS may deem a proposal nonresponsive if: (1) any of the required information is not provided; (2) the submitted price is found to be excessive or inadequate as measured by the RFQQ criteria; or (3) the proposal does not meet RFQQ requirements and specifications. OSOS may find any proposal to be nonresponsive at any time during the procurement process. If OSOS deems a proposal nonresponsive, it will not be considered further. The RFQQ Coordinator will notify the offeror by email.

4.3 EVALUATION WEIGHTING AND SCORING

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

<u>Management Proposal – 30%</u>	20 points
Staff Qualifications/Experience	10 points (maximum)
Workflow Management	10 points (maximum)
<u>Technical Proposal – 30%</u>	40 points
Processing Operation	10 points (maximum)
Storage System	10 points (maximum)
Invoices & Accounting	10 points (maximum)
Customer Service & Support	10 points (maximum)
<u>Cost Proposal – 40%</u>	40 points

Detailed description of licensing costs
 Detailed description of hosting costs
 Support and maintenance costs
 List of other miscellaneous expenses

Sub-Total for Proposal	100 points
<u>Three References (top-scoring Vendor(s) only)</u>	10 points
GRAND TOTAL	110 POINTS

References will be contacted for the top-scoring Vendor(s) only, based on the written proposal. References will then be scored and included in the Grand Total.

4.4 EVALUATION OF PROPOSALS.

The RFQQ Coordinator and an evaluation committee, herein jointly called "Committee," will evaluate all responsive and responsible proposals based on stated criteria and recommend an award. The Committee may initiate discussion, negotiation, or a best and final offer. In scoring against stated criteria, the Committee may consider such factors as accepted industry standards and a comparative evaluation of other proposals in terms of differing price and quality. These scores will be used to determine the most advantageous offering to OSOS.

4.5 OPPORTUNITY FOR DISCUSSION/NEGOTIATION AND/OR ORAL PRESENTATION.

After receipt of proposals and prior to the recommendation of award, the RFQQ Coordinator may initiate discussions with one or more Vendors should clarification or negotiation be necessary. The RFQQ Coordinator, at his/her sole discretion, may elect to select the top scoring finalists from the written evaluation. This cut-off for highest scoring Vendor(s) is based on several considerations including responsiveness, qualifications, competitiveness, suitability of the products and services offered, cost and economy, ability of the vendor to perform, and so on. Those Vendors in the top scoring field may be asked to make oral presentations to clarify their RFQQ response or to further define their offer. Should RFQQ Coordinator elect to hold oral presentations, the top-scoring firm(s) will be contacted to schedule a date, time and location for the presentation.

4.6 BEST AND FINAL OFFERS (BAFO).

Offerors are encouraged to submit their most competitive offer, but there is a potential for a best and final (BAFO) process.

This section defines the BAFO process.

Once a Proposal has been submitted, Bidders will not be allowed to make material changes to those Proposals unless they receive a request for a BAFO from OSOS. The circumstances under which a BAFO may be requested are described in this Section.

OSOS reserves the right, that at any point during the evaluation, OSOS may notify all remaining Responsive and Responsible Bidders that OSOS will require them to submit BAFOs.

The notice will be in writing and will set a specific time and date certain by which the BAFO must be submitted to OSOS. The BAFO notice may set additional conditions and requirements for the submission of the BAFO. The notice will advise Bidders that the BAFO shall be in writing and that upon the closing date for submission, OSOS intends to select the highest scoring Responsive and Responsible Bidder for award. Prior to the closing date for the submission of BAFOs OSOS may, at OSOS's discretion, engage in discussion with all remaining Responsive and Responsible Bidders regarding how Bidders can make their Proposals more responsive to the selection criteria in the

RFQQ. All Bidders shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of Proposals, and such revisions may be permitted after submissions and prior to award for the purpose of obtaining BAFOs. In conducting discussions, there shall be no disclosure of any information derived from Proposals submitted by competing Bidders.

For purposes of the BAFO, Bidders may make such changes to their original bids as they believe appropriate to enhance their potential for selection and award under the selection criteria set forth in the RFQQ and BAFO notice. Changes to the original bid must be clearly identified in the re-submitted proposal using the Track Changes function in Microsoft Word.

Evaluation of BAFOs and selection of a successful Bidder will be based upon the evaluation criteria set out in the RFQQ. Terms proposed as part of a BAFO must be substantially in accordance with the terms requested in this RFQQ and may not materially alter the requirements of the RFQQ.

Vendors are not required to submit a BAFO and may submit a written response stating that their original response remains as originally submitted.

Vendor(s) may be requested to make an oral presentation regarding their BAFO. The committee has full discretion to accept or reject any information submitted in a BAFO.

BAFO discussions shall not disclose the content or pricing of another offeror.

If a BAFO process is initiated, all offerors will be eligible for a debriefing conference. See section 4.5.

At the conclusion of negotiations with the highest scoring Responsible and Responsive Bidder OSOS will require that Bidder to submit a signed Contract as a BAFO pending acceptance.

4.7 REQUEST FOR DOCUMENTS NOTICE.

Upon concurrence with the Committee's recommendation, the RFQQ Coordinator will request from the highest scoring Vendor the required documents and information, such as insurance documents, contract performance security, an electronic copy of any requested material (e.g., proposal, response to clarification questions, and/or best and final offer), and any other necessary documents. Receipt of this request does not constitute a contract and no work may begin until a contract signed by all parties is in place. The RFQQ Coordinator will notify all other Vendors of the State's selection.

4.8 CONTRACT EXECUTION.

Upon receipt of all required materials, a contract (Exhibit B) incorporating the Standard Terms and Conditions, as well as the highest scoring Vendor's proposal, will be provided to the highest scoring Vendor for signature. The highest scoring Vendor will be expected to accept and agree to all material requirements contained in Exhibit B of this RFQQ. If the highest scoring Vendor does not accept all material requirements, the State may move to the next highest scoring Vendor, or cancel the RFQQ. Work under the contract may begin when the contract is signed by all parties.

4.9 NOTIFICATION TO VENDORS

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

4.10 DEBRIEFING OF UNSUCCESSFUL VENDORS

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

Discussion will be limited to a critique of the requesting Vendor'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.

4.11 COMPLAINTS AND PROTESTS

A. COMPLAINTS PROCEDURE

The complaint process occurs before bids are submitted to meet the response due date. Vendors will be given an opportunity to submit a complaint to OSOS based on any of the following:

- The solicitation unnecessarily restricts competition;
- The solicitation evaluation or scoring process is unfair or flawed; or
- The solicitation requirements are inadequate or insufficient to prepare a response.

Vendors can submit complaints up to five (5) business days prior to the bid response deadline. The complaints must meet the following requirements:

- Must be in writing.
- Must be sent to the RFQQ Coordinator in a timely manner.
- Clearly articulate the basis for the complaint.
- Include a proposed remedy.

The RFQQ Coordinator will respond to complaints in writing.

The response to the complaint including any changes to the solicitation shall be posted on WEBS.

The complaint may not be raised again during the protest period.

Appeals to the RFQQ Coordinator decision will not be allowed.

B. PROTEST PROCEDURE

The protest process occurs after the bids are submitted, evaluated and the announcement of the apparent successful bidder (ASB) is made. This procedure is available to Vendors who submitted a response to this solicitation document and who have participated in a debriefing conference. Upon completing the debriefing conference, the Vendor is allowed five (5) business days to file a protest with the RFQQ Coordinator. Protests may be submitted by FAX or by e-mail with the RFQQ Coordinator, but be followed by the original document.

Vendors 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 Vendors 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 RFQQ 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 solicitation document or OSOS protest process or DES requirements.

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 the OSOS. The Secretary of State or an employee delegated by the Secretary who was not involved in the procurement will consider the record and all available facts and issue a decision within ten (10) business days from receipt of the protest unless additional time is needed. 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 Vendor which submitted a proposal, such Vendor will be given an opportunity to submit its views and any relevant information on the protest to the RFQQ Coordinator.

The final determination of the protest shall:

- Find the protest lacking in merit and uphold the OSOS's action; or
- Find only technical or harmless errors in the OSOS's acquisition process and determine the OSOS to be in substantial compliance and reject the protest; or
- Find merit in the protest and provide the 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 the OSOS determines that the protest is without merit, the 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.

The protest decision is final and no appeal is available. If a protesting bidder does not accept the OSOS protest response the bidder may try to seek relief from superior court.

5. RFQQ EXHIBITS

- | | |
|-----------|---|
| Exhibit A | Certifications and Assurances |
| Exhibit B | Sample Service Contract, including General Terms and Conditions (GT&Cs) |

EXHIBIT A**CERTIFICATIONS AND ASSURANCES**

I/we make the following certifications and assurances as a required element of the proposal to which it is attached, understanding that the truthfulness of the facts affirmed here and the continuing compliance with these requirements are conditions precedent to the award or continuation of the related contract(s):

1. I/we declare that all answers and statements made in the proposal are true and correct.
2. The prices and/or cost data have been determined independently, without consultation, communication, or agreement with others for the purpose of restricting competition. However, I/we may freely join with other persons or organizations for the purpose of presenting a single proposal.
3. The attached proposal is a firm offer for a period of 60 days following receipt, and it may be accepted by the OSOS without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 60-day period.
4. In preparing this proposal, I/we have not been assisted by any current or former employee of the state of Washington whose duties relate (or did relate) to this proposal or prospective contract, and who was assisting in other than his or her official, public capacity. (Any exceptions to these assurances are described in full detail on a separate page and attached to this document.)
5. I/we understand that the OSOS will not reimburse me/us for any costs incurred in the preparation of this proposal. All proposals become the property of the OSOS, and I/we claim no proprietary right to the ideas, writings, items, or samples, unless so stated in this proposal.
6. Unless otherwise required by law, the prices and/or cost data which have been submitted have not been knowingly disclosed by the Vendor and will not knowingly be disclosed by him/her prior to opening, directly or indirectly to any other Vendor or to any competitor.
7. I/we agree that submission of the attached proposal constitutes acceptance of the solicitation contents and the attached sample contract and general terms and conditions. If there are any exceptions to these terms, I/we have described those exceptions in detail on a page attached to this document.
8. No attempt has been made or will be made by the Vendor to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition.

Signature of Vendor

Title

Date