

**STATE OF WASHINGTON  
OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION  
OLYMPIA, WASHINGTON**

**INFORMAL SOLICITATION No. 2017-04  
WA-AIM NGSS Graphics**

The Office of Superintendent of Public Instruction (OSPI) is initiating this Informal Solicitation to solicit proposals for creation of black-line graphics that accompany elements of the Washington Access to Instruction & Measurement (WA-AIM) assessment, specific to development work with the Next Generation Science Standards (NGSS).

OSPI recognizes the power that accompanying graphics can play in eliciting responses from students based on the varying styles of learning and expression. The black-line graphics associated with this project are intended to enhance the testing experience for the students who are administered the WA-AIM assessment.

**SCOPE OF WORK**

The following areas are identified as the primary responsibilities for the Contractor:

1. Conduct a project kick-off meeting with OSPI staff to determine objectives, milestones, work plan, and schedule.
2. Attend a task and item development meeting—slated for February 28, 2017–March 3, 2017—to gather educator developer inputs for the desired images to accompany the product said educator developers will be generating. The educator developer inputs will frame the outputs from the graphics creation work.
3. Provide the initial images of up to two hundred twenty-five (225) specific items as an output from the task and item meeting.
4. Attend a bias and sensitivity meeting (tentatively slated for late April 2017) to receive feedback on initial images and gather insight on possible edits; ideas from the bias and sensitivity meeting will be accompanied by feedback from OSPI staff.
5. Deliver final graphic images to OSPI no later than June 30, 2017. All work must be provided in accordance with the WA-AIM Graphics Style Guide, attached hereto as Exhibit A.

**PERIOD OF PERFORMANCE**

The period of performance of any contract awarded as a result of this solicitation is tentatively scheduled to begin on or about February 17, 2017, and end on or about June 30, 2017. The option to extend any contract resulting from this solicitation shall be at the sole discretion of OSPI.

**BUDGET**

It is anticipated that any contract awarded under this solicitation shall be in an amount not to exceed twenty thousand dollars (\$20,000), inclusive of expenses associated with travel to subject meetings.

If OSPI determines it is necessary to increase the Contractor's involvement, OSPI may amend any awarded contract to increase the Contractor's involvement. Such amendment, if any, to increase or decrease the dollar value and extend the period of performance, shall be at the sole discretion of OSPI.

Per OSPI's indirect costs policy, the maximum amount that may be charged or included in grants and contracts is the following:

Entity	State Grants and Contracts	Federal Grants and Contracts
School Districts	State recovery rate	Federal indirect rates, per OSPI's agreement with the U.S. Department of Education
Educational Service Districts	Per annual letter of agreement by K-12 Financial Resources Division	Per annual letter of agreement by K-12 Financial Resources Division
All other entities (including higher education, non-profits, independent consultants, etc.)	10%	10%

### MINIMUM QUALIFICATIONS

To ensure there is no actual or perceived violation of the State Ethics Law, current or former state officers or state employees who have had substantial participation or management in any part of this project or solicitation within the last two (2) years, are not eligible to bid on this solicitation, whether or not for compensation.

This solicitation is open to individuals that meet the following minimum criteria:

1. Licensed to do business in the State of Washington. If not licensed, provide a written intent to become licensed in Washington within thirty (30) calendar days of being selected as the Apparently Successful Contractor. Visit Department of Revenue for license requirements: <http://dor.wa.gov/content/doingbusiness/>.

Consultants who do not meet these minimum qualifications shall be deemed to be non-responsive, will not be evaluated, and a score will not be assigned.

### SCHEDULE

OSPI has the right to change this schedule as necessary.

Solicitation Released:	January 10, 2017
Proposals Due:	January, 25, 2017
Evaluation:	January 26 – February 2, 2017
Award:	February 10, 2017
Estimated Contract Start:	February 28, 2017

### PROPOSAL CONTENTS

The proposal is to be brief but should include:

1. Resume
2. Name, addresses, and telephone numbers of three (3) references. By submitting a proposal in response to this solicitation, the Consultant and team members grant permission to OSPI to contact these references and others, who from OSPI's perspective, may have pertinent information. OSPI may or may not, at OSPI's discretion, contact these references or others. Do not include current OSPI staff as references.

3. Project Work Plan
4. Cost proposal
5. Contractor Intake Form
6. Three (3) to five (5) black-line graphic samples

Provide information regarding past performance by indicating if the Consultant has received notification of contract breach in the past five (5) years. This does not lead to automatic disqualification. However, OSPI reserves the right to disqualify Consultant's proposal based on the Consultant's historical performance.

Proposals will be evaluated by OSPI based on the response to the information requested above. All items above must be addressed for the proposal to be considered responsive. **The deadline for submission of responses is 4:00 p.m. on January 25, 2017.**

All proposals shall be submitted electronically via email to the Coordinator noted below. Attachments to email shall be on Microsoft Office software and/or PDF format. OSPI does not assume responsibility for any problems in the email submission or delays caused by any delivery service. The Coordinator will respond with a confirmation email upon receipt of proposals.

**LATE PROPOSALS WILL NOT BE ACCEPTED AND WILL BE AUTOMATICALLY DISQUALIFIED FROM FURTHER CONSIDERATION. TIME EXTENSIONS WILL NOT BE GRANTED.**

Proposals are to be emailed to:

Office of Superintendent of Public Instruction  
 Coordinator: Kyla Moore  
 Email: [contracts@k12.wa.us](mailto:contracts@k12.wa.us)

**QUESTIONS**

Any requests for information about this project are to be directed to Coordinator named above. Any other communication will be considered unofficial and non-binding on OSPI. Consultants are to rely on written statements issued by the Coordinator. Communication directed to parties other than the Coordinator may result in disqualification of the Consultant.

**EVALUATION**

The following weights will be assigned for bid evaluation purposes:

Experience/Staff Qualifications	30 points
Project Work Plan	10 points
Reference Checks (if determined necessary by OSPI)	10 points
Cost	25 points
<b>Total Points Possible</b>	<b>75 points</b>

OSPI reserves the right at its sole discretion to reject any or all proposals for any reason whatsoever prior to the execution of a contract. This solicitation does not obligate OSPI to contract for the services specified herein. The final selection, if any, will be the proposal, which in the opinion of OSPI best meets the requirements set forth in this solicitation, and is in the best interest of the State of Washington. OSPI is not obligated to select the lowest priced proposal. OSPI shall not be responsible for any costs associated with a Consultant's preparation of a proposal in response to this solicitation. OSPI reserves the right, at its sole discretion, to waive minor administrative irregularities.

The Contractor selected to perform the duties as outlined in this solicitation shall be required to sign a contract, including General Terms and Conditions. Consultants shall not propose their own standard contract or terms and conditions in response to this solicitation.

#### **AMERICANS WITH DISABILITIES ACT**

OSPI complies with the Americans with Disabilities Act (ADA). Consultants may contact the Informal Solicitation Coordinator to receive this Solicitation in an alternative format.

#### **COMMITMENT OF FUNDS**

Only authorized representatives of OSPI may legally commit OSPI to the expenditures of funds for a contract resulting from this Informal Solicitation. No cost chargeable to the proposed contract may be incurred before receipt of a fully executed contract.

#### **STATEWIDE VENDOR PAYMENT REGISTRATION**

Individuals awarded contracts as a result of this solicitation are **required** to register as a Statewide Vendor (SWV). The SWV file is a central vendor file maintained by the Office of Financial Management for use by Washington State agencies in processing vendor payments. This allows you, as a vendor, to receive payments from all participating state agencies by direct deposit, the State's preferred method of payment. For online registration, visit:

<http://des.wa.gov/services/ContractingPurchasing/Business/VendorPay/Pages/default.aspx>

#### **SMALL BUSINESS, WOMEN-/MINORITY - OR VETERAN-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. For more information on certification, contact the [Washington Office of Minority and Women's Business Enterprises](#).

43.60A.200 encourages the participation of Veteran and Service Member Owned Businesses certified by the Washington State Department of Veterans Affairs RCW [43.60A.195](#). For more information on certification, contact [Washington State Department of Veteran Affairs](#).

Additionally, per Department of Enterprise policy, agencies are encouraged to buy from in-state small business, including microbusinesses and mini-businesses.

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.

Self-Certification should be submitted with the Contractor Intake Form.

## PROPRIETARY INFORMATION/PUBLIC DISCLOSURE

Your entire response to this solicitation is a public record and will be disclosed consistent with the Public Records Act), Chapter 42.56 RCW.

### A. CONFIDENTIAL DOCUMENTS

For the purposes of this solicitation do not include confidential or proprietary information unless specifically requested by OSPI.

If OSPI requests confidential or proprietary information, you must clearly print the word "Confidential" on the lower right-hand corner of each page containing the confidential or proprietary information.

### B. PUBLIC RECORDS REQUESTS

If a public records request seeks your proposal and the proposal contains pages clearly marked "Confidential", OSPI will take the following steps:

- i. We will notify you. We will identify the requestor and the date that OSPI will disclose the requested records.
- ii. We will give you an opportunity to seek a court order to stop OSPI from disclosing the records.
- iii. We will not evaluate or defend your claim of confidentiality. We will not withhold or redact your documents without a court order.

If you have any questions, please do not hesitate to contact the OSPI Public Records Office at <http://www.k12.wa.us/publicrecordsrequest/>

## COMPLAINT PROCEDURE

The complaint process is available to Consultants interested in this solicitation. The complaint process allows Consultants to focus on the solicitation requirements and evaluation process and raise issues with these processes early enough in the process to allow an agency to correct a problem before proposals are submitted and time expended on evaluations.

A Consultant may submit a complaint 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.

Consultants may submit complaints up to five (5) business days prior to the proposal due date noted in the Estimated Schedule of Procurement Activities. However, Consultants are encouraged to submit complaints as soon as possible so OSPI can rectify the issue(s) early in the process. Complaints must be submitted to the Coordinator. In order to be considered a valid complaint, the complaint must meet the following requirements:

- Must be in writing.
- Should clearly articulate the basis for the complaint.
- Should include a proposed remedy.

Complaints not received by the deadline noted in the Estimated Schedule of Procurement Activities will not be reviewed by OSPI.

The OSPI Contracts Administrator or an employee delegated by the Contracts Administrator will review valid complaints and respond to the submitter in writing. The response, and any changes to the Informal Solicitation will be posted to WEBS prior to the proposal due date. Any complaint addressed during the complaint process cannot be raised during the protest process.

### **DEBRIEFING OF UNSUCCESSFUL PROPOSERS**

Upon request, an individual debriefing conference will be scheduled with an unsuccessful Proposer. The request for a debriefing conference must be received by the Coordinator within three (3) business days after the Notification of Unsuccessful Consultant letter or e-mail is sent to the Consultant. The debriefing must be held within three (3) business days of the request, unless otherwise agreed upon by the Coordinator and Proposer.

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 30 minutes.

### **PROTEST PROCEDURE**

This protest procedure is available to Consultants who submitted a response to this solicitation document and who have participated in a debriefing conference. Upon completion of the debriefing conference, the Consultant is allowed five (5) business days to file a protest of the acquisition with the Coordinator. Protests may be submitted by fax or email, but should be followed by a hard copy 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 including specific facts and complete statements of the action(s) being protested. The protesting party may submit with the protest any documents or information deemed relevant. A description of the relief or corrective action being requested should also be included. All protests shall be addressed to the 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/evaluation team;
- Errors in computing the score; and/or
- Non-compliance with procedures described in the procurement document or OSPI 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, 2) OSPI's assessment of its own and/or other agencies needs or requirements, or 3) a complaint raised during the Complaint Procedure.

Upon receipt of a protest, a protest review will be held by OSPI. OSPI's Contracts Administrator or an employee delegated by the Contracts Administrator who was not involved in the procurement will consider the record and all available facts and issue a decision within ten (10)

business days of receipt of the protest. If additional time is required, the protesting party will be notified.

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

The final determination of the protest shall:

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

If OSPI determines that the protest is without merit, OSPI will enter into a contract with the Apparent Successful Contractor. If the protest is determined to have merit, one of the alternatives noted in the preceding paragraph will be taken.