

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

INFORMAL SOLICITATION No. 2019-20
Special Education Safety Net High Need Individual Application Reviewer

Amendment 02 (3/29/2019)

DUE DATE: 3:00 p.m., Pacific Standard Time (PST) on ~~March 29, 2019~~ April 5, 2019

ESTIMATED CONTRACT PERIOD: April 8, 2019, through June 30, 2019. Amendments extending the period of performance, if any, shall be at the sole discretion of OSPI.

BIDDER ELIGIBILITY: This Informal Solicitation is open to those Bidders that satisfy the minimum qualifications stated herein and that are available for work in Washington State.

All communications concerning this Informal Solicitation must be directed only to the Informal Solicitation Coordinator via email. Any other communication will be considered unofficial and non-binding on OSPI. Bidders are to rely on written statements issued by the Informal Solicitation Coordinator. Communication directed to parties other than the Informal Solicitation Coordinator may result in disqualification of the Bidder.

*This Informal Solicitation is available at the Office of Superintendent of Public Instruction (OSPI) website located at [OSPI's website](#) and at the Department of Enterprise Services, [Washington Electronic Business Solution \(WEBS\) Procurement website](#). All Informal Solicitation amendments or Bidder questions and OSPI answers will be posted to these sites. All interested Bidders must be registered with WEBS under the following commodity codes in order to receive notifications: **918-38** Consulting Services, **924-71** School Operation and Management Services, **924-74** Special Education*

OSPI, and its contractors and subcontractors, must not discriminate in any programs or services based on sex, race, creed, religion, color, national origin, age, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, disability, or the use of a trained dog guide or service animal by a person with a disability, and must comply with state and federal nondiscrimination laws, including Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Americans with Disabilities Act, and Title VI of the Civil Rights Act of 1964. Questions and complaints of alleged discrimination should be directed to the Equity and Civil Rights Director at 360-725-6162/TTY: 360-664-3631; or P.O. Box 47200, Olympia, WA 98504-7200; or equity@k12.wa.us.

***Amended sections are noted throughout the document with red headings**

INTRODUCTION

The Office of Superintendent of Public Instruction (OSPI) is initiating this Informal Solicitation for proposals from individuals to perform confidential fiscal reviews of special education high need individual safety net applications. OSPI anticipates awarding up to two (2) contracts for this work.

Safety net funding is available to local education agencies (LEAs) with a demonstrated capacity for special education funding in excess of state and federal funding otherwise available to the LEA. High need application review includes comparing the IEP(s) submitted for an application to the cost worksheet submitted for the application to ensure that costs claimed are allowable. This work will be supported by the OSPI Special Education Services, Administrative Program Specialist (Superintendent's designee).

SCOPE OF WORK

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

1. Review accuracy of school districts' high need individual requests, including verification of enrollment of student(s), location, duration, and frequency of services claimed, cost of individual provider(s) and/or contracted service(s).
2. Indicate adjustments, if needed, on each individual request.
3. Provide Superintendent's designee with completed reviews on a daily basis.
4. Must maintain confidentiality of student information at all times.

WORK SPECIFICATIONS:

1. Work will be performed at the Office of Superintendent of Public Instruction, Special Education Division.
2. Contractor will be provided a work area within the Special Education office.
3. The Special Education division will provide a computer for use during this contract period.
4. Ability to work at a desk for extended periods of time will be required.

This contract awarded as a result of this informal solicitation will require the contractor to access individual student data. This data is protected and must be handled according to specific standards established by the Office of the Chief Information Officer under security standard 141.10. Individual student data is considered Category 3 or Category 4 data. Further details can be found in the [OCIO Standard](#). Upon contract execution, OSPI will require the contractor to complete an IT Security Training module. OSPI will also require review and compliance with our Technology Acceptable Use Policy, Student Data Confidentiality Policy, and Email Retention Policy.

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 April 8, 2019, and end on or about June 30, 2019. The option to extend any contract resulting from this solicitation shall be at the sole discretion of OSPI.

As such, OSPI reserves the right to amend to extend the contract for three (3) additional contract years through 2022. Decision to amend shall be based on sustained satisfactory

performance as decided by the Superintendent's designee, successful completion of project objectives, and availability of funding. If OSPI provides a renewal notice to the Contractor, the Contractor shall be obligated to enter into a contract with the same fiscal obligations as the previous Contract year, provided that OSPI and Contractor shall negotiate any revision of additional services or goals beyond those encompassed in the previous Contract.

BUDGET

It is anticipated that any contract awarded under this solicitation shall be thirty-five dollars (\$35) per hour not to exceed ten thousand dollars (\$10,000) per contract.

Funds for this contract will be provided with state funds.

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 Bidders, etc.)	10%	10%

MINIMUM QUALIFICATIONS

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 Apparent Successful Bidder. Visit [Department of Revenue's website](#) for license requirements.
2. Excel experience with intermediate proficiency.
3. Cost accounting experience.
4. Experience working in a Washington State school or district administrative setting.
5. Able to commute to OSPI in Olympia, Washington.

Bidders 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.

Desirable Qualifications:

- School district accounting experience, or
- Payroll clerk experience, or
- Experience working in a school district setting in a special education program

SCHEDULE

OSPI has the right to change this schedule as necessary.

Solicitation Released:	March 6, 2019
Complaints Due:	March 13, 2019
Q&A Released:	March 18, 2019
Proposals Due:	March 29, 2019 <u>April 5, 2019</u>
Evaluation:	March 20-22, 2019 <u>April 8-9, 2019</u>
Award:	March 22, 2019 <u>April 10, 2019</u>
Estimated Contract Start:	April 8, 2019 <u>April 24, 2019</u>

PROPOSAL CONTENTS

The proposal is to be brief but must include:

1. **Letter of interest** describing your experience with this type of work. Please address all required minimum qualifications and any desired qualifications. Please provide examples of your experience in this letter.
2. **Resume**
3. **References** including name, addresses, and telephone numbers of three (3) references. By submitting a proposal in response to this solicitation, the Bidder 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.
4. **Certification and Assurances – Exhibit A**
5. **Contractor Intake Form – Exhibit B**

Provide information in your letter of interest regarding past performance by indicating if the Bidder 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 Bidder's proposal based on the Bidder'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.**

All proposals shall be submitted electronically via email to the Informal Solicitation 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 Informal Solicitation 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

Informal Solicitation Coordinator: Johannah Renfro

Email: contracts@k12.wa.us

QUESTIONS

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

EVALUATION

OSPI will evaluate all proposals and assign a job specific task to the highest scoring bidders as part of the evaluation process. The following weights will be assigned for evaluation purposes:

Evaluation	
Letter of Interest documenting Experience/Qualifications	50 points
Reference Checks (if determined necessary by OSPI)	10 points
Total Points Possible	60 points

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 Bidder'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. Bidders 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). Bidders 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.

PROPRIETARY INFORMATION/PUBLIC DISCLOSURE

Your entire response to this Informal 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 Informal 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, refer to the [OSPI Public Records Office](#).

STATEWIDE VENDOR PAYMENT REGISTRATION

Vendors 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: the [Department of Enterprise Services' website](#).

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 minibusinesses.

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.

COMPLAINT PROCEDURE

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

A Bidder 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.

Bidders may submit complaints up to five (5) business days prior to the proposal due date noted in the Estimated Schedule of Procurement Activities. However, Bidders are encouraged to submit complaints as soon as possible so Commission/OSPI can rectify the issue(s) early in the process. Complaints must be submitted to the Informal Solicitation 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 Commission/OSPI. Failure by the bidder to raise a complaint at this stage may waive its right for later consideration.

The OSPI Contracts Administrator or an employee delegated by the Contracts Administrator will review valid complaints and respond to the submitter in writing. The Commission/OSPI will consider all complaints but is not required to adopt a complaint, in part or in full. The Commission/OSPI's response to the complaint is final and not subject to administrative appeal. 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 Bidder. The request for a debriefing conference must be received by the Coordinator within three (3) business days after the Notification of Unsuccessful Bidder letter or e-mail is sent to the Bidder. The debriefing must be held within three (3) business days of the request, unless otherwise agreed upon by the Informal Solicitation Coordinator and Bidder.

Discussion will be limited to a critique of the requesting Bidder'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 thirty (30) minutes.

PROTEST PROCEDURE

This protest procedure is available to Bidders who submitted a response to this solicitation document and who have participated in a debriefing conference. Upon completion of the debriefing conference, the Bidder is allowed five (5) business days to file a protest of the acquisition with the Informal Solicitation Coordinator. Protests may be submitted by fax or email, but should be followed by a hard copy document.

Bidders 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 Bidders 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 Informal Solicitation 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) Commission/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 Commission/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 Bidder that submitted a proposal, such Bidder will be given an opportunity to submit its views and any relevant information on the protest to the Informal Solicitation Coordinator.

The final determination of the protest shall:

- Find the protest lacking in merit and uphold Commission/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 Commission/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 Commission/OSPI determines that the protest is without merit, Commission/OSPI will enter into a contract with the Apparent Successful Bidder. If the protest is determined to have merit, one of the alternatives noted in the preceding paragraph will be taken.

**EXHIBIT A
CERTIFICATION AND ASSURANCES**

Bidder must sign and include the full text of this Exhibit A with their proposal.

Bidder makes 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. Bidder declares 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, Bidder 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 sixty (60) days following receipt, and it may be accepted by OSPI without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the sixty- (60-) day period.
4. In preparing this proposal, Bidder has not been assisted by any current or former employee of the state of Washington whose duties relate (or did relate) to this 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. Bidder understands that OSPI will not reimburse Bidder for any costs incurred in the preparation of this proposal. All proposals become the property of OSPI, and Bidder claims 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 Bidder and will not knowingly be disclosed by Bidder prior to opening, directly or indirectly, to any other Bidder or to any competitor.
7. Bidder agrees 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, Bidder has described those exceptions in detail on a page attached to this document.
8. No attempt has been made or will be made by the Bidder to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition.
9. Bidder grants OSPI the right to contact references and others, who may have pertinent information regarding the Bidder's prior experience and ability to perform the services contemplated in this procurement.
10. Bidder acknowledges that if awarded a contract with OSPI, Bidder is required to comply with all applicable state and federal civil rights and other laws. Failure to comply may result in Contract termination. Bidder agrees to submit additional information about its nondiscrimination policies, at any time, if requested by OSPI.

11. Bidder certifies that Bidder has not, within the three-year period immediately preceding the date of release of this competitive solicitation, been determined by a final and binding citation and notice of assessment issued by the Department of Labor and Industries or through a civil judgment to have willfully violated state minimum wage laws (RCW 49.38.082; Chapters 49.46 RCW, 49.48 RCW, or 49.52 RCW).
12. Bidder has not been debarred or otherwise restricted from participating in any public contracts.
13. Bidder certifies that Bidder has not willfully violated Washington State's wage payment laws within the last three years.
14. Bidder acknowledges its obligation to notify OSPI of any changes in the certifications and assurances above.

I certify under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.

Signature of Bidder	Date	Place Signed (City, State)
Print Name	Title	Organization Name

**EXHIBIT B
CONTRACTOR INTAKE FORM**

Available as an editable Word document on [OSPI's contract website](#):

<http://www.k12.wa.us/RFP/default.aspx>