



REQUEST FOR PROPOSALS (RFP)

**RFP NO. 2023HCA1**

**NOTE:** *If you download this RFP from any source other than the Washington Electronic Business Solution (WEBS), you are responsible for registering in WEBS for your organization to receive any RFP amendments, including Bidder questions/agency answers. HCA is not responsible for any failure of your organization to register in WEBS or any other repercussions that may result to your organization because of this failure.*

**PROJECT TITLE:** Web-Based Application to Support the use of the Child and Adolescent Needs and Strengths (CANS) tool.

**PROPOSAL DUE DATE:** June 27, 2023 by 2:00 p.m. Pacific Time, Olympia, Washington, USA.

Only e-mailed bids will be accepted.

**ESTIMATED TIME PERIOD FOR CONTRACT:** January 1, 2024 to December 31, 2025

The Health Care Authority reserves the right to extend the contract for up to six (6) additional 1-year periods at its sole discretion, dependent on mutual agreement of the contract terms by the parties.

**BIDDER ELIGIBILITY:** This solicitation is open to those Bidders that satisfy the minimum qualifications (see Section 1.6) stated herein and that are available for work in Washington State.

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- ATTACHMENT 5 – ASSESSMENT CAPTURES**

# 1. INTRODUCTION

## 1.1 DEFINITIONS

Definitions for the purposes of this RFP include:

**Active Directory Federation Services (ADFS)** - A software component developed by Microsoft, can run on Windows Server operating systems to provide users with single sign-on access to systems and applications located across organizational boundaries. It uses a claims-based access-control authorization model to maintain application security and to implement federated identity. Claims-based authentication involves authenticating a user based on a set of claims about that user's identity contained in a trusted token. Such a token is often issued and signed by an entity that is able to authenticate the user by other means, and that is trusted by the entity doing the claims-based authentication.

**Apparent Successful Bidder (ASB)** – The Bidder selected as the entity to perform the anticipated services under this RFP, subject to completion of contract negotiations and execution of a written contract.

**Application** – The Web-Based Application to Support the use of the Child and Adolescent Needs and Strengths (CANS) tool.

**Bidder** – Individual or company interested in the RFP that submits a proposal to attain a contract with the Health Care Authority.

**Business Day** – Monday through Friday, 8:00 a.m. to 5:00 p.m., Pacific Time, except for holidays observed by the state of Washington, unless otherwise specified within the RFP.

**Child and Adolescent Needs and Strengths (CANS)** - A multi-purpose tool developed for children's services to support decision making, including level of care and service planning, to facilitate quality improvement initiatives, and to allow for the monitoring of outcomes of services.

**Contractor** – The Bidder who is awarded and enters into a Contract for the Web-Based Application to Support the use of the Child and Adolescent Needs and Strengths (CANS) tool.

**Division of Behavioral Health and Recovery (DBHR)** – The Division of the Washington State Health Care Authority that provides program support for behavioral health including substance use disorder prevention and treatment, mental health promotion and treatment, and recovery support services.

**Health Care Authority (HCA)** – An executive agency of the state of Washington that is issuing this RFP.

**Prepaid Inpatient Health Plan** – An entity that provides medical services to enrollees under contract with the State agency and on the basis of prepaid capitation payments or other payment arrangements that do not use State payment rates.

**Proposal** – A formal offer submitted in response to this solicitation. To be responsive, a Proposal must include all items outlined in Section 3 (PROPOSAL CONTENTS AND REQUIREMENTS). Two such items that may be referred to throughout this document are:

- 1) **Cost Proposal** – Bidder's cost as described in Section 3.10 and Exhibit D.

- 2) **Functional Requirements Proposal** – Bidder’s written response as described in Section 3.9 and Exhibit C.

**Request for Proposals (RFP)** – Formal solicitation 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 bidder community to suggest various approaches to meet the need at a given price.

**Revised Code of Washington (RCW)** – The laws of the state of Washington, as enacted by the Legislature. Any references to specific titles, chapters, or sections of the RCW includes any substitute, successor, or replacement title, chapter, or section. Pertinent RCW chapters can be accessed at: <http://apps.leg.wa.gov/rcw/>.

**Secure Access Washington (SAW)** – A central login that lets you access the online services of multiple state agencies. Often referred to as SAW, and is a service provided by Washington's Consolidated Technology Services.

**Subcontractor** – A person, partnership, or entity not in the employment of or owned by the Bidder, who would be performing all or part of the services under this RFP under a separate contract with or on behalf of the Bidder. The term “Subcontractor” means Subcontractors in any tier.

**Washington’s Electronic Business Solution (WEBS)** – An internet-based bid notification system HCA uses to post competitive solicitations. Individuals and firms interested in state contracting opportunities with the Department of Enterprise Services or any state agency should [register](#) for competitive solicitation notices on WEBS. *Note: There is no cost to register on WEBS.*

**Wraparound with Intensive Services (WISE)** – An approach to helping children, youth, and their families with intensive mental health care.

**1.2 ESTIMATED SCHEDULE OF SOLICITATION ACTIVITIES**

Issue Request for Proposals	May 12, 2023
Questions Due	May 30, 2023 – 2:00 PM
Answers Posted*	June 6, 2023
Letter of Intent to Propose Due	June 9, 2023
Interested Subcontractor Responses Due	June 9, 2023
Interested Subcontractor List Posted*	June 13, 2023
Complaints Due (if applicable)	June 20, 2023
Proposals Due	June 27, 2023 – 2:00 PM
Evaluate Proposals*	June 30 – July 7, 2023
Product Demonstrations with Finalists, if required	July 11 – 13, 2023
Announce “Apparent Successful Bidder” via WEBS*	July 17, 2023

Debrief Request Deadline ( <i>3 Business Days after the ASB announcement</i> )	July 20, 2023
Begin Contract Negotiations	July 21, 2023
Implementation Start Date	Date of Contract Execution
Contract Go-Live	January 1, 2024

\*Dates are anticipated and subject to change without an official amendment.

NOTE: All times are Pacific Time

HCA reserves the right in its sole discretion to revise the above schedule at any time.

**1.3 PURPOSE AND OBJECTIVES**

The Washington State Health Care Authority, hereafter called “HCA,” is initiating this Request for Proposals (RFP) to solicit proposals to provide a web-based application to support the use of the Child and Adolescent Needs and Strengths (CANS) tool. This application will provide a database to collect and store the assessment data, calculate level of care using custom algorithms, and create quality management reports for providers, Prepaid Inpatient Health Plans (PIHPs), and HCA. Data will be entered into the database either directly via the web or through uploads of CANS data collected separately through local data systems to accommodate the preferences and resources of local systems.

HCA intends to award one contract to provide the services described in this RFP.

**1.4 BACKGROUND**

HCA is seeking to contract with a vendor for a web-based application to support the use of the CANS tool as required by the T.R. v Strange, Birch Settlement. This settlement requires HCA’s Division of Behavioral Health and Recovery (DBHR) to use the CANS tool to determine if Wraparound with Intensive Services (WISe) is medically necessary and to use CANS for assessment, care planning, reporting and evaluation of outcomes. The criteria of this settlement specifically requires the State to use CANS to:

- a. assess individual and family strengths and needs;
- b. support clinical decision-making and practice; and
- c. measure and communicate the outcomes of the WISe program.

HCA currently contracts for this application, which is set to expire on December 31, 2023. If there is a transition between HCA and the current contractor, the current contractor will work towards migrating data out of the current Application and will work together with HCA and the new contractor to ensure a smooth transition of data and services.

**1.5 SCOPE OF WORK**

Under the direction of HCA, the contractor will implement a web-based application to support use of the CANS tool. The application will provide a database to collect and store the assessment data, calculate level of care using custom algorithms, and create quality management reports for providers, PIHPs, and HCA. CANS data from full and screen forms will be entered by users from behavioral health agencies that administer the CANS tool to client(s) receiving services. This data is submitted to the database either directly via the web or through uploads of CANS data collected separately

through local data systems to accommodate the preferences and resources of local systems. For example, data could be shared from a behavioral health agency's electronic medical record (EMR) system and uploaded directly into the CANS tool.

The CANS instrument will provide numerous data points that rate a child's needs within the domains of behavior/emotions, risk behaviors, and functioning as well as a child's/family's strengths and cultural considerations. These data points will be used to make a determination of the level of care needed by a child and family and to design an appropriate treatment plan and a responsive system of care which requires a rigid process that can analyze the data and provide a support decision.

Contractor must have a platform with multi-factor authentication access to an online repository of CANS assessments. The platform must grant access to category 4 client data using Office of the Chief Information Officer (OCIO) approved security and must grant access based on affiliation with the client based on agency, Managed Care Organization (MCO), Fee for Service payment or placement in a Children's Long Term Inpatient Program (CLIP) facility. The Multi Factor Authentication (MFA) must use Secure Access Washington (SAW) for external users and State agency users must be able to use Active Directory Federation Services (ADFS). The contractor must demonstrate compatibility with SAW and ADFS, as well as the Application being Security Assertion Markup Language (SAML) 2.0 compatible.

The Application must produce on demand reports based on the CANS categories that can be run at the agency, regional, and state levels allowing for comparisons of outcomes at these levels using CANS data. Data must also be entered into a data extract file to show the fields populating required reports so that ad-hoc additional reports can be created based on the needs of agencies, MCO's, or the state. On demand and ad-hoc reports must be access limited to clients that are in the purview of the user requesting the report. The system creates reports both on demand and data extract showing all fields suitable for users to create their own reports or that HCA can request to be created by an external user. The minimum set of reports are:

- A. Open Assessments;
- B. Closed Assessments;
- C. Reassessments;
- D. Assessments that have not been closed for more than 60 days;
- E. Screening Timeliness;
- F. Current Assessment for screens and full CANS;
- G. Active current users;
- H. Client Records Missing Provider One Identifiers;
- I. Screening Results;
- J. Staff Certification; and
- K. Longevity Reports including:
  - i. Individual formulation;
  - ii. Item breakouts;
  - iii. Key intervention needs;
  - iv. Strengths development;
  - v. Clinician support intensity; and
  - vi. Average impact.

The Application must allow for documents to be uploaded by a State administrator and downloaded by all users. This will allow for the sharing of reports and other relevant information to Application users. The online storage of documents must allow for up to 100 documents that are up to 50 megabytes each.

CANS assessments include screens and full assessments. The Application must allow for discrete entry of these into the system and include versions of the CANS that are specifically designed for children from birth to five years of age as well as a separate CANS for youth from the ages of 5-20.

The items of each CANS are included in Attachment 5. Fields for each item in those assessments must be captured in the Application and must be used to create ad-hoc reports describing outcomes of individuals and aggregated groups of individuals. The data for each CANS must also be available in the data extract flat file. In addition to the CANS items, demographic and cross system involvement data elements are required to be entered as well as a current diagnosis must be entered for all full CANS. The diagnosis field must be consistent with the most recent versions of the American Psychiatric Association of Diagnostic and Statistical Manual of Mental Disorders (DSM) and the American Medical Association International Classification of Diseases (ICD) coding with the expectation to update as new versions are released. The Application must have a field to document when the diagnosis was given, and by whom.

After an Apparent Success Bidder (ASB) is announced, contract negotiations will commence. Upon contract execution, implementation will begin. The contractor must provide and confirm that a project manager has been onboarded to oversee the implementation and complete all necessary steps to ensure the Application performs all functions required by this RFP prior to January 1, 2024.

Prior to the Application Go Live, Contractor will:

- A. Deliver an implementation plan including a timeline to successfully launch the Application. Timeline must be approved by HCA to determine timeliness.
- B. Pass a Security Design Review prior to January 1, 2024. An example checklist is provided in Attachment 4, Washington State Office of Cybersecurity (OCS) Security Design Review.

User Acceptance Testing with HCA will be conducted prior to Application enhancements or changes in the application. The Application is subject to change order request. Any change orders must have approval from HCA.

A. Test Planning and Preparation Phase

Test planning, test case, test data, and test environment preparations are carried out. A test plan document is prepared which outlines the scope and objectives to be accomplished. Included will be the features to be tested, as well those that are not, the types of testing performed during the execution of test cases, roles and responsibilities of team members, entry and exit criteria, and assumptions. Along with the test planning document, the test team will begin working on writing test cases and preparing test data.

B. Test Execution Phase

The tester executes the test cases prepared. If during execution, actual and expected results do not match, the tester returns it to the developer for review.

C. Data or Issue Analysis Phase

Collecting any defects, data, or implementation issues.

D. Reporting Phase

Reporting the results of the test cases and follow-up with any outstanding issues or data collection.

## **1.6 MINIMUM QUALIFICATIONS**

The following are the minimum qualifications for Bidders:

- A. Licensed to do business in the state of Washington or provide a commitment that it will become licensed in Washington within 30 calendar days of being selected as the Apparent Successful Bidder.
- B. Must be able to pass a Security Design Review prior to January 1, 2024. An example checklist is provided in Attachment 4, OCS Security Design Review.
- C. Must comply with all state and federal laws, statues, and regulations including HIPAA and OCIO Security Standard 141.10 (Attachment 3).
- D. Must meet accessibility standards. The Bidder must confirm compliance with the Section 508 standards or WCAG 2.1 guidelines.
- E. The Bidder must have a minimum of one (1) years' experience with a data management system market that primarily handles CANS.
- F. Must operate a help desk that is available for live service via phone or email 8am-5pm (PST) for every day of the week (excluding Washington state holidays). Weekly reports on help desk requests and solutions must be presented to the contract manager weekly.

## **1.7 FUNDING**

HCA has a current maximum not to exceed budgeted amount of \$423,264.00 for the implementation, startup, and initial term of the resulting contract. This budget is inclusive of all relevant taxes. Cost proposals that exceed \$423,264.00 will be considered non-responsive and will not be evaluated.

Budget for additional annual renewals and associated deliverables will be incorporated via a mutually agreed upon amendment.

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

## **1.8 PERIOD OF PERFORMANCE**

The period of performance of any contract resulting from this RFP is tentatively scheduled to begin on or about January 1, 2024 and to end on December 31, 2025. Amendments extending the period of performance, if any, will be at the sole discretion of HCA.

The period of performance of any contract resulting from this RFP will be divided into two (2) phases:

### **A. Phase 1 Implementation**

The period of performance of the Implementation and operations phase is scheduled to begin the date of Contract execution.

### **B. Phase 2 Operations and Maintenance**

The Operations and Maintenance phase begins when HCA accepts the Go-Live of the Contractor's Application on January 1, 2024.

The Operations and Maintenance phase is tentatively scheduled to begin January 1, 2024, and to end on December 31, 2025.

HCA reserves the right to extend the contract for six (6) additional 1-year periods.



## **1.9 ADA**

HCA complies with the Americans with Disabilities Act (ADA). Bidders may contact the RFP Coordinator to receive written information in another format (e.g., large print, audio, accessible electronic formats, and other formats).

## GENERAL INFORMATION FOR BIDDERS

### 2.1 RFP COORDINATOR

The RFP Coordinator is the sole point of contact in HCA for this solicitation. All communication between the Bidder and HCA upon release of this RFP must be with the RFP Coordinator, as follows:

Name	Danielle Mortenson
E-Mail Address	<a href="mailto:HCAProcurements@hca.wa.gov">HCAProcurements@hca.wa.gov</a>

Any other communication will be considered unofficial and non-binding on HCA. Bidders 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 Bidder.

### 2.3 LETTER OF INTENT TO PROPOSE (MANDATORY)

To be eligible to submit a Proposal, a Bidder must submit a Letter of Intent to Propose. The Letter of Intent to Propose must be emailed to the RFP Coordinator, listed in Section 2.1, and must be received by the RFP Coordinator no later than the date and time stated in the Solicitation Schedule, Section 1.2. The subject line of the email must include the following: Solicitation #2023HCA1 – Letter of Intent to Propose – [Your entity's name].

The Letter of Intent to Propose may be attached to the email as a separate document, in Word or PDF, or the information may be contained in the body of the email.

Information in the Letter of Intent to Propose should be placed in the following order:

- A. Bidder's Organization Name;
- B. Bidder's authorized representative for this RFP (who must be named the authorized representative identified in the Bidder's Proposal);
- C. Title of authorized representative;
- D. Address, telephone number, and email address;
- E. Statement of intent to propose; and
- F. A statement of how the Bidder meets **ALL** the minimum requirements specified in Section 1.6 of this RFP.

HCA may use the Letters of Intent to Propose as a pre-screening to determine whether Minimum Qualifications are met.

### 2.4 INTERESTED SUBCONTRACTOR LIST

HCA supports and encourages contracts and subcontracts with small, diverse, and veteran-owned businesses. To support participation in this process, the RFP Coordinator will add a list of Interested Subcontractors to the RFP. The RFP Coordinator will prepare the List based on the timely and complete submission of specific information requested in this section. The purpose of the List is to

communicate to prime bidders the capabilities of interested subcontractors who can perform components of this RFP's Scope of Work.

A. Interested Subcontractor Instructions

- i. Failure to follow the instructions in this Section may prevent your information from being included in the List.
- ii. An interested party must complete the below table to submit their firm name, contact information, and the summary of their capabilities as they relate to this RFP's Scope of Work. Submissions are limited to what is requested in the table below and capability summaries must be two paragraphs or less.
- iii. The RFP Coordinator will only include the information requested below. Do not submit marketing materials.
- iv. Submissions must be emailed to the RFP Coordinator, with the subject line "RFP # Interested Subcontractor List – [Interested Subcontractor Name]" by the date specified in Section 1.2 (ESTIMATED SCHEDULE OF SOLICITATION ACTIVITIES).
- v. All material submitted for the Interested Subcontractor List becomes a public record.

Interested Subcontract Name	Contact Name	Contact Address, Phone Number, and Email Address	Summary of your capabilities as it relates to the Scope of Work

B. Posting Date

Complete and timely submissions will be compiled and posted in alphabetical order by interested subcontractor name. HCA anticipates the List will be posted as an RFP amendment on the *Interested Subcontractor List Posted* date identified in Section 1.2 (ESTIMATED SCHEDULE OF SOLICITATION ACTIVITIES). Late submissions will not be posted.

C. Information Provided As-Is

The Interested Subcontractor List is provided as an opportunity to support participation in this RFP. HCA provides this information as a courtesy with no warranties or representations as to any party and no guarantee of a subcontract. The Interested Subcontractor List shall not be construed as an endorsement by the state of Washington or HCA. The interested party is responsible for the completeness and accuracy of their submission.

**2.5 BIDDER QUESTIONS PERIOD**

Bidders are provided an opportunity to ask questions during the bidder question period which starts on the date of the RFP posting and concludes on the *Questions Due* date specified in Section 1.2 (ESTIMATED SCHEDULE OF SOLICITATION ACTIVITIES).

- A. Questions regarding the RFP will only be accepted in writing, sent by email to the RFP Coordinator. The Bidder must use the following email subject line when submitting questions: “RFP # Question(s) – [Bidder Name]” to ensure timely receipt.
- B. HCA anticipates it will post answers to the questions in WEBS as an RFP amendment on the *Answers Posted* date specified in Section 1.2 (ESTIMATED SCHEDULE OF SOLICITATION ACTIVITIES).
- C. HCA is under no obligation to respond to any questions received after the *Questions Due date* but may do so at its discretion.

## 2.6 SUBMISSION OF PROPOSALS

Proposals must be received by the RFP Coordinator no later than the *Proposal Due* deadline in Section 1.2, (ESTIMATED SCHEDULE OF SOLICITATION ACTIVITIES). Proposals must be submitted electronically as an attachment to an e-mail to the RFP Coordinator at the e-mail address listed in Section 2.1, and meet the following requirements:

- A. Attachments to e-mail must be in Microsoft Word format or PDF except for Bidder’s response to *Exhibit E, Data Security Questionnaire* and *Exhibit D, Cost Proposal*. The *Data Security Questionnaire* and the *Cost Proposal* must be completed and attached in the original Microsoft Excel file provided and cannot be converted to PDF for submission.
- B. The *Data Security Questionnaire, Draft Contract* and *Cost Proposal* must be submitted as separate attachments.
- C. Zipped files cannot be received by HCA and cannot be used for submission of proposals.
- D. The following forms and certifications must have a signature of the individual within the organization authorized to bind the Bidder to the offer:
  - i. Bidder Profile & Submittal Form (Exhibit A, Section A);
  - ii. Executive Order 18-03 Worker’s Rights (Exhibit A, Section G); and
  - iii. Exhibit F Data Security Attestation.
- E. HCA does not assume responsibility for problems with Bidder’s e-mail. If HCA e-mail is not working, appropriate allowances will be made.

Bidders should allow sufficient time to ensure timely receipt of the proposal by the RFP Coordinator. Late proposals will not be accepted and will be automatically disqualified from further consideration, unless HCA e-mail is found to be at fault or HCA deems a grace period is in the best interest of the State. All proposals and any accompanying documentation become the property of HCA and will not be returned.

## 2.7 PROPRIETARY INFORMATION / PUBLIC DISCLOSURE

Proposals submitted in response to this RFP will become the property of HCA. All proposals received will remain confidential until the Apparent Successful Bidder is announced; thereafter, the proposals will be deemed public records as defined in chapter 42.56 of the Revised Code of Washington (RCW).

Any information in the proposal that the Bidder desires to claim as proprietary and exempt from disclosure under chapter 42.56 RCW, or other state or federal law that provides for the nondisclosure of a document, **must** be clearly designated. Each page claimed to be exempt from disclosure must be clearly identified and must reference either: (1) the specific basis claimed under 42.56 RCW, or (2) a statement of why the information is designated propriety. Each page containing the information claimed to be exempt from disclosure must be clearly identified by the words “Proprietary Information” printed on the lower right-hand corner of the page. **Marking the entire proposal exempt from disclosure or as Proprietary Information will not be honored.**

If a public records request is made for the information that the Bidder has marked as “Proprietary Information,” HCA will notify the Bidder of the request and of the date that the records will be released to the requester unless the Bidder obtains a court order enjoining that disclosure. If the Bidder fails to obtain the court order enjoining disclosure, HCA will release the requested information on the date specified. If a Bidder obtains a court order from a court of competent jurisdiction enjoining disclosure pursuant to chapter 42.56 RCW, or other state or federal law that provides for nondisclosure, HCA will maintain the confidentiality of the Bidder’s information per the court order.

A charge will be made for copying and shipping, as outlined in RCW 42.56. No fee will be charged for inspection of contract files, but 24 hours’ notice to the RFP Coordinator is required. All requests for information should be directed to the RFP Coordinator.

The submission of any public records request to HCA pertaining in any way to this RFP will not affect the solicitation schedule, as outlined in Section 1.2, unless HCA, in its sole discretion, determines that altering the schedule would be in HCA’s best interests.

## **2.8 REVISIONS TO THE RFP**

If HCA determines in its sole discretion that it is necessary to revise any part of this RFP, then HCA will publish addenda on WEBS. For this purpose, the published questions and answers and any other pertinent information will be provided as an addendum to the RFP and will be published on WEBS.

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

## **2.9 COMPLAINT PROCESS**

The complaint process allows potential Bidders to focus on the solicitation requirements and evaluation process and raise issues early enough in the process to allow HCA to correct a problem before proposals are submitted. The complaint period starts on the date of the RFP posting and concludes on the *Complaints Due* date identified in Section 1.2 (ESTIMATED SCHEDULE OF SOLICITATION ACTIVITIES).

- A. Potential Bidders may submit a complaint to HCA based on any of the following:
- i. The RFP unnecessarily restricts competition;
  - ii. The RFP evaluation or scoring process is unfair or unclear; or
  - iii. The RFP requirements are inadequate or insufficient to prepare a response.
- B. For a complaint to be considered, it must be received by HCA by 5:00 pm PT on the Complaints Due date identified in Section 1.2. The complaint must:

- iv. Be in writing;
- v. Be sent to the RFP Coordinator, or designee;
- vi. Clearly articulate the basis for the complaint; and
- vii. Include a proposed remedy.

C. HCA will address any complaint as follows:

- i. The RFP Coordinator, or designee will respond to the complaint in writing.
- ii. The response to the complaint and any changes to the RFP will be posted on WEBS.
- iii. The Director of HCA will be notified of all complaints and will be provided a copy of HCA's response.

Complaints may not be raised again during a protest and HCA's action or inaction in response to a complaint will be final. There is no appeal process.

## **2.10 RESPONSIVENESS**

The RFP Coordinator will review all proposals to determine compliance with administrative requirements and instructions specified in this RFP. A Bidder's failure to comply with any part of the RFP may result in rejection of the proposal as non-responsive.

HCA also reserves the right at its sole discretion to waive minor administrative irregularities.

## **2.11 MOST FAVORABLE TERMS**

HCA 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 Bidder can propose. HCA reserves the right to contact a Bidder for clarification of its proposal.

The ASB should be prepared to accept this RFP for incorporation into a contract resulting from this RFP. The contract resulting from this RFP will incorporate some, or all, of the Bidder's proposal. The proposal will become a part of the official solicitation file on this matter without obligation to HCA.

## **2.12 RECEIPT OF INSUFFICIENT NUMBER OF PROPOSALS**

If HCA receives only one responsive proposal as a result of this RFP, HCA reserves the right to either: 1) directly negotiate and contract with the Bidder; or 2) not award any contract at all. HCA may continue to have the bidder complete the entire RFP. HCA is under no obligation to tell the Bidder if it is the only Bidder.

## **2.13 NO OBLIGATION TO CONTRACT**

This RFP does not obligate HCA to enter into any contract for services specified herein.

## **2.14 REJECTION OF PROPOSALS**

HCA reserves the right, at its sole discretion, to reject any and all proposals received without penalty and not to issue any contract as a result of this RFP.

### 3. PROPOSAL CONTENTS AND REQUIREMENTS

#### 3.1 PROPOSAL CONTENTS OVERVIEW

Proposals must be submitted per the instructions in Sections 2.6 (SUBMISSION OF PROPOSALS) and 3.2 (PROPOSAL REQUIREMENTS AND GUIDELINES) in the order noted below.

A. Bidder Forms and Certifications (Exhibit A)

All the following are included in Exhibit A:

- i. Bidder Profile & Submittal Form\* (Section 3.3 and Exhibit A, Section A)
- ii. Diverse Business Inclusion Plan (Section 3.4 and Exhibit A, Section B)
- iii. References (Section 3.5 and Exhibit A, Section C)
- iv. Executive Order 18-03 Worker's Rights\* (Section 3.7 and Exhibit A, Section E)

B. Draft Contract (Section 3.8 and Exhibit B)

C. OCIO Security Standard 141.10 Requirements (Section 3.9)

All the following are included in Section 3.9:

- I. Data Security Questionnaire (Exhibit E)
- II. Data Security Attestation (Exhibit F)

D. Functional Requirement Proposal (Section 3.9 and Exhibit C)

E. Cost Proposal (Section 3.10 and Exhibit D)

*\*Authorized signature required*

#### 3.2 PROPOSAL REQUIREMENTS AND GUIDELINES

Proposals must comply with the requirements or restrictions listed below. Failure to do so may result in the disqualification of the Bidder's Proposal:

- A. State the Bidder's full legal name on the first or cover page of the Proposal.
- B. **Proposals must provide information in the same order as presented in this RFP and with the same headings. Title and number each item in the same way it appears in the RFP. Each question must be restated prior to the Bidder's response.**
- C. **All items listed in Section 3.1 (PROPOSAL CONTENTS OVERVIEW) must be included as part of the Proposal for the Proposal to be considered responsive;** however, only the following items will be scored during the evaluation process: Executive Order 18-03 Worker's Rights, Functional Requirements Proposal, and Cost Proposal.
- D. Page limits stated in this RFP are determined by counting single sides of the response. HCA has no obligation to read, consider, or score any material exceeding the stated page limits. There will



be no grounds for protest if critical information is on the pages exceeding the specified page limit that is not reviewed.

- E. Bidders are liable for all errors or omissions contained in their Proposals. Bidders will not be allowed to alter Proposal documents after the deadline for Proposal submission. HCA is not liable for any errors in Proposals.

HCA is under no obligation to consider any supplemental materials submitted that were not requested.

### **3.3 BIDDER PROFILE & SUBMITTAL FORM (MANDATORY)**

Exhibit A, Bidder Forms and Certifications, Section A, Bidder Profile & Submittal Form must be completed in its entirety and signed and dated by a person authorized to legally bind the Bidder 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).

### **3.4 DIVERSE BUSINESS INCLUSION PLAN (MANDATORY)**

Exhibit A, Bidder Forms and Certifications, Section B, Diverse Business Inclusion Plan must be completed in its entirety. In accordance with legislative findings and policies set forth in RCW 39.19 the state of Washington encourages participation in all contracts by firms certified by the Office of Minority and Women's Business Enterprises (OMWBE), set forth in RCW 43.60A.200 for firms certified by the Washington State Department of Veterans Affairs, and set forth in RCW 39.26.005 for firms that are Washington Small Businesses. Participation may be either on a direct basis or on a Subcontractor basis. However, no preference on the basis of participation is included in the evaluation of Diverse Business Inclusion Plans submitted, and no minimum level of minority- and women-owned business enterprise, Washington Small Business, or Washington State certified Veteran Business participation is required as a condition for receiving an award. Any affirmative action requirements set forth in any federal governmental regulations included or referenced in the contract documents will apply.

### **3.5 REFERENCES (MANDATORY)**

Provide three business references for the Bidder using the reference forms provided in Exhibit A, Bidder Forms and Certifications, Section C, References. References must be independent of the Bidder's and Subcontractor's company corporation (e.g., non-Bidder owned, in whole or in part, or managed, in whole or in part) and be for work similar to the scope of work contained herein. Complete all boxes of the reference form for each reference, including a description of the services provided, the timeframe in which services were provided, and the Bidder's team members who provided the services. By submitting a proposal in response to this solicitation, the Bidder and team members grant permission to HCA to contact these references and others, who from HCA's perspective, may have pertinent information. HCA may or may not, at HCA's discretion, contact references.

### **3.6 EXECUTIVE ORDER 18-03 (SCORED)**

Bidder must review Exhibit A, Bidder Forms and Certifications, Section E and respond as to whether the Bidder requires its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses and class or collective action waivers.

### **3.8 DRAFT CONTRACT (MANDATORY)**

The ASB 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. HCA will not accept any draft contracts prepared by any Bidder. The Bidder must be prepared to agree to all terms of the attached Exhibit B, Draft Contract, as presented or the Proposal may be rejected. If Bidder has exceptions to the terms and conditions, they must include with their Proposal a copy of the Draft Contract with redline edits/comments documenting the changes they propose to be made if selected as ASB. If the Bidder fails to identify an objection to any particular term or condition, the term or condition will be deemed agreed to by the Bidder. HCA will review requested exceptions and accept or reject the same at its sole discretion.

If, after the announcement of the ASB, and after a reasonable period of time, the ASB and HCA cannot reach agreement on acceptable terms for the Contract, the HCA may cancel the selection and Award the Contract to the next most qualified Bidder.

### **3.9 OCIO SECURITY STANDARD 141.10 REQUIREMENTS (SCORED)**

The OCIO Security Standard 141.10 Requirements consists of two (2) components: (1) the Data Security Questionnaire, and (2) the Data Security Attestation. Bidder must complete both components of the OCIO 141.10 Security Requirements to be considered responsive.

#### **A. OCIO Security Standard 141.10 Requirements**

The purpose of the OCIO Security Standard 141.10 Requirements is to set expectations with the Bidder about the level of detail and effort needed to complete the Security Design Review (SDR) and for HCA to assess the security posture of the Bidder.

##### **i. Exhibit E – Data Security Questionnaire**

Bidder must complete the “Requirements” tab in Exhibit E, *Data Security Questionnaire*, in accordance with the direction provided on the “Instructions” tab within the exhibit.

##### **ii. Exhibit F – Data Security Attestation**

Bidder must complete the attestations included in Exhibit F, *Data Security Attestation*. Bidder should respond using Exhibit D as its template.

### **3.10 FUNCTIONAL REQUIREMENTS PROPOSAL (SCORED)**

Exhibit C, Functional Requirements Proposal must be completed in its entirety in accordance with the page limits identified within the Exhibit (See Section 3.2(E)). Bidder should respond using Exhibit C as its template, to ensure compliance with the formatting requirements outlined in Section 3.2(B).

### **3.11 COST PROPOSAL (SCORED)**

The maximum cost proposed for this contract must be \$423,264.00 or less to be considered responsive to this RFP.

The evaluation process is designed to award this solicitation not necessarily to the Bidder of least cost, but rather to the Bidder whose proposal best meets the requirements of this RFP. However,

Bidders are encouraged to submit proposals which are consistent with state government efforts to conserve state resources.

A. Identification of Costs

- i. Identify all costs in U.S. dollars including expenses to be charged for performing the services necessary to accomplish the objectives of the contract. The Bidder is to submit a fully detailed budget including staff costs, estimates for any applicable sales and use taxes (see 3.A(ii) below), and any expenses necessary to accomplish the tasks and to produce the deliverables under the contract.
- ii. ASB will be required to collect Washington state sales and use taxes from HCA, as applicable, and for remittance of payment to the Washington State Department of Revenue (DOR). Bidders must identify any expenses to which Washington State sales and use taxes apply in the Cost Proposal and include an estimated amount for such taxes (based on the current tax rate(s)). HCA understands these amounts may fluctuate as tax rates fluctuate. If a tax isn't specifically identified, HCA will assume it is included in the costs identified. All costs are included in the proposal and must include any required fees or taxes.

iii. Cost Proposal

Provide costs for each deliverable identified in the Deliverable Cost Table and Hourly rate for each proposed role and team member in the Hourly Cost Table in Exhibit D. As applicable, if there are any additional deliverables identified as part of your proposed application, please add these as additional lines to the table.

## 4. EVALUATION AND CONTRACT AWARD

### 4.1 EVALUATION PROCEDURE

Responsive Proposals will be evaluated strictly in accordance with the requirements stated in this RFP and any addenda issued. The evaluation of proposals will be accomplished by an evaluation team, to be designated by HCA, which will determine the ranking of the proposals. Evaluation teams could be comprised of internal (HCA) and external individuals. Evaluations will only be based upon information provided in the Bidder's Proposal.

- A. All proposals received by the stated deadline in Section 1.2 (ESTIMATED SCHEDULE OF SOLICITATION ACTIVITIES) will be reviewed by the RFP Coordinator to ensure that they contain all of the required information requested in the RFP and meet the Minimum Qualifications outlined in Section 1.7. Only responsive proposals that meet the requirements will be evaluated by the evaluation team. Any Bidder who does not meet the stated qualifications or any proposal that does not contain all the required information will be rejected as non-responsive.
- B. HCA may, at its sole discretion, waive minor administrative irregularities.
- C. The RFP Coordinator may, at their sole discretion, contact the Bidder for clarification of any portion of the Bidder's Proposal. Bidders should take every precaution to ensure that all answers are clear, complete, and directly address the specific requirement.
- D. Responsive responses to the OCIO Security Standard 141.10 Requirements will be evaluated and given either a Pass or Fail designation as described in Section 3 (PHASE 1: OCIO SECURITY STANDARD 141.10 REQUIREMENTS EVALUATION). Responses to the OCIO Security Standard 141.10 Requirements will be evaluated strictly in accordance with the requirements set forth in this RFP and any addenda issued.
- E. Responsive Proposals will be reviewed and scored by an evaluation team using the weighted scoring the Application described in Section 4.2 (EVALUATION WEIGHTING AND SCORING). Functional Requirements Proposals will be evaluated strictly in accordance with the requirements set forth in this RFP and any addenda issued.
- F. The evaluation of the Cost Proposal and Executive Order 18-03 will be completed by the RFP Coordinator.
- G. The evaluation of Phase 3 will be reviewed and scored by an evaluation team using the respective scoring system described in Section 4.5 (PRODUCT DEMONSTRATION).
- H. HCA reserves the right to award the contract to the Bidder whose proposal is deemed to be in the best interest of HCA and the state of Washington.

### 4.2 EVALUATION WEIGHTING AND SCORING

The evaluation process will consist of three (3) Phases as described below and will be evaluated by evaluation team(s) designated by HCA. Evaluation team members will review each Proposal before evaluating and scoring each section they have been assigned. Different evaluators may be assigned to different sections based on their area of expertise.

### 4.3 PHASE 1: OCIO SECURITY STANDARD 141.10 REQUIREMENTS EVALUATION

#### A. Scoring of the OCIO Security Standard 141.10 Requirements

Bidder must receive a Pass designation on all sections of the OCIO Security Standard 141.10 Requirements (Section 3.9) in order to have an overall Pass and qualify to advance to Phase 2 of the evaluation process. If a Bidder receives a Fail designation on any section of the OCIO Security Standard 141.10 Requirements, they will not advance to Phase 2 of the evaluation process and their Proposals are no longer in consideration for ASB.

The components for Phase 1 are as follows:

Phase 1 Components	Score
Section	Designations
OCIO Security Standard 141.10 Requirements <ul style="list-style-type: none"> <li>• Data Security Questionnaire (Exhibit E)</li> <li>• Data Security Attestation (Exhibit F)</li> </ul>	PASS or FAIL

#### B. Scoring Guide for the OCIO Security Standard 141.10 Requirements

- i. Exhibit E, *Data Security Questionnaire*, will be evaluated as a Pass or Fail based on the following Evaluation Matrix:

Data Security Questionnaire Evaluation Matrix	
Response Type	Designation
Bidder responds “Yes, currently compliant” to <u>all applicable</u> requirements in Exhibit E.	PASS
Bidder responds to <u>all applicable</u> requirements in Exhibit E as: <ul style="list-style-type: none"> <li>• “Yes, currently compliant”; and/or</li> <li>• “No, not currently compliant but will be compliant before January 1, 2024” and provides adequate notes* about how the requirement will be met during the implementation period; and/or</li> <li>• “Not Applicable” and adequately defends** why the requirement is not applicable.</li> </ul>	PASS
Bidder responds to <u>any applicable</u> requirement in Exhibit E as: <ul style="list-style-type: none"> <li>• “No, not currently compliant but will be compliant before January 1, 2024” but <b>does not</b> provide adequate notes* about how the requirement will be met during the implementation period; and/or</li> <li>• “Not Applicable” and <b>does not</b> adequately defend** why the requirement is not applicable.</li> </ul>	FAIL
Bidder responds “No, cannot comply with requirement” to <u>any applicable</u> requirement in Exhibit E.	FAIL

\*Bidder may review Exhibit E, Example Responses tab, for guidance on HCA’s definition of “adequate notes”.

\*\* Bidder may review Exhibit E, Example Responses tab, for guidance on HCA’s definition of “adequately defends”.

ii. Scoring Matrix for Data Security Attestation

Exhibit F, *Data Security Attestation*, will be evaluated as a Pass or Fail based on the following Evaluation Matrix:

<b>Data Security Attestation Evaluation Matrix</b>		
<b>Attestation</b>	<b>Response Type</b>	<b>Designation</b>
A	YES	PASS
A	NO	FAIL
B	YES	PASS
B	NO	FAIL

C. Phase 1 Evaluation Outcome and Next Steps

- i. Bidders that receive a Pass designation on each category of the Phase 1 evaluation have met the OCIO Security Standard 141.10 Requirements and will advance to the Phase 2 evaluation. There is no minimum or maximum number of Bidders that will be selected to advance.
- ii. If a Bidder receives a Fail designation on any category of the Phase 1 evaluation, they have not met the OCIO Security Standard 141.10 Requirements and will not advance to the Phase 2 evaluation.

**4.4 PHASE 2: EXECUTIVE ORDER 18-03, FUNCTIONAL REQUIREMENTS PROPOSAL AND COST PROPOSAL EVALUATION**

Bidders' Phase 2 final scores will be based on the following scored items: Executive Order 18-03, Functional Requirements Proposal, and Cost Proposal.

A. Executive Order 18-03

Pursuant to RCW 39.26.160(3) and consistent with Executive Order 18-03 – Supporting Workers' Rights to Effectively Address Workplace Violations (dated June 12, 2018), HCA will evaluate proposals for best value and provide a preference in the amount of 50 points to any Bidder who certifies, pursuant to the certification included in Exhibit A, Bidder Forms and Certifications, Section E, that their firm does NOT require its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waiver. Bidders that do require their employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waiver will not be disqualified from evaluation of this RFP, however they will receive 0 out of 50 points for this section. Scoring of Functional Requirements Proposal.

B. Exhibit C – Functional Requirements Proposal

Each question in Exhibit C, *Functional Requirements Proposal* (excluding Question 13, *Bidder Experience Bonus Points*), has been assigned a weight. Points will be assigned to each question based upon the average of all evaluation team members scores for the question (0-10) multiplied by the weight indicated below. Individual question scores will then be combined to result in the Bidder's total weighted score. Any point calculations that result in decimal points will be rounded to the nearest whole number. The weight and maximum points for each question are as outlined in the following Evaluation Table:

<b>Functional Requirements Proposal Evaluation Table</b>		
<b>Section Title</b>	<b>Weight</b>	<b>Maximum Points</b>
Question 1	25.0	250
Question 2	25.0	250
Question 3	5.0	50
Question 4	5.0	50
Question 5	15.0	150
Question 6	20.0	200
Question 7	10.0	100
Question 8	10.0	100
Question 9	10.0	100
Question 10	5.0	50
Question 11	10.0	100
Question 12	20.0	200
<b>Written Proposal Maximum Points</b>		<b>1600</b>

C. Scoring of Experience Bonus Points

The evaluation and scoring of Exhibit C Question 13, *Bidder Experience Bonus Points*, will be completed by the RFP Coordinator. To be eligible for experience bonus points, Bidders must identify the exact years' experience primarily handling CANS. Per Section 1.6, *Minimum Qualifications*, 1 years' experience with data management market that primarily handles CANS is required. Bonus points will be awarded to Bidders for each additional year of experience the company as a whole has with CANS beyond the minimum qualification that the Bidder possesses (20 bonus points awarded for each additional year of experience with CANS with a maximum limit of 100 bonus points available).

D. Scoring Rubric for Functional Requirements Response

Evaluators will score the sections outlined in the Evaluation Table above using the following (0-10) scoring rubric:

<b>Scoring Rubric</b>		
<b>Score</b>	<b>Description</b>	<b>Scoring Criteria</b>
10	Far Exceeds Requirements	The Bidder has provided an innovative, detailed, and thorough response to the requirement, and clearly demonstrates a high level of experience with, or understanding of the requirement.
7	Exceeds Requirements	The Bidder has demonstrated an above-average capability, approach, or solution and has provided a complete description of the capability, approach, or solution.
5	Meets Requirements	The Bidder has an acceptable capability of solution to meet this criterion and has described its approach in sufficient detail to be considered "as substantially meeting the requirements".
3	Below Requirements	The Bidder has established some capability to perform the requirement but descriptions regarding their approach are not sufficient to demonstrate the Bidder will be fully able to meet the requirements.

1	Substantially Below Requirements	The Bidder has not established the capability to perform the requirement, has marginally described its approach, or has simply restated the requirement.
0	No Value	The Bidder does not address any component of the requirement, or no information was provided.

E. Scoring of Cost Proposal

Exhibit D Cost Proposals will be scored individually based on the lowest proposed total cost. Points for each element will be computed according to the formula below. Any point calculations that result in decimal points will be rounded to the nearest whole number.

Lowest Cost Element	x	Cost Element Maximum Points	=	Bidder's Cost Element Points
Bidder's Cost Element				

The Bidder's score for each of the cost proposals will then be summed to determine the Bidder's total Cost Proposal score.

For example (dollar amounts are for illustrative purposes only):

Evaluation Table – Deliverable Cost Proposal		
Bidder	Total Deliverable Cost Proposal	Maximum Points Possible
1	\$423,264.00	306
2	\$400,000.00	324
3	\$370,000.00	350
<b>Cost Maximum Points</b>		<b>350</b>

Cost proposals that exceed \$423,264.00 will be considered non-responsive, will not be evaluated, and their Proposals are no longer in consideration for ASB.

F. Phase 2 Total Points Possible

Phase 2 Total Score Table	
Phase Component	Total Possible Points
Executive Order 18-03	50
Functional Requirements Proposal	1600
Experience Bonus Points	100
Cost Proposal	350
<b>Total Points Possible</b>	<b>2100</b>

## 4.5 PHASE 3: PRODUCT DEMONSTRATIONS

A. PRODUCT DEMONSTRATIONS

HCA may after evaluating Phase 2 Proposals (Executive Order 18-03, Functional Requirements Proposal, and Cost Proposal) elect to schedule product demonstrations of the Bidders who scored highest Phase 2 scores (finalists). Should product demonstrations



become necessary, HCA will contact the finalists to provide further details and schedule the demonstrations. Commitments made by the Bidder at the product demonstration, if any, will be considered binding. The evaluation and ranking of product demonstrations will be accomplished by an evaluation team, to be designated by HCA. Internal and external participants/evaluators may be present at product demonstrations.

The scores from the evaluation of Phase 2 and the product demonstration combined will determine the Apparent Successful Bidder.

A. Scoring of Phase 3

Evaluation team members will score the product demonstration using a consensus-based Strengths-Weaknesses-Opportunities-Risk (SWOR) analysis.

<b>SWOR Analysis Table</b>	
<b>Internal</b>	
<b>Strengths</b>	<b>Weaknesses</b>
1.	1.
<b>External</b>	
<b>Opportunities</b>	<b>Risk</b>
1.	1.
<b>SWOR Analysis Summary</b>	

The evaluation team will use the SWOR analysis to determine the Bidders' ranks via a consensus-based evaluation. The Bidder's rank will result in the Bidder's being awarded the points as described below:

<b>SWOR Analysis Ranking Scores Table</b>	
<b>Rank</b>	<b>Score</b>
1	1000
2	500
3	100
4	50
5 or greater	0

B. Total Score

<b>Evaluation Table – All Scored Items</b>		
<b>Section/Exhibit</b>	<b>Title</b>	<b>Maximum Points</b>
Section 3.6	Executive Order 18-03	50
Section 3.9 and Exhibit C	Functional Requirements Proposal	1600
Section 3.9 and Exhibit C	Experience Bonus Points	100

Section 3.10 and Exhibit D	Cost Proposal	350
<b>Total Maximum Points without Product Demonstration</b>		<b>2100</b>
Section 4.5	Product Demonstration	1000
<b>Total Maximum Points with Product Demonstration</b>		<b>3100</b>

**4.5 BEST AND FINAL OFFER (BAFO)**

HCA reserves the right to use a Best and Final Offer (BAFO) before awarding any contract to further assist in determining the ASB.

**4.6 SUBSTANTIALLY EQUIVALENT SCORES**

Substantially Equivalent Scores are scores separated by two percent or less in total points. If multiple proposals receive a Substantially Equivalent Score, HCA may leave the matter as scored, or select as the ASB the one proposal that is deemed by HCA, in its sole discretion, to be in HCA’s best interest relative to the overall purpose and objective as stated in Section 1.3 of this RFP.

If applicable, HCA’s best interest will be determined by HCA staff, who have sole discretion over this determination. The basis for such determination will be communicated in writing to all Bidders with Substantially Equivalent Scores.

**4.7 NOTIFICATION TO BIDDERS**

HCA will announce the ASB to all Bidders via the WEBS notification system.

**4.8 DEBRIEFING OF UNSUCCESSFUL BIDDERS**

Any Bidder who has submitted a proposal and been notified it was not selected for contract award may request a debriefing conference. The request for a debriefing conference must be received by the RFP Coordinator no later than 5:00 p.m., Pacific Time, within three (3) Business Days after the Unsuccessful Bidder Notification is e-mailed to the Bidder. The debriefing will be held within three (3) Business Days of the request, or as schedules allow.

Discussion at the debriefing conference will be limited to the following:

- A. Evaluation and scoring of the Bidder’s Proposal;
- B. Critique of the Proposal based on the evaluation; and
- C. Review of the Bidder’s final score in comparison with other final scores without identifying the other Bidders.

Topics a Bidder could have raised as part of the COMPLAINT PROCESS (Section 2.9) cannot be discussed as part of the debriefing conference, even if the Bidder did not submit a complaint.

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.

## 4.9 PROTEST PROCEDURE

A protest may be made only by Bidders who submitted a response to this RFP and who have participated in a debriefing conference. Upon completing the debriefing conference, the Bidder is allowed five (5) Business Days to file a protest. Protests must be received by the Contracts Administrator no later than 4:30 p.m., Pacific Time, on the fifth Business Day following the Bidder's debriefing. Protests must be submitted by e-mail to ensure timely receipt.

Consistent with RCW 39.26.030, proposal submissions and proposal evaluations will be available for public inspection following the announcement of ASB. If requested by a Bidder who received a debriefing pursuant to Section 4.6, the protest period will not conclude before the requestor has been provided with the applicable proposal submissions and proposal evaluations and provided five (5) Business Days to review the same. Bidder is responsible for notifying the RFP Coordinator of any such public disclosure requests so the timeline can be adjusted accordingly.

Bidders protesting this RFP must follow the procedures described below. Protests that do not follow these procedures will not be considered. This protest procedure constitutes the sole administrative remedy available to Bidders under this RFP.

- A. All protests must be in writing, addressed to the Contracts Administrator, and signed by the protesting party or an authorized agent. The protest must state (1) the RFP number, (2) the grounds for the protest with specific facts, (3) complete statements of the action(s) being protested, and (4) the relief or corrective action being requested. Protests must be emailed to [contracts@hca.wa.gov](mailto:contracts@hca.wa.gov) with the following subject line: "RFP # Protest – [Bidder Name]"
- B. Only protests alleging an issue of fact concerning the following subjects will be considered:
  - i. A matter of bias, discrimination, or conflict of interest on the part of an evaluator;
  - ii. Errors in computing the score; or
  - iii. Non-compliance with procedures described in the RFP, HCA's protest process, or Department of Enterprise Services (DES) policy requirements (POL-DES-170-00).

Protests based on anything other than those items listed above will not be considered. Protests will be rejected as without merit to the extent they address issues such as: 1) an evaluator's professional judgment on the quality of a proposal; or 2) HCA's assessment of its own needs or requirements.

- C. Upon receipt of a protest, HCA will undertake a protest review. The HCA Director, or an HCA employee delegated by the HCA Director who is a neutral party with no involvement in the evaluation and award process (Protest Officer), will review and respond to the protest. If the HCA Director delegates the protest review to an HCA employee, the Director nonetheless reserves the right to make the final agency decision on the protest. The Protest Officer will have the right to seek additional information regarding the solicitation from sources they deem appropriate in order to fully consider the protest.
- D. If HCA determines in its sole discretion that a protest from one Bidder may affect the interests of another Bidder, then HCA may invite such Bidder to submit its views and any relevant information on the protest to the Protest Officer. In such a situation, the protest materials submitted by each Bidder will be made available to all other Bidders upon request.
- E. The Protest Officer will issue a written protest response no more than ten (10) Business Days after receipt of the protest, unless additional time is needed, in which case HCA will notify the

protesting Bidder in writing. The Protest Officer's decision is final unless the HCA Director exercises their right to make the final agency decision on the protest. There will be no appeal process.

F. The final determination of the protest will:

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

If the protest is not successful, HCA will enter into a contract with the ASB, assuming the parties reach agreement on the contract's terms.

## **RFP EXHIBITS**

Exhibit A	Bidder Forms and Certifications (included as a separate attachment)
Exhibit B	Draft Contract (included as a separate attachment)
Exhibit C	Functional Requirements Proposal (included as a separate attachment)
Exhibit D	Cost Proposal (included as a separate attachment)
Exhibit E	Data Security Questionnaire (included as a separate attachment)
Exhibit F	Data Security Attestation (included as a separate attachment)

## **RFP ATTACHMENTS**

Attachment 1	OCIO Data Security Standard 141.10 (included as a separate attachment)
Attachment 2	OCS Security Design Review (included as a separate attachment)
Attachment 3	Identity Management User Authentication (included as a separate attachment)
Attachment 4	TCOM Report Suite Standards (included as a separate attachment)
Attachment 5	Assessment Captures (included as a separate attachment)