



**City of Seattle
Finance and Administrative Services
Priority Hire Construction Training and Outreach Funds
Request for Proposals (RFP)
RFP-FAS-102215**

Release Date: October 22, 2015
Due Date: November 25, 2015, 4:00 p.m. Pacific Standard Time

Proposed Contract Period
January 2016 – December 2016

Pre-Submittal Workshops
Wednesday, November 4, 2016 10:30 a.m-12:00 p.m. (PST)
Douglass-Truth Library (Meeting Room): 2300 E. Yesler Way, Seattle, WA 98122

AND

Monday, November 16, 2016 10:30 a.m-12:00 p.m. (PST) Seattle
Municipal Tower: City Purchasing and Contracting Services
700 5th Ave. Suite 4112, Room 4110 Seattle, WA 98104.

Attendance at one workshop is not mandatory, but is highly encouraged.

The goal of the pre-submittal workshops is to provide support with the proposal process. If any questions arise during the process, please contact the RFP Coordinator:
Julianna Tesfu (LaborEquity@seattle.gov or 206-684-4570).





RFP Coordinator

Julianna Tesfu
LaborEquity@seattle.gov or 206-684-4570

Delivery Address

In person submittal – Physical Address	Electronic submittal – E-mail Address
City Purchasing and Contracting Services 700 Fifth Ave., Suite 4112 Seattle, Washington, 98104	Julianna Tesfu at LaborEquity@seattle.gov Subject line: FAS Construction Training and Outreach Proposal

Solicitation Schedule

Schedule of Events	Date/Time
RFP issued	October 22
Proposers may begin submitting questions regarding the RFP to Julianna Tesfu (LaborEquity@seattle.gov) or 206.684.4570	October 22
Pre-Submittal Workshop (attendance optional)	November 4 10:30 a.m-12:00 p.m.
Pre-Submittal Workshop (Repeat) (attendance optional)	November 16 10:30 a.m-12:00 p.m.
Deadline for questions	November 16 by 4:00 p.m. (PST)
PROPOSALS DUE	November 25 by 4:00 p.m. (PST)
Notification for interviews, if conducted	December 9
Interviews, if conducted	December 17
Announcement of successful proposer(s)	December 21
Contract award	January 4

*The City reserves the right to modify this.
 Changes will be posted on the [City website](#) or as otherwise stated.*



1. Purpose and Background

Purpose: The City recognizes that our region faces a shortage of local workers prepared to meet current and upcoming construction industry workforce needs and that women and people of color are underrepresented in the industry. This solicitation seeks proposals from community-based organizations and pre-apprenticeship training providers for one, or both, of the following categories to support City led efforts to address these challenges:

Outreach and Referral (\$200,000 available)

- Create, implement and manage an ongoing outreach and referral program that recruits individuals to enroll in local construction pre-apprenticeship or apprenticeship programs, particularly individuals living in priority hire ZIP codes in Seattle and King County (see Attachment 1), women and/or people of color.

Construction Training (\$300,000 available)

- Create strategies to support individuals in pre-apprenticeship and/or apprenticeship construction training programs with the goal of increasing the retention rates of priority workers, which includes those living in priority hire ZIP codes in Seattle and/or King County, women and/or people of color.

Proposers may submit a proposal for one or both categories, and may submit a proposal in collaboration with other community-based organizations. The Department of Finance and Administrative Services will score each proposal independently such that there is no particular advantage to submitting a proposal for both. If your organization is awarded the contract, all partner organizations will be your subcontractor(s).

Proposers interested in both categories must submit a separate proposal for each category. The City (FAS) will determine if the Proposer meets the eligibility requirements to submit a proposal. If proposers would like to verify their eligibility in advance, they may contact the RFP Coordinator at any time.

Background: In 2015, Mayor Ed Murray signed legislation to increase the number of work opportunities on City public works construction projects for individuals living in economically disadvantaged priority hire ZIP codes. The priority hire program concentrates on public works projects administered by the City of Seattle that have an estimated total cost of \$5 million or more. City Purchasing and Contracting Services, a division within the Department of Finance Administrative Services (FAS), sets the goals and requirements and oversees the program.

This initiative strongly relies on effective recruitment as well as supporting individuals that enter into, and graduate from, construction pre-apprenticeship and apprenticeship training programs. More information can be found online at: www.seattle.gov/city-purchasing-and-contracting/social-equity/labor-equity.

In order to successfully prioritize the hiring of such workers on City projects, the City and building trades labor unions implemented a Community Workforce Agreement (CWA) that does the following:

- Requires the unions to prioritize dispatch of priority workers onto City construction projects.
- Requires contractors on covered projects (projects administered by the City that have an estimated total cost of \$5 million or more) to provide work hours to workers living in priority hire ZIP codes.
- Sets expectations within the City contract for the contractors and their subcontractors to prioritize the placement of women and people of color and to increase the share of hours such individuals work.

The CWA agrees to primarily use a union workforce on City construction projects, and the construction labor unions agree to dispatch workers in an order that will meet the priority hire requirements.



2. Definitions

City Purchasing and Contracting Services: The City Purchasing and Contracting Services (CPCS) is a division within the City of Seattle's Finance and Administrative Services (FAS) department. CPCS manages bids and contracts for all City products, supplies, equipment and services. CPCS also monitors public works contracts to ensure projects achieve the City's social equity goals.

Community Workforce Agreement: The Community Workforce Agreement is a legally-binding agreement that is carried out between the director, on behalf of the City, and labor unions on specified construction projects. The agreement is aimed at addressing specific community workforce needs by prioritizing the dispatch of underrepresented workers and setting terms and conditions of employment (e.g., working conditions).

Finance and Administrative Services: The Department of Finance and Administrative Services (FAS) has the most diverse set of responsibilities of any City department, including overseeing the City's business and financial services, bids and contracts, buildings and fleets.

Job and Training Coordinator: The City's Job and Training Coordinator connects underrepresented workers with construction training and employment opportunities on City construction projects.

Joint Administrative Committee: The Joint Administrative Committee is comprised of City staff and labor representatives who meet monthly and address safety, priority hiring, apprenticeship utilization, preferred entry, job progress and other relevant issues that affect a construction project.

Priority Workers: Individuals living in economically distressed ZIP codes (see Attachment 1).

Public Works Project: The construction, repair, improvement or major maintenance of any agency owned asset, building or facility.

Referral: A priority worker who receives information on how to access support services, pre-apprenticeship or apprenticeship programs, or the Job and Training Coordinator.

Successful Referral: A priority hire worker who enters into a pre-apprenticeship program, apprenticeship program or employment.

Underrepresented Workers: Workers who meet any of the following criteria: priority workers, women, people of color or pre-apprenticeship program graduates.

3. Performance Schedule

FAS contract(s) will be awarded for a term of 12 months. Prior to expiration, FAS and the winning community-based organization (CBO) may mutually agree to renew the contract for one or more additional years.



4. Minimum Qualifications

The following are minimum qualifications that the Proposer must meet to be eligible to submit an RFP response. Proposers that are not clearly responsive to these minimum qualifications shall not be considered.

Outreach and Referral

Proposers applying for **outreach and referral** must be a community-based organization, which includes:

- Non-profit community-based organization OR
- Community-based organization that has a non-profit fiscal sponsor.

Construction Training

Proposers for **construction training** must meet one of the following requirements:

- Local pre-apprenticeship training provider recognized by the Washington State Apprenticeship & Training Council AND/OR
- Pre-apprenticeship training provider approved by the City Joint Administrative Committee AND/OR
- Community-based organization that provides support services to apprentices/pre-apprentices (eligible for support service delivery only).

5. Scope of Work

The City has identified two best practices to meet the need for a larger and more diverse workforce: conducting outreach and referrals and offering construction training and/or support services. This proposal solicitation seeks ideas and approaches for these best practices, along with implementation and effective management, to meet the City's need for a more diverse, local construction workforce.

The two categories for best practices are:

Outreach and Referral

Proposing, creating and managing an effective outreach and referral process that will measurably increase the number of successful referrals of individuals living in priority hire ZIP codes (see Attachment 1), women and/or people of color to local pre-apprentice and apprentice construction training programs and job opportunities.

The proposal would include strategies on how to find and refer individuals interested or experienced in the construction trades and refer them to the following:

- Pre-apprentice and apprentice programs.
- Other community-based training organizations.
- Job and Training Coordinator for assistance in connecting with contractors that are hiring on City public works projects.
- Support services that the individuals may need.

Proposers can suggest multiple approaches to reach individuals, with a focus on those living in priority hire ZIP codes, women and people of color. The outreach and referral should include active coordination with the Job and Training Coordinator, as well as pre-apprenticeship programs and other community-based organizations that provide support services to such individuals.



Construction Training

Proposing and managing a program that will increase retention in and graduation from pre-apprenticeship and apprenticeship programs for those living in priority hire ZIP codes, women and people of color. This could include developing or modifying industry-recognized curriculum to increase retention and graduation rates of those workers or offering other classroom support. This may also include providing support services (e.g., direct distribution of personal protective equipment, bus passes, driver license recovery, childcare, boots, gas cards, GED preparation and financial debt management).

Proposers may submit a proposal for one or both categories, and may submit a proposal in collaboration with other community-based organizations. FAS will score each proposal independently such that there is no particular advantage to submitting a proposal for both. If your organization is awarded the contract, all partner organizations will be your subcontractor(s).

Proposers interested in both categories must submit a separate proposal for each category. The City (FAS) will determine if the Proposer meets the eligibility requirements to submit a proposal. If proposers would like to verify their eligibility in advance, they may contact the RFP Coordinator at any time.

Outreach and Referral

Purpose	Outreach and Referrals
Amount	\$200,000
Awardees	No more than two proposals will be awarded a contract.
Eligible Proposers	<ol style="list-style-type: none"> Any non-profit community based organization; or Any community based organization that has a non-profit fiscal sponsor.

Construction Training

Purpose	Pre-apprentice construction training, curriculum development, classroom materials and support services to increase retention and graduation rates of pre-apprentices and apprentices who live in priority hire ZIP codes, women and people of color.
Amount	\$300,000
Awardees	No more than three proposals will be awarded a contract.
Eligible Proposers	<ol style="list-style-type: none"> Local Washington State Apprenticeship & Training Council-recognized pre-apprenticeship training program or a pre-apprenticeship program approved by the City Joint Administrative Committee ; and/or Any community-based organization providing support services (for support service delivery only).

Examples of the strategies of interest to the City that Proposers may consider and develop are:

- Target outreach in Seattle and King County priority hire ZIP codes.
- Utilize or build relationships with local construction unions to effectively connect qualified priority workers to pre-apprenticeship and apprenticeship opportunities, and/or to refer such workers who are at the journey-level to test-in processes and/or construction labor union dispatch.
- Collaborate with City Purchasing and Contracting Services and City departments with workforce development programs.
- Identify ways to collaborate with other priority hire service providers.
- Develop relationships with organizations working with the criminal justice system.
- Build community capacity by educating priority hire ZIP code communities and support service providers in those communities on career and training opportunities in construction.



- Coordinate with [Ladders of Opportunity](#) grant recipients.
- Establish retention services to maintain regular contact with workers post completion of pre-apprenticeship and apprenticeship.

6. Race and Social Justice Initiative

FAS is committed to the City’s Race and Social Justice Initiative. More information about the initiative can be found here: <http://www.seattle.gov/rsji/>. The following racial equity and accountability principles will be among the principles guiding the City’s evaluation of proposals, along with other proposal elements:

- Proposals should seek to recognize and integrate organizations and groups representative of the communities impacted by priority hire and to connect to any other similar organizations and culturally relevant institutions and community service providers.
- Proposals should leverage opportunities that eliminate racial inequity in the community and encourage collaborative and creative approaches.
- Proposals should find ways to effectively engage communities most impacted by priority hire, such as using culturally anchored community space and language-specific and culturally appropriate methods.
- Proposals should provide strategies for sharing measurable outcomes and for open and transparent communication about progress and learning that result from the outreach and training.

7. Reporting

Reporting

City Purchasing and Contracting Services expects, at a minimum, that the winning Proposers will submit quarterly reporting of quantitative and qualitative data that demonstrates the successes and challenges in achieving proposed outcomes and attend a quarterly partnership meeting. Winning Proposers will be asked to report on the following (additional reporting may be required):

Outreach and Referral	
DELIVERABLE	METRIC/STATUS REPORT
Build a sustainable underrepresented worker recruitment process.	<ol style="list-style-type: none"> 1. Number of referrals of underrepresented workers to pre-apprenticeship programs, apprenticeship programs or the City Job and Training Coordinator that successfully result in a qualified individual applying for an apprenticeship or pre-apprenticeship program or employment (i.e., successful referral). 2. Provide a synopsis of successes and challenges in referring underrepresented individuals.
Recruit underrepresented individuals into the construction trades.	<ol style="list-style-type: none"> 1. Types of engagement used to reach underrepresented workers and an assessment of their effectiveness. 2. Number of referrals to pre-apprenticeship programs, apprenticeship programs or the City Job and Training Coordinator, and the percentage of those referrals that result in an



	apprenticeship or pre-apprenticeship application or in a job placement.
Create and validate a referral list of support services and construction training programs. Assist individuals in accessing these services, and share this list with partner organizations.	<ol style="list-style-type: none"> 1. Number of underrepresented workers requesting services and the percentage who utilize the referrals. 2. Provide a synopsis of successes and challenges in developing and using the referral list.

Construction Training	
DELIVERABLE	METRIC/STATUS REPORT
Increase the availability and readiness of underrepresented workers.	<ol style="list-style-type: none"> 1. Numbers of individuals placed into pre-apprenticeship programs and the percentage of participants who graduate; with a goal of 75 percent or higher (for training providers only). 2. Number of construction employment and apprenticeship placements, and retention rates after nine months (for training providers only). 3. A report on the barriers to employment removed for students by support service funds and other interventions. 4. Nine-month retention rates for individuals receiving support services and/or training. 5. Identify the factors that decrease retention rates and report on strategies used to address these factors. <p>Note: For each metric, include priority hire status, race and gender of workers assisted.</p>
Utilize collaboration and partnership to provide workers with access to the tools they need to be successful, including connections to available resources.	<ol style="list-style-type: none"> 1. Number of partnerships utilized or created to remove barriers for underrepresented workers. 2. Identify the specific areas where there was collaboration and partnership. 3. Assess any cost impacts that result from partnerships and collaborative efforts. 4. Number of enrollments from outside referrals (for training providers only).

8. Proposal Support

FAS will offer two pre-submittal workshops: **November 4, 2015 10:30 a.m-12:00 p.m. and November 16, 2015 10:30 a.m-12:00 p.m.** The sessions are repetitive and will include training on the priority hire program, guidelines on the outreach and training funds' objectives and Q&A to answer questions related to the process. Proposers are highly encouraged to attend one workshop, but are not required.



Questions regarding the RFP can be submitted to LaborEquity@seattle.gov or may be asked via phone at 206.684.4570. The RFP Coordinator will compile a Question & Answer document that will be posted on the Labor Equity website <http://www.seattle.gov/city-purchasing-and-contracting/social-equity/labor-equity>. Answers will be posted on a weekly basis, or more frequently as needed. Questions may be submitted beginning **October 22, 2015 through November 17, 2015 at 4:00 p.m. (PST)**.

9. Response Materials

Proposers must submit proposals containing the following and will be rated on the information requested and outlined in this RFP.

Proposers interested in both scopes of work must submit a separate proposal for each. FAS will determine if the Proposer meets the eligibility requirements to submit a proposal, in the sole opinion of FAS, as part of the evaluation process. Should any Proposers seek advance verification of their eligibility to propose, they may submit such a request at any time to the RFP Coordinator.

Format for written proposals:

1. Do not include brochures or letters of support.
2. Please type applications with 1.5 line spacing, size 11 font and one-inch margins on letter-sized (8.5 x 11 inch) paper. This is not a requirement, but a City preference.
3. Please include a header or footer with the name of Proposer(s) on each page and the page number.
4. Please limit your proposal to a total of eight narrative pages single sided or 4 pages double sided. The following required forms will not be counted as part of the eight pages:
 - Cover Sheet
 - Legal Name
 - Consultant Questionnaire
 - Budget Worksheet (see proposal response section, below)

If a Proposer submits more than eight pages of narrative, the City may reject the proposal or will elect to read no more than the first eight pages if the proposal can be reasonably understood within those eight pages.

10. Proposal Submittal

Proposers may submit proposals electronically using the subject line: **FAS Construction Training and Outreach Proposal** to LaborEquity@seattle.gov. Proposals must be in PDF format and must be submitted in one e-mail.

Proposers may also hand deliver proposals in person to: **Seattle Municipal Tower: City Purchasing and Contracting Services, 700 5th Ave Suite 4112, Seattle, WA 98104**. Hard copy responses should be in a sealed envelope addressed with the RFP Coordinator name, solicitation title and number. If submittals are not marked, the proposer has risks of the response being misplaced and not properly delivered. Please deliver stapled paper copies, do not use binders or folders. The City **will not** accept Fax and CD copies.

Organize your application according to the order of questions in this section.

1. **Cover Sheet:** Submit a cover sheet that contains:
 - The RFP number and the Proposer name
 - Attached documentation that shows how you meet each minimum qualification (refer to Section 4. Minimum Qualifications).
2. **Legal Name:** Submit a certificate, copy of a web page or documentation from the Secretary of State in which you are incorporated that shows your company legal name. Many organizations use a



“Doing Business As” name or nickname in daily business; the City requires the legal name for your organization. When preparing all forms below, use the proper company legal name. Your organization’s legal name can be verified through the State Corporation Commission in the state in which you were established, which is often located within the Secretary of State’s Office for each state. For the state of Washington, see www.secstate.wa.gov/corps/.

3. **Consultant Questionnaire:** Complete and submit the Consultant Questionnaire <http://www.seattle.gov/Documents/Departments/FAS/PurchasingAndContracting/Consulting/3ConsultantQuestionnaire.docx>

Proposal Response: Outreach and Referral

Maximum 30 Points

Organization Description and Experience	Include: 1. Name of your organization, telephone and website address. 2. Name, title, phone and email address of the person responding to the RFP. 3. A description of your organization and your relevant experience: a. Working with low-income communities and communities of color and women. b. Providing outreach and education in priority hire ZIP codes. c. Providing workforce development and worker recruitment. d. Working with the construction industry and your relationship to the building trades unions. e. Working with diverse partners to reach diverse audiences. f. Your organization’s past and present partnerships with other community-based organizations.
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Partners (if applicable)	If your organization plans to partner with multiple organizations to deliver services, include a list of those organizations.
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Maximum 50 Points

Work Plan	Provide a work plan. Include: 1. Your outreach and education plan to reach and recruit potential underrepresented workers. Define the focus for the greatest impact to underrepresented communities, including creative, effective and sustainable approaches. Include: a. Methods for following up on referrals to pre-apprenticeship and apprenticeship programs. b. Your plan to provide outreach and education in-house or in coordination with other CBOs. c. Your plan for collaborating with organizations that provide construction training to underrepresented workers. d. If partnering with other organizations, describe the scope of work each partner would conduct. 2. What makes your organization’s approach to outreach and education unique? 3. What are your staff roles and responsibilities related to your work plan? 4. How will you integrate this work into your organization’s pre-established work plan and budget?
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Maximum 5 Points

Personnel Name your project manager; provide his/her/their resume, hourly rate and responsibilities for the project.

Maximum 15 Points

Budget Complete the budget worksheet (Attachment 2).

Proposal Response: Construction Training

Maximum 30 Points

Organization Description & Experience Include:

1. Name of your organization, telephone and website address.
2. Name, title, phone and email address of the person responding to the RFP.
3. Organization description and relevant experience:
 - a. Working with low-income communities and communities of color and women.
 - b. Providing support services.
 - c. Working with the construction industry and your relationship to construction trades apprenticeship programs.
 - d. Working with diverse partners to reach diverse audiences.
 - e. Reaching construction training outcomes.
 - f. Your organization’s past and present partnerships with other community-based organizations.

Partners (if applicable) If your organization plans to partner with multiple organizations to deliver services, include a list of those organizations.

Maximum 50 Points

Work Plan Provide a work plan. Include:

1. A description of your organization’s training methods for the greatest impact to underrepresented workers, including strategies to address barriers for priority hire workers.
2. Your approach for the best use of the training funds in order to increase the availability and readiness of underrepresented workers, including intended curriculum, staff and tools.
3. Your plan to provide support services in-house or in collaboration with other providers.
4. Your plan for pre-apprenticeship graduate entry into registered apprenticeship.
5. Your plan for collaborating with organizations that provide underrepresented worker outreach.
6. What makes your organization’s approach to construction training unique?
7. What are your staff roles and responsibilities related to your work plan?
8. How will you integrate this work into your organization’s pre-established work plan and budget?

Maximum 5 Points

Personnel Name your project manager; provide his/her/their resume, hourly rate and responsibilities for the project.

Maximum 15 Points

Budget Complete the budget worksheet (Attachment 2).



Package Checklist.

Your response should be packaged with each of the following. This list assists with quality control before submittal of your final package. Addenda may change this list; check any final instructions:

1. Cover Sheet
2. Proof of legal business name
3. Consultant questionnaire
4. Proposal response (see Proposal Response Section, above).
5. Budget worksheet (Attachment 2).

11. Selection Process

Step #1, Initial Screening: The City will review proposals for format and minimum qualifications. Proposals that meet these qualifications, based on an initial review, shall proceed to Step 2.

Step #2, Proposal Evaluation: The City will evaluate proposals using the criteria below. Responses will be evaluated and ranked or scored.

Evaluation Criteria:	Weight (points)
Organization Description	30
Work plan	50
Personnel	5
Budget	15

Step #3, Interviews: FAS may invite top-ranked organizations for an interview. If interviews are conducted, rankings of organizations and award configurations (e.g., partial and/or multiple awards) shall be determined by FAS, using the combined results of interviews and proposal submittals. Proposers invited to interview are to bring the assigned project manager named in the Proposal, and may bring other key staff named in the proposal. The proposer shall not bring individuals who are not on the project team without advance authorization by the RFP Coordinator. If interviews are conducted, they will be held on **December 17, 2015** and will be worth 25 points.

Step #4, Selection: FAS will select the highest ranked Proposer(s) for award.

12. Award and Contract

The awarded organization(s) will receive an **Intent to Award Letter** from the RFP Coordinator. The letter will include instructions for submitting final documents which will be due before the contract is finalized. Once FAS sends out the letter, the awardee(s) must provide all requested documents within ten (10) business days.



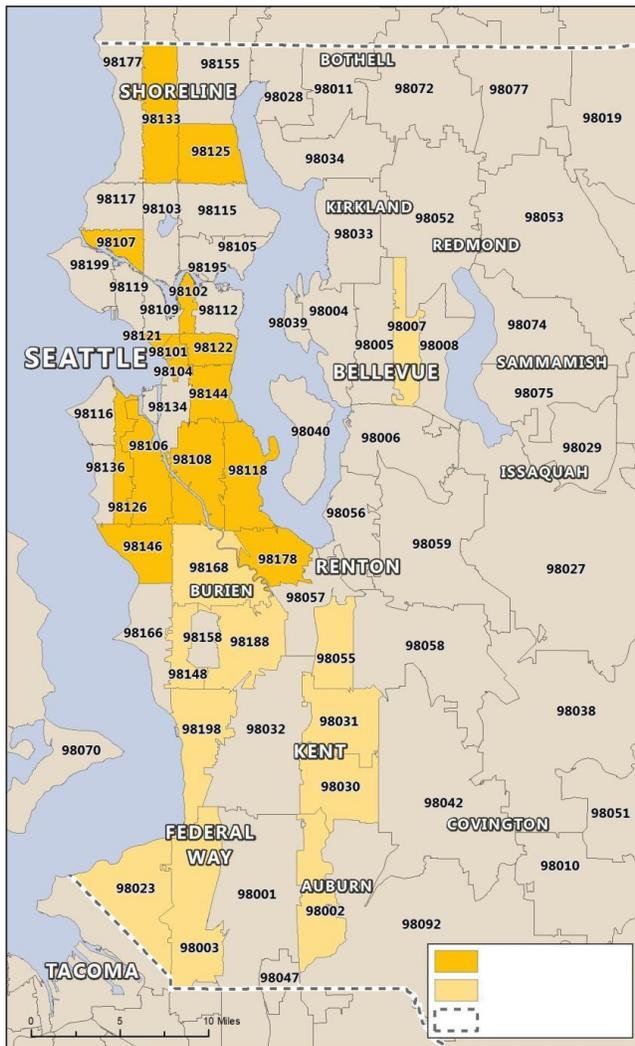
Attachments

Attachment #1 – Priority Hire in the City of Seattle and King County

Economically distressed ZIP codes in Seattle and King County were based on several indicators:

1. People living under 200% of the federal poverty line.
2. Unemployment rate.
3. Those over 25 without a college degree.

CURRENT Priority Hire Economically Distressed ZIP Codes



Tier 1	Seattle Neighborhood	ZIP Code
Tier 1	Downtown	98101
Tier 1	Capitol Hill/Eastlake	98102
Tier 1	Downtown/ID	98104
Tier 1	Delridge	98106
Tier 1	Ballard	98107
Tier 1	S. Beacon Hill/South Park	98108
Tier 1	Rainier Valley/Rainier Beach	98118
Tier 1	Belltown	98121
Tier 1	Central District	98122
Tier 1	Lake City/Northgate	98125
Tier 1	Delridge/High Point	98126
Tier 1	Bitter Lake/NW Seattle	98133
Tier 1	N. Beacon Hill	98144
Tier 1	White Center	98146
Tier 1	Rainier Beach/Skyway	98178
Tier 2	King County Neighborhood	ZIP Code
Tier 2	Kent/Auburn	98002
Tier 2	Federal Way	98003
Tier 2	Bellevue	98007
Tier 2	Federal Way	98023
Tier 2	Kent	98030
Tier 2	Kent	98031
Tier 2	Renton	98055
Tier 2	Burien	98148
Tier 2	Boulevard Park/Tukwila	98168
Tier 2	SeaTac/Tukwila	98188
Tier 2	Des Moines	98198

Source: Community Attributes Inc., Priority Hire ZIP Codes, 2014



Attachment #2 – Budget Worksheet

Submit a cost proposal for what you would propose as the cost to design, create, implement, and then to manage on an ongoing basis. Provide a brief 12 month budget summary for the period of January 2016 – December 2016 in the following table.

In the space below, enter in the following:

- Personnel Costs – Include staff salaries and fringe benefits
- Operating Costs – Include all other non-personnel costs (i.e. rent, office supplies, audit costs etc.
- Direct Participant– Include such items as work experience wages and support services
- Sub-contracts– Include what will be contracted out to other service providers. Do not include contractual items such as audits; such items should be included in operating costs.

Category – Contractor and Subcontractor	Requested Funds	Description of use of funds
1. Personnel Costs	\$	<i>Include hourly rates of pay</i>
2. Number of FTE		
3. Operating Costs	\$	
4. Direct Participant Costs	\$	
5. Sub –Contracts	\$	
6. Total (Add lines 1 - 5)	\$	



City of Seattle Disclaimers and General Provisions

This section details City instructions and requirements for your submittal. The City reserves the right in its sole discretion to reject any Consultant response that fails to comply with the instructions.

6.1 Proposer Responsibility to Provide Full Response

It is the Proposer's responsibility to respond that does not require interpretation or clarification by the City. The Proposer is to provide all requested materials, forms and information. The Proposer is to ensure the materials submitted properly and accurately reflects the Proposer's offering. During scoring and evaluation (prior to interviews if any), the City will rely upon the submitted materials and shall not accept materials from the Proposer after the RFP/RFQ deadline; this does not limit the City's right to seek clarifications as needed.

6.2 Changes to the RFP

The City may make changes to this RFP if, in the sole judgment of the City, the change will not compromise the City's objectives in this solicitation. Any change to this RFP will be made by formal written addendum issued by the City's RFP Coordinator and shall become part of this RFP.

6.3 Questions

It is the responsibility of the interested proposer to assure they receive responses to questions if any are issued. Failure to request clarification of any inadequacy, omission, or conflict will not relieve the proposer of responsibilities under in any subsequent contract.

6.4 Receiving Addenda and/or Question and Answers

It is the obligation and responsibility of the proposer to learn of addenda, responses, or notices issued by the City. Some third-party services independently post City of Seattle solicitations on their websites. The City does not guarantee that such services have accurately provided all the information published by the City. All submittals sent to the City may be considered compliant with or without specific confirmation from the proposer that any and all addenda was received and incorporated into your response. However, the RFP Coordinator reserves the right to reject any submittal that does not fully incorporate Addenda that is critical to the project.

6.5 Proposal Submittal

The Proposer has full responsibility to ensure the response arrives at the City within the deadline. A proposal delivered after the deadline may be rejected unless waived as immaterial by the City given specific fact-based circumstances.

6.6 Points of clarification

Throughout the evaluation process, the City reserves the right to seek clarifications from any Proposer.

6.7 Substantially Equivalent Scores

If the top two Proposers receive substantially equivalent scores, the contract will be awarded to that Proposer who, in the opinion of the City, best meets the City needs

6.8 Repeat of Evaluation Steps

If no consultant is selected at the conclusion of all the steps, the City may return to any step in the process to repeat the evaluation with those proposals active at that step. The City shall then sequentially step through all remaining steps as if conducting a new evaluation process. The City reserves the right to terminate the process if no proposals meet its requirements.

6.9 Effective Dates of Offer

Solicitation responses are valid until the City completes award. Should any Proposer object to this condition, the Proposer must object prior to the Q&A deadline on page 1.

6.10 Negotiations

The City may open discussions with the apparent successful Proposer, to negotiate costs and modifications to align the proposal or contract to meet City needs within the scope sought by the solicitation.



6.11 Contract Negotiations

The City may negotiate elements of the proposal as required to best meet the needs of the City, with the apparent successful Proposer(s). The City may negotiate any aspect of the proposal or the solicitation. The City does not intend to negotiate the base contract, which you can view below.

<http://www.seattle.gov/Documents/Departments/FAS/PurchasingAndContracting/Consulting/6StandardRosterAgreement.docx>

6.12 Contract Execution

Once the City has finalized and issued the contract for signature, the Consultant must execute the contract and provide all requested documents within ten (10) business days. This includes attaining a Seattle Business License, payment of associated taxes due, and providing proof of insurance. If the Consultant fails to execute the contract with all documents within the ten (10) day time frame, the City may cancel the award and proceed to the next ranked proposer, or cancel or reissue this solicitation. Cancellation of an award for failure to execute the Contract as attached may disqualify the firm from future solicitations for this same work.

Checklist of Final Submittals Prior to Award

The Consultant(s) should anticipate the Letter will require at least the following. Consultants are encouraged to prepare these documents when possible, to eliminate risks of late compliance.

- Seattle Business License is current and all taxes due have been paid.
- State of Washington Business License.
- Certificate of Insurance (if required).
- Special licenses (if any).

Taxpayer Identification Number and W-9

Unless the Consultant has already submitted a Taxpayer Identification Number and Certification Request Form (W-9) to the City, the Consultant must execute and submit this form prior to the contract execution date.

<http://www.seattle.gov/purchasing/docs/bids/2015/w9.pdf>

Insurance Requirements

Proof of insurance is required before contract execution, see the requirements below.

<http://www.seattle.gov/Documents/Departments/FAS/PurchasingAndContracting/Consulting/5InsuranceTransmittalForm.docx>

6.13 License and Business Tax Requirements

The Consultant must meet all applicable licensing requirements immediately after contract award. Companies must license, report and pay revenue taxes for the Washington State business License (UBI#) and Seattle Business License, if required by law. Carefully consider those costs before submitting an offer, as the City will not separately pay or reimburse such costs.

Seattle Business Licensing and associated taxes

- a. If you have a “physical nexus” in the city, you must obtain a Seattle Business license and pay all taxes due before the Contract can be signed.
- b. A “physical nexus” means you have physical presence, such as: a building/facility in Seattle, you make sales trips into Seattle, your own company drives into Seattle for product deliveries, and/or you conduct service work in Seattle (repair, installation, service, maintenance work, on-site consulting, etc).
- c. We provide a Consultant Questionnaire Form in our submittal package items later in this RFP, and it will ask you to specify if you have “physical nexus”.
- d. All costs for any licenses, permits and Seattle Business License taxes owed shall be borne by the Consultant and not charged separately to the City.
- e. The apparent successful Consultant(s) must immediately obtain the license and ensure all City taxes are current, unless exempted by City Code due to reasons such as no physical nexus. Failure to do so will cause rejection of the submittal.
- f. Self-Filing You can pay your license and taxes on-line using a credit card:

<https://web7.seattle.gov/FAS/Self/Account/Logon/Home.aspx>



- g. For Questions and Assistance, call the Business License Tax office which issues business licenses and enforces licensing requirements. The general e-mail is tax@seattle.gov. The main phone is 206-684-8484.
- h. The licensing website is <http://www.seattle.gov/licenses>.
- i. The City of Seattle website allows you to apply and pay on-line with a Credit Card if you choose.
- j. If a business has extraordinary balances due on their account that would cause undue hardship to the business, the business can contact the Business License Tax office (see contacts above) to request additional assistance. A cover-sheet providing further explanation, with the application and instructions for a Seattle Business License is provided below .
- k. Those holding a City of Seattle Business license may be required to report and pay revenue taxes to the City. Such costs should be carefully considered by the Consultant prior to submitting your offer. When allowed by City ordinance, the City will have the right to retain amounts due at the conclusion of a contract by withholding from final invoice payments.

State Business Licensing. Before the contract is signed, you must have a State of Washington business license (a “Unified Business Identifier” known as a UBI#). If the State of Washington has exempted your business from State licensing (some foreign companies are exempt and sometimes, the State waives licensing because the company has no physical presence in the State), then submit proof of that exemption to the City. All costs for any licenses, permits and associated tax payments due to the State because of licensing shall be borne by the Consultant and not charged separately to the City. Instructions and applications are at <http://bls.dor.wa.gov/file.aspx> and the State of Washington Department of Revenue is available at 1-800-647-7706.

6.14 Federal Excise Tax. The City is exempt from Federal Excise Tax (Certificate of Registry #9173 0099K exempts the City).

6.15 Right to Award to next ranked Consultant

If a contract is executed resulting from this solicitation and is terminated within 90-days, the City may return to the solicitation process to award to the next highest ranked responsive Consultant by mutual agreement with such Consultant. New awards thereafter are also extended this right.

6.16 No Guaranteed Utilization

The City does not guarantee utilization of any contract(s) awarded through this RFP process. The solicitation may provide estimates of utilization; such information is for Consultant convenience and not a usage guarantee. The City reserves the right to multiple or partial awards, and/or to order work based on City needs. The City may turn to other appropriate contract sources or supplemental contracts, to obtain these same or similar services. The City may re-solicit for new additions to the Consultant pool. Use of such supplemental contracts does not limit the right of the City to terminate existing contracts for convenience or cause.

6.17 Cost of Preparing Proposals

The City is not liable for costs incurred by the Proposer to prepare, submit and present proposals, interviews and/or demonstrations.

6.18 Changes or Corrections to Proposal Submittal

Prior to the submittal due date, a Proposer may change his/her proposal, if initialed and dated by the Proposer. No changes are allowed after the closing date and time.

6.19 Errors in Proposals

Proposers are responsible for errors and omissions in their proposals. No error or omission shall diminish the Proposer’s obligations to the City.

6.20 Withdrawal of Proposal

A submittal may be withdrawn by written request of the proposer.

6.21 Rejection of Proposals

The City may reject any or all proposals with no penalty. The City may waive immaterial defects and minor irregularities in any submitted proposal.



6.22 Incorporation of RFP and Proposal in Contract

This RFP and Proposer's response, including promises, warranties, commitments, and representations made in the successful proposal once accepted by the City, are binding and incorporated by reference in the City's contract with the Proposer.

6.23 Independent Contractor

The Consultant works as an independent contractor. The City will provide appropriate contract management, but that does not constitute a supervisory relationship to the consultant. Consultant workers are prohibited from supervising City employees or from direct supervision by a City employee. Prohibited supervision tasks include conducting a City of Seattle Employee Performance Evaluation, preparing and/or approving a City of Seattle timesheet, administering employee discipline, and similar supervisory actions.

Contract workers shall not be given City office space unless expressly provided for below, and in no case shall such space be provided for over 36 months without specific authorization from the City Project Manager.

The City will not provide space in City offices for performance of this work. Consultants will perform most work from their own office space or the field.

6.24 Equal Benefits

Seattle Municipal Code Chapter 20.45 (SMC 20.45) requires consideration of whether Proposers provide health and benefits that are the same or equivalent to the domestic partners of employees as to spouses of employees, and of their dependents and family members. The Consultant Questionnaire requested in the Submittal instructions includes materials to designate your equal benefits status.

6.25 Women and Minority Subcontracting

The Mayor's Executive Order and City ordinance require the maximum practicable opportunity for successful participation of minority and women-owned subcontracts. All proposers must agree to SMC Chapter 20.42, and seek meaningful subcontracting opportunities with WMBE firms. The City requires a plan for including minority- and women-owned firms, which becomes a material part of the contract. The Plan must be responsive in the opinion of the City, which means a meaningful and successful search and commitments to include WMBE firms for subcontracting work. The City reserves the right to improve the Plan with the winning Consultant before contract execution. Consultants should use selection methods and strategies sufficiently effective for successful WMBE participation. At City request, Consultants must furnish evidence such as copies of agreements with WMBE subcontractors either before contract execution or during contract performance. The winning Consultant must request written approval for changes to the Inclusion Plan once it is agreed upon. This includes changes to goals, subconsultant awards and efforts.

6.26 Proprietary Materials

The State of Washington's Public Records Act (Release/Disclosure of Public Records) Under Washington State Law (reference RCW Chapter 42.56, the Public Records Act) all materials received or created by the City of Seattle are considered public records. These records include but are not limited to bid or proposal submittals, agreement documents, contract work product, or other bid material.

The State of Washington's Public Records Act requires that public records must be promptly disclosed by the City upon request unless that RCW or another Washington State statute specifically exempts records from disclosure. Exemptions are narrow and explicit and are listed in Washington State Law (Reference RCW 42.56 and RCW 19.108).

Proposers must be familiar with the Washington State Public Records Act and the limits of record disclosure exemptions. For more information, visit the Washington State Legislature's website at

<http://leg.wa.gov/LawsAndAgencyRules/Pages/default.aspx>.

If you have any questions about disclosure of the records you submit with your proposal please contact the RFP Coordinator named in this document.

Marking Your Records Exempt from Disclosure (Protected, Confidential, or Proprietary)

As mentioned above, all City of Seattle offices ("the City") are required to promptly make public records available upon request. However, under Washington State Law some records or portions of records are



considered legally exempt from disclosure and can be withheld. A list and description of records identified as exempt by the Public Records Act can be found in RCW 42.56 and RCW 19.108.

If you believe any of the records you are submitting to the City as part of your proposal or contract work products are exempt from disclosure you can request that they not be released before you receive notification. The City will not withhold materials from disclosure simply because you mark them with a document header or footer, page stamp, or a generic statement that a document is non-disclosable, exempt, confidential, proprietary, or protected. Do not identify an entire page as exempt unless each sentence is within the exemption scope; instead, identify paragraphs or sentences that meet the specific exemption criteria you cite on the Form. Only the specific records or portions of records properly listed on the Form will be protected and withheld for notice. All other records will be considered fully disclosable upon request.

If the City receives a public disclosure request for any records you have properly and specifically listed on the Form, the City will notify you in writing of the request and will postpone disclosure. While it is not a legal obligation, the City, as a courtesy, will allow you up to ten business days to file a court injunction to prevent the City from releasing the records (reference RCW 42.56.540). If you fail to obtain a Court order within the ten days, the City may release the documents.

The City will not assert an exemption from disclosure on your behalf. If you believe a record(s) is exempt from disclosure you are obligated to clearly identify it as such on the Form and submit it with your solicitation. Should a public record request be submitted to City Purchasing for that record(s), you can then seek an injunction under RCW 42.56 to prevent release. By submitting a proposal, the Proposer acknowledges this obligation; the proposer also acknowledges that the City will have no obligation or liability to the proposer if the records are disclosed.

Requesting Disclosure of Public Records

The City asks Proposers and their organizations to refrain from requesting public disclosure of proposals until an intention to award is announced. This measure is intended to protect the integrity of the solicitation process particularly during the evaluation and selection process or in the event of a cancellation or re-solicitation. With this preference stated, the City will continue to be responsive to all requests for disclosure of public records as required by state law. If you do wish to make a request for records, please address your request in writing to the RFP Coordinator named in this document.

6.27 Expansion Clause

The contract limits expansion of scope and new work not expressly provided for within the RFP. Expansion for New Work (work not specified within the original Scope of Work Section of this Agreement, and/or not specified in the original RFP as intended work for the Agreement) must comply with the following: (a) New Work is not reasonable to solicit separately; (b) is for reasonable purpose; (c) was not reasonably known by the City or Consultant at time of solicitation or was mentioned as a possibility in the solicitation (i.e. future phases of work, or a change in law); (d) is not significant enough to be regarded as an independent body of work; (e) would not attract a different field of competition; and (f) does not vary the identity or purpose of the Agreement. The City may make exceptions for immaterial changes, emergency or sole source conditions, or other situations required in City opinion. Certain changes are not subject to these limitations, such as additional phases of Work anticipated during solicitation, time extensions, and Work Orders issued on an On-Call contract. Expansion must be mutually agreed and issued by the City through written Addenda. New Work performed before an authorizing Amendment may not be eligible for payment.

6.28 Ethics Code

Please familiarize yourself with the City Ethics code: http://www.seattle.gov/ethics/etpub/et_home.htm. Any questions should be addressed to Seattle Ethics and Elections Commission at 206-684-8500.

6.29 No Gifts and Gratuities

Consultants shall not directly or indirectly offer anything (such as retainers, loans, entertainment, favors, gifts, tickets, trips, favors, bonuses, donations, special discounts, work, or meals) to any City employee, volunteer or official, if it is intended or may appear to a reasonable person to be intended to obtain or give special



consideration to the Consultant. The definition of what a “benefit” would be could include not only awarding a contract but also the administration of the contract or evaluating contract performance. The rule works both ways, as it also prohibits City employees from soliciting items from Consultants. Promotional items worth less than \$25 may be distributed by the Consultant to City employees if the Consultant uses the items as routine and standard promotions for the business.

6.30 Involvement of Current and Former City Employees

The Consultant Questionnaire within your submittal documents prompts you to disclose any current or former City employees, official or volunteer that is working or assisting on solicitation of City business or on completion of an awarded contract. Update that information during the contract.

6.31 Contract Workers with over 1,000 Hours

The Ethics Code applies to Consultant workers that perform over 1,000 cumulative hours on any City contract during any 12-month period. Any such employee must abide by the City Ethics Code. The Consultant is to be aware and familiar with the Ethics Code accordingly.

6.32 No Conflict of Interest

Consultant (including officer, director, trustee, partner or employee) must not have a business interest or a close family or domestic relationship with any City official, officer or employee who was, is, or will be involved in selection, negotiation, drafting, signing, administration or evaluating Consultant performance. The City shall make sole determination as to compliance.

6.33 Background Checks and Immigrant Status

The City has policies regarding the use of Background checks, criminal checks and immigrant status. The policies are incorporated into the contract and available for viewing online at

<http://www.seattle.gov/business/WithSeattle.htm>

6.34 Contract Provisions

The City cannot modify contract provisions mandated by Federal, State or City law: to: Equal Benefits, Audit (Review of Proposer Records), WMBE and EEO, Confidentiality, and Debarment or mutual indemnification. Exceptions to those provisions will be summarily disregarded.