



## REQUEST FOR PROPOSALS

### Domestic Worker Hiring Entity-Employer Paid Sick and Safe Time Consultant Contract

#### Important Dates

Schedule of Events	Date/Time
RFP Release	10/2/2024
Optional Information Session and Q&A <b>Via Zoom (Session will be recorded and posted to website)</b>	10/8/2024 11am-12:30pm
Deadline for Questions	10/21/2024 by 3pm
Response Deadline	10/25/2024 by 5pm
Optional Presentation	10/28-11/1/2024
Announcement of Successful Applicant	11/15/2024
Anticipated Negotiation Schedule	11/15-11/29/2024
Contract Execution	12/2/2024

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

#### Contact Information

Procurement Contact:  
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Labor Standards Engagement Specialist  
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(206) 256-5297

Submissions will be accepted until 5:00 pm on October 25, 2024. Submissions will only be accepted via email to [OLS\\_RFP@seattle.gov](mailto:OLS_RFP@seattle.gov). Applicants are encouraged to apply in advance of the deadline to allow for any technical assistance needed prior to the deadline.

Unless authorized by the Procurement Contact, no other City official or employee may speak other than the Seattle Office of Labor Standards Director and their designees for the City regarding this solicitation until the award is complete. Any Applicant contacting other City officials or employees does so at Applicant’s own risk. The City is not bound by such information.

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## **1. Purpose and Background**

### **1.1 About the Office of Labor Standards**

The City of Seattle Office of Labor Standards (OLS) aims to increase workplace equity and establish a fair and healthy economy for workers, businesses, and residents. The mission of OLS is to advance labor standards through thoughtful community and business engagement, strategic enforcement, and innovative policy development with a commitment to race and social justice.

### **1.2 Seattle’s Labor Standards**

The Office of Labor Standards is responsible for educating hiring entities about our nineteen different labor standards. Ten of those labor standards may impact domestic workers and those that hire domestic workers.

#### Ordinances Covering Most Seattle-Based Employers and Employees:

1. The [Paid Sick and Safe Time Ordinance \(PSST\)](#) requires employers to provide paid leave for absences due to medical conditions, domestic violence, or other critical safety issues.
2. The [Fair Chance Employment Ordinance \(FCE\)](#) restricts how employers can use conviction and arrest records during the hiring process and course of employment.
3. The [Minimum Wage Ordinance \(MW\)](#) establishes a minimum hourly wage that rises with the annual rate of inflation.
4. The [Wage Theft Ordinance \(WT\)](#) require employers to pay all compensation owed to employees (including wages and tips).
5. The [Commuter Benefits Ordinance \(CBO\)](#) requires employers to provide commuter benefits on a pre-tax basis.

#### Protections for Workers Not Covered by Other Labor Standards:

##### Domestic Worker Protections

6. The [Domestic Workers Ordinance \(DWO\)](#) establishes protections for independent contractors and employees who provide domestic services in and around the homes of thousands of Seattle families.

##### Independent Contractor Protections

7. The [Independent Contractor Protections Ordinance](#) requires hiring entities to provide independent contractors with certain information prior to entering into a contract and at the time of payment and to provide timely payment.

App-Based Worker Protections (for those potentially providing domestic work through app-based platforms)

8. [The App-Based Worker Minimum Pay Ordinance](#), requiring certain network platform companies to guarantee workers receive minimum pay, upfront disclosures of offer-information, receipts and payment records, and other rights.
9. [App-Based Worker Paid Sick and Safe Time Ordinance](#), requiring app-based workers receive payment for PSST based on the worker's "average daily compensation" for each day worked for the hiring entity. The ordinance is for all app-based workers who work at a network company of 250 or more workers.
10. [App-Based Worker Deactivation Rights Ordinance](#), effective January 1, 2025, requiring network platform companies to undergo a fair process prior to deactivating app-based workers and gives workers certain procedural rights.

### **1.3 OLS and the DWSB: About the Domestic Workers Standards Ordinance and the Domestic Workers Standards Board**

The Office of Labor Standards oversees the Domestic Workers Ordinance the first in any municipality in the United States. This law requires that domestic workers receive a minimum wage, rest, and meal breaks. The law also created the Domestic Workers Standards Board, which provides a medium for hiring entities, domestic workers, worker organizations, and the public to consider, analyze, and recommend to the Office of Labor Standards, Mayor, and City Council other possible legal protections and standards to improve the working conditions for domestic workers, including the funding available for this RFP.

## **2. Performance Schedule**

OLS expects that this contract will be performed over approximately six (6) months after execution.

## **3. Solicitation Objectives**

OLS partners with consultants that prioritize race and social justice.

The City expects to achieve the following outcomes through this consultant solicitation:

- 1) Increase hiring entity-employer understanding of the protections for eligible domestic workers and hiring entity-employers' obligations under the existing Seattle Paid Sick and Safe Time (PSST) Ordinance, the Domestic Worker Ordinance, and other applicable Seattle labor laws.
- 2) Assist with proper employee classification and address improper classification of employees as independent contractors.
- 3) Establish OLS as a trusted resource for information and assistance to hiring entity-employers and their domestic worker employees.

The term "hiring entity-employer" refers to businesses and private households that have an employment relationship with domestic workers due to the nature of the work being performed and the entity's control over that work. Employers have more responsibilities than those entities that legitimately hire independent contractors.

## 4. Minimum Qualifications

No minimum qualifications are required to submit a proposal response.

## 5. Scope of Work

### 5.1 Background on Funding Allocation

In 2021, the Domestic Workers Standards Board issued a set of recommendations for improving the working conditions of domestic workers. In addition to a recommendation to invest in community expertise to facilitate more effective access to the rights afforded by Seattle's labor standards, the DWSB also recommended examination of access to paid time off for domestic workers, a key benefit to which most domestic workers lack access.

Since 2022, OLS has collaborated with the Domestic Workers Standards Board and Seattle Domestic Workers Coalition to determine how to increase domestic workers' access to paid time off. Their research Key findings of their work included:

- Despite growing demand for paid time off, domestic workers still do not have meaningful access to paid time off, even the many workers who are already covered by the Paid Sick and Safe Time Ordinance, a law which covers all employees in Seattle.

- Many household employers remain unaware of their legal obligations to domestic workers, including their obligation to provide paid sick and safe time.
- Employers and hiring entities must be educated on their legal obligations directly.
- Additional information and direct engagement with employer-hiring entities is critical to provide meaningful access to paid time off for domestic workers.

In 2023, the Domestic Worker Standards Board (DWSB) and Domestic Workers Coalition advocated successfully for the Office of Labor Standards to receive one-time funding of \$60,000 to provide funding to a community organization(s) to increase hiring entity-employers' awareness of their responsibilities under the Paid Sick and Safe Time Ordinance, the Domestic Workers Standards Ordinances, and other applicable Seattle labor laws.

## **5.2 Approach**

OLS will contract with one or more organizations for a 6-month contract cycle beginning the first week of December 2024 to provide outreach and education to hiring entity-employers on the Domestic Workers Ordinance, Paid Sick and Safe Time Ordinance, and other relevant labor standards by:

- Investing in community and building trust.
- Conducting outreach, education, and technical assistance to hiring entities that employ domestic workers (hiring entity-employers) in Seattle to help them understand and comply with their responsibilities under Seattle labor laws, with a focus on Paid Sick and Safe Time.
- Partnering with DWSB and OLS to produce an educational toolkit for hiring entity-employers that builds awareness of the issue of misclassifying workers and aids hiring entity-employers in understanding their obligations to comply.

## **5.3 Reporting**

Consultants will be expected to provide the following reports. Organizations are encouraged to consider this reporting responsibility as a budgeted resource in proposals. Please see Sample Reports for reference (Attachment E). Respondents are encouraged to review the sample contract document (see Attachment F) for document storage, retention, and production requirements.

1. Bi-Monthly (every two months):

- a. Invoice (Attachment E)
- b. Quantitative data report on workplan activities (Attachment E)
- c. Verification reports for selected workplan activities agreed upon at contract negotiation. (Attachment E)
- d. Copies of all materials developed and used as part of work plan.
- e. Report of all OLS-created materials used as part of work plan.

2. 90 Days:

- a. 90-Day narrative reports to describe successes and challenges (Attachment E)

3. Upon Request:

- a. OLS may periodically conduct site visits and evaluate outreach materials, training methods, financial reporting, and related documents.

### **5.3 Contract Obligations and Relationships with OLS**

Consultants are expected to complete the following contractual obligations:

- 1. Completion of the negotiated scope of work
- 2. Recipients will provide the following to OLS:
  - a. Required reporting and invoicing for activities completed from scope of work.
- 2. Recipients will attend the following:
  - a. Bi-monthly check-ins with contract manager.
  - b. On-going training on existing ordinances and any new ordinances as needed.
  - c. Training for executive-level staff of organization on Seattle Labor Standards.

## **6. Response Materials and Submittal**

### **6.1 Application Requirements**

Organizations can apply individually or as part of a collaborative group with one organization as the lead. OLS encourages organizations to apply in the capacity that best fits their needs and helps achieve desired engagement goals. There will be no penalty or preference for either individual or collaborative applications.

Applicants are highly encouraged to thoroughly review the Evaluation Criteria below prior to completing application materials.

A strong individual organization applying will:

- Have a clear vision of engagement goals aimed toward hiring entity-employers;
- Have a comprehensive plan to meet hiring entity-employer engagement goals; and
- Have organizational infrastructure and staff capacity to submit reports, process invoices and have dedicated staff to complete work goals.

A strong collaborative group applying will also have:

- Have 2-3 unifying reasons for why they are working together and have a clear vision for hiring entity-employer engagement to accomplish their goals.
- Have a lead organization that has the infrastructure and staff capacity to collect reports, disperse funds, and provide consistent training and technical support to other sub-contracting organizations as needed. We strongly encourage the lead organization to have at least one dedicated staff to oversee this work and to ensure collective goals are reached; and
- Have a well-developed process for how the collaborative group will delegate and share work, disperse and receive payments, and hold each other accountable.

## **6.2 Application Elements**

### **1. Cover Page (Attachment A).**

If applying as a collaborative, please submit one Cover Page per organization in the collaborative.

### **2. Application Questions (Attachment B).**

If applying as a collaborative, please submit only one response for the collaborative. 10-page limit.

### **3. Budget (Attachment C)**



- a. Do not include contingency or assumptions in your cost proposal. Instead, you may include a separate breakdown for out-of-scope costs, including scope of work, hours and any assumptions for the City to consider in your proposal.
- b. Applicants should thoughtfully consider and include all costs associated with performing this work including interpretation and translation costs, event costs, printing costs, or other costs that may be incurred from the proposed work plan/scope of work.
- c. The City may request additional clarification or a breakdown of the hours and costs with finalists.

**4. Consultant Questionnaire (Attachment D)**

Submit the following in your response, even if you sent one to the City for previous solicitations.

**5. Proof of Legal Business Name (if applicable) and City of Seattle Business License:**

- a. Provide a certificate or documentation from the Secretary of State in which you incorporated that shows your company legal name. Many companies use a “Doing Business As” name or nickname in daily business; the City requires the legal name for your company. When preparing all forms below, use the proper company legal name. Your company’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 <http://www.secstate.wa.gov/corps/>.
- b. Provide a copy of the organization’s City of Seattle Business License.

**6. Contract Exceptions (optional):**

If an Applicant seeks to modify the Contract, the Applicant must request that within their proposal response as taking an “Exception”. The Applicant must provide a revised version of the attached boilerplate contract that shows their proposed alternative contract language. The City is not obligated to accept such proposed changes. If you request Exceptions that materially change the character of the contract, the City may reject the Applicant’s Proposal as non-responsive. The City cannot modify provisions mandated by Federal, State or City law: Equal Benefits, Audit (Review of Vendor Records), WMBE and EEO, Confidentiality, and Debarment, or mutual indemnification.

**6.3 Submittal 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; please check any final instructions:

1. Cover Page (Attachment A)
2. Application Questions (Attachment B)
3. Budget (Attachment C)
4. Consultant Questionnaire (Attachment D)
5. Proof of Legal Business Name (if applicable) and City of Seattle Business License
6. Contract Exceptions (optional)

Other useful information can be found on the RFP web page:

- Terms and Procedures (more information about contracting in the City including the template contract)
- Attachment E (sample reporting documents)

#### **6.4 Questions**

Applicants may ask questions at the optional workshop scheduled for Tuesday October 8, 2024 from 11am-12:30pm hosted on Zoom (<https://us06web.zoom.us/j/86143522608>). This workshop will be recorded and posted to the OLS website.

Applicants may also email questions to the attention of Meredith Ruff, Procurement Contact, at [OLS\\_RFP@seattle.gov](mailto:OLS_RFP@seattle.gov) until 10/21/2024 at 3pm. Failure to request clarification of any inadequacy, omission, or conflict will not relieve the Applicant of responsibilities under any subsequent contract. It is the responsibility of the interested Applicant to assure they receive responses to questions if any are issued. All questions and answers will be posted to the OLS website.

#### **6.5 Electronic Submittal**

The application elements must be emailed to [OLS\\_RFP@seattle.gov](mailto:OLS_RFP@seattle.gov) by 5pm on 10/25/2024 Please follow instructions listed above. The City's email system will typically allow documents up to 20 Megabytes.

## 7. Selection Process

### 7.1 Initial Screening

The City will review responses for responsiveness and responsibility. Those found responsive and responsible based on an initial review shall proceed to the next part of the process. Equal Benefits, satisfactory financial responsibility and other elements are screened in this Step. A significant failure to perform on past City projects may also be considered in determining the responsibility of a firm.

Applicants with proposals that pass the initial screening will be offered an opportunity to provide an *optional* oral presentation (see Section 7.3 below for more information). Applicants that do not give the optional presentation will still have their application reviewed by the Evaluation Committee.

### 7.2 Proposal Evaluation

An Evaluation Committee will review applications that pass the initial screening. The Evaluation Committee will evaluate proposals using the following criteria:

Proposal Evaluation Criteria	
Who are you? (40 points possible)	
<p>a. Applicant(s) provides a clear description of their organization or the proposed collaborative. (5 points)</p> <p>b. Applicant(s) has the organizational capacity (individually or as a collaborative), including the financial controls, to process and submit invoices and reports in a timely manner. (10 points)</p> <p>c. Applicant(s) demonstrates connections to and knowledge of domestic worker issues, the world of domestic work generally, geographic areas around the City where domestic worker hiring entity-employers are likely to be and has articulated clear strategies to grow those connections and increase their knowledge throughout the duration of the contract period. (15 points)</p>	<p>Rating Criteria:</p> <ul style="list-style-type: none"><li>Clearly describes the organization's history, experience, and work.</li><li>Organization(s) have demonstrated a commitment to race and social justice and have articulated a framework or plan to ensure further action on organizational goals related to race and social justice.</li><li>Organization(s) have a strong relationship with the hiring entity-employers.</li><li>Clearly demonstrates the organizational capacity to adhere to City of Seattle Consultant Contracting requirements for financial controls, reporting, and ethical practices.</li></ul> <p>High (25-40): Effectively addresses all and/or most of the criteria</p> <p>Medium (17-24): Adequately addresses most of the criteria</p>

d. Applicant(s) leads with a race and social justice framework in internal and external practices. (10 points)	Low (0-16): Does not meet and/or address the criteria
<b>Who will benefit? (30 points possible)</b>	
<p>a. Applicant(s) has established connections with domestic workers, and/or domestic worker hiring entity-employers. (10 points)</p> <p>b. Applicant(s) demonstrates clear strategies for engaging with domestic worker hiring entity-employers to increase their knowledge of their obligations, awareness of how to reach out for technical assistance, and/or other ways to work with OLS. (10 points)</p> <p>c. Applicant(s) demonstrates successful experience educating employers or hiring entities on technical information (this can include, but is not limited to, Seattle's labor standards). (10 points)</p>	<p>Rating Criteria:</p> <ul style="list-style-type: none"> <li>• Services must be located in the City of Seattle or, if outside the City of Seattle, must show that they have connections to hiring entities within the City.</li> <li>• Clearly describes the demographics of the focus population(s). Demographics can include information about race, ethnicity, immigration or refugee status, languages, gender, LGBTQIA+, religion, age, employment sector or industry, or other relevant details.</li> <li>• Clearly demonstrates a vision for engaging domestic worker hiring entity-employers and has shown a history of successfully communicating complex, technical information to hiring entity-employers.</li> <li>• Language Access: Applicant has demonstrated the organizational infrastructure to provide in-language materials and services as needed or required.</li> </ul> <p>High (20-30): Effectively addresses all and/or most of the criteria</p> <p>Medium (10-19): Adequately addresses most of the criteria</p> <p>Low (0-9): Does not meet and/or address the criteria</p>
<b>What do you want to do? (30 points possible)</b>	
<p>a. Applicant(s) has provided a comprehensive scope of work that covers the contract period (6 months). (10 points)</p> <p>b. Applicant(s) has a comprehensive plan to complete the scope of work. (10 points)</p>	<p>Rating criteria:</p> <ul style="list-style-type: none"> <li>• Proposal includes a comprehensive scope of work that includes a multifaceted approach to engage, educate, and empower hiring entity-employers.</li> </ul>

<p>c. Applicant(s) has a comprehensive budget proposal. (10 points)</p>	<ul style="list-style-type: none"> <li>• Proposal includes a realistic work plan that outlines the steps or processes needed to achieve the proposed scope of work.</li> <li>• Proposal includes a thorough proposed budget that reasonably accounts for the scope of work, labor, and other resources needed to effectively complete work plan.</li> </ul> <p>High (20-30): Effectively addresses all and/or most of the criteria</p> <p>Medium (10-19): Adequately addresses most of the criteria</p> <p>Low (0-9): Does not meet and/or address the criteria</p>
<p><b>How will it make a difference? How will you know it made a difference? (10 points possible)</b></p>	
<p>a. Applicant(s) has described how their work plan addresses the needs of the focus population(s) as it relates to understanding PSST, other Seattle labor standards and seeking assistance from OLS. (10 points)</p>	<p>Rating criteria:</p> <ul style="list-style-type: none"> <li>• Proposal identifies community(ies) needs and struggles that may cause barriers to accessing services from OLS.</li> <li>• Proposal addresses how work plan will address those needs.</li> <li>• Proposal identifies ways in which organization may collect information, including qualitative and quantitative data, to assess impact of work plan.</li> </ul> <p>High (7-10): Effectively addresses all and/or most of the criteria</p> <p>Medium (4-6): Adequately addresses most of the criteria</p> <p>Low (0-3): Does not meet and/or address the criteria</p>

### 7.3 Optional presentation with the selection committee

The Evaluation Committee recognizes that some Applicants may feel more comfortable expressing themselves verbally rather than in written format. Therefore, Applicants may elect to provide a 30-minute online presentation with the Procurement Contact

and Evaluation Committee members as available. Regardless of availability, the Evaluation Committee will review all presentations. These presentations would take place between October 28-November 1. This presentation is optional and is intended to allow Applicants to communicate their proposal verbally. The Evaluation Committee members or the Procurement Contact may ask clarifying questions.

- a. Because it is optional, Applicants do not receive additional points to their evaluation score for the presentation.
- b. Applicants invited to present are to bring the assigned key person(s) named by the Organization in the Proposal and may bring other key personnel named in the Proposal. The Organization shall not bring individuals who do not work for the Consultant or are not on the project team without advance authorization by the Procurement Contact.
- c. Presentations will be scheduled after OLS receives a timely, completed application.
- d. Applicants with 3 or more collaborative members may request additional presentation time.
- e. Organizations may request an interpreter. Additional time will be added to accommodate interpretation.
- f. Please include interpretation requests or any accommodations requests when prompted in the submission form.

#### **7.4 Selection**

The City intends to select one applicant for funding. Requests for funding are expected to exceed the total available funding. In the event an applicant is offered less funding than they originally requested, the City and the Apparently Successful Applicant shall negotiate modifications to proposed original scope of work as needed. The City reserves the right to make a final selection based on the combined scoring results, distribution among service strategies, demographic groups, and geographic coverage, and/or the consensus of the Evaluation Committee.

For more information about the RFP process, contract terms, or requirements of working with the City, please refer to the Terms and Procedures document available on the RFP page on the OLS website.