



**STATE OF WASHINGTON
CRIMINAL JUSTICE TRAINING COMMISSION**

REQUEST FOR PROPOSALS - RFP NO. Kitsap Academy Feasibility

Estimated Procurement Schedule		
	Date	Time
Issue Request for Proposals (WEBS Posting)	Wednesday, October 9, 2024	
Bidder Conference (optional) Zoom attendance	Thursday, October 24, 2024	9:00am Join Zoom Meeting https://us02web.zoom.us/j/83922766336?pwd=QX5U7jm5KilmDSxjbbRL0iTgJhrMIV.1 Meeting ID: 839 2276 6336 Passcode: 112502
Bidder questions and comments should be submitted via email to the RFP coordinator for this RFP	Tuesday, October 29, 2024	By 4:00 PM PST
Issue amendment to RFP (if applicable) Answers posted on WEBS	Tuesday, November 5, 2024	
Complaint (if any) due	Wednesday, November 20, 2024	4:00 PM, PST
Proposals due E-Mail transmission to RFP Coordinator	Wednesday, November 27, 2024	4:00 PM, PST
Bid Evaluations	Week of December 2-6, 2024	
Announce "Apparent Successful Bidder(s) (ASB) award date	Week of December 9-13, 2024	
Protest Period Ends 5 days after last debrief	Within 3 business days of ASB Announcement	4:00 PM, PST
WSCJTC reserves the right to revise the above schedule		

Contract Terms	
Maximum Amount:	\$50,000.00
Performance Period:	December 2024-June 2025
Optional Extensions	at the discretion of WSCJTC

RFP Coordinator

Ms. Holly White

Email Address: holly.white@cjtc.wa.gov

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



**WASHINGTON STATE
CRIMINAL JUSTICE TRAINING COMMISSION**

AGENCY CONTRACT REQUEST FOR PROPOSAL (RFP) NO.— KITSAP ACADEMY FEASIBILITY STUDY

Introduction

The Washington State Criminal Justice Training Commission (Criminal Justice Training Commission) is issuing this Request for Proposal (RFP) pursuant to RCW 39.26. Procurement of Goods and Services.

Summary of Needs:

The purpose of this solicitation is to enable the Commission to procure services from an organization to complete a study on establishing a regional basic law enforcement academy or a regional corrections officers academy, or both, on the Kitsap Peninsula, Washington as required by FY 25 budget proviso.

At a minimum, the study must establish the costs and identify a possible timeline for establishing one or both academies. A report providing recommendations is due to the governor and the appropriate policy and fiscal committees of the legislature by June 30, 2025.

Statement of Work:

- Contractor will propose Project Objectives and Expectations to WSCJTC for the following:
 - Location
 - Economic, Demographic analysis
 - Operation and maintenance
 - Budget
- Identify resources needed and present them to WSCJTC staff.
- Review and edit the task list.
 - Both parties shall identify missing content.
- Develop recommendations to complete the work identified in this RFP

- Prepare and Present the Final Report to the WSCJTC staff.

Qualifications and Experience:

This contractor shall be an individual, or organization that's primary purpose is the support of WSCJTC. The contractor shall have current and relevant experience providing these services and establish in the proposal that they are fully qualified to perform the work outlined in this RFP.

Minimum qualifications:

- The contractor's ability, capacity, and skill to perform the contract or provide the service required.
- The contractor's integrity, reputation, judgment, experience, and efficiency.
- Whether the contractor can perform the work within the time specified.
- The contractor's performance quality pertaining to previous contracts or services.
- The contractor's compliance with laws relating to the contract or services.

This Competitive Solicitation is divided into six (6) sections:

- [Section 1](#) provides a summary table of relevant deadlines for responding to the Competitive Solicitation and identifies contact information for Criminal Justice Training Commission Procurement Coordinator.
- [Section 2](#) provides important information about the procurement that is designed to help interested bidders evaluate the potential opportunity, including the purpose of the procurement, the form of the resulting Contract, and potential contract sales.
- [Section 3](#) identifies how Criminal Justice Training Commission will evaluate the proposals.
- [Section 4](#) identifies how to prepare and submit a proposal for this Competitive Solicitation, including detailed instructions regarding what to submit and how to submit your proposal.
- [Section 5](#) details the applicable requirements to file a complaint, request a debrief conference, or file a protest regarding this Competitive Solicitation.
- [Section 6](#) provides information pertaining to doing business with the State of Washington, including Criminal Justice Training Commission efforts to enable Washington's small and diverse businesses to compete for and participate in state procurements for goods/services.

In addition, this Competitive Solicitation includes the following Exhibits:

- *Exhibit A – Required Bidder Information:* These exhibits identify information that bidders must provide to Criminal Justice Training Commission to constitute a responsive proposal. See Section 4, below.
 - Exhibit A-1 – Bidder's Certification

- Exhibit A-2 – Bidder’s Profile
- ***Exhibit B – Proposal:*** This exhibit provides the information that bidders will submit as part of their proposal, and the evaluation tool that Criminal Justice Training Commission will use to evaluate proposals.
- ***Exhibit C – Contract:*** This exhibit is a draft of the Contract that any successful bidder will execute with Criminal Justice Training Commission.

Section 1 – Deadlines, Questions, Procurement Coordinator, and Modification

This section identifies important deadlines for this Competitive Solicitation, where to direct questions regarding the Competitive Solicitation, and the process for potential amendments or modifications to the Competitive Solicitation.

- 1.1. **COMPETITIVE SOLICITATION QUESTIONS.** Questions or concerns regarding this Competitive Solicitation must be directed to the following Procurement Coordinator:

Procurement Coordinator	
Name:	Holly White
Email:	Holly.white@cjtc.wa.gov

Questions raised during the Q&A period will be answered and responses posted to Washington’s Electronic Business Solution (WEBS).

- 1.2. **COMPLAINTS, DEBRIEFS, & PROTESTS.** The Competitive Solicitation (and award of any Contract) is subject to complaints, debriefs, and protests as explained in Section 5, which may impact the dates set forth above.
- 1.3. **COMPETITIVE SOLICITATION – AMENDMENT & MODIFICATION.** Criminal Justice Training Commission reserves the right to amend and modify this Competitive Solicitation. **Only bidders who have properly registered and downloaded the original Competitive Solicitation directly via the Washington Electronic Business Solution WEBS will receive notifications of amendments and other correspondence pertinent to this Competitive Solicitation.** Bidders must be registered in WEBS to be awarded a Contract. Visit [WEBS](#) to register.

Section 2 – Information About the Procurement

This section describes the purpose of the Competitive Solicitation and provides information about this procurement, including the potential scope of the opportunity.

- 2.1. **PURPOSE OF THE PROCUREMENT – AWARD A CONTRACT.** The purpose of this solicitation is to enable the Commission to procure services from an organization to complete a study on establishing a regional basic law enforcement academy or a regional corrections officers academy, or both, on the Kitsap Peninsula, Washington: as set forth herein. Pursuant to Washington’s Procurement Code for Goods and Services, RCW chap. 39.26, state agency purchases of goods and services must be based on a competitive solicitation process in which the Contract is awarded to the responsive, responsible bidder.
- 2.2. **CONTRACT.** The form of the Contract that will be awarded as a result of this Competitive Solicitation is attached as ***Exhibit C – Sample Contract.***

- 2.3. **CONTRACT TERM.** As set forth in the attached Contract for this Competitive Solicitation, the initial contract term is eight (8) months. Bidders are to specify prices for the contract term. The Contract is subject to earlier termination.
- 2.4. **Contract Execution and Amendments.** This Contract shall be binding on WSCJTC only upon signature by the Executive Director of WSCJTC or designee. WSCJTC and the Contractor may mutually amend this Contract. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind WSCJTC and the Contractor
- 2.5. **ESTIMATED CONTRACT VALUE.** The Criminal Justice Training Commission budget for this project is \$50,000 for the initial 8-month contract. The maximum contract amount may be increased if the period of performance is extended and/or additional funding becomes available.
- 2.6. **WASHINGTON STATE PROCUREMENT PRIORITIES & PREFERENCES.** Criminal Justice Training Commission will apply the following Washington State procurement priorities and preferences to this Competitive Solicitation which, as set forth in Section 3.5, will impact the evaluation of proposals for this Competitive Solicitation:
- Washington Small Business
 - Certified Veteran-Owned Business

Section 3 – Bid Evaluation

This section identifies how Criminal Justice Training Commission will evaluate proposals for this Competitive Solicitation.

- 3.1. **OVERVIEW.** Criminal Justice Training Commission will evaluate proposals for this Competitive Solicitation as described below.
- Bidder responsiveness will be evaluated based on the process described herein.
 - Any bidder whose proposal is determined to be non-responsive will be rejected and will be notified of the reasons for this rejection.
 - Criminal Justice Training Commission reserves the right to: (1) Request clarification regarding any proposal; (2) Waive any informality; (3) Reject any or all proposals, or portions thereof; (4) Accept any portion of the proposal unless the bidder stipulates all or nothing in their bid; (5) Cancel the Competitive Solicitation and, if desired, re-solicit proposals and/or (6) Negotiate with the lowest responsive and responsible bidder(s) to determine if such proposal can be improved.
 - Criminal Justice Training Commission will use the following process and evaluation criteria for an award of the Contract:

STEP	ITEM	POSSIBLE POINTS
1	Proposal Responsiveness (requested components included with proposal)	pass/fail

STEP	ITEM	POSSIBLE POINTS
2	Non-Cost Factors — Qualifications or expertise and experience	200
3	Overall approach	100
4	Understanding of project components	50
4	References (from 3 comparable projects previously performed)	25
Total:		375
State Procurement Priorities		
6	Washington Small Business (10 points possible)	25
	Certified Veteran-Owned Business (5 points possible)	15
	Minority or Women Owned Business	10
	Executive Order 18-03	5
Total:		30
Total points for proposal and State Procurement Priorities		55

- 3.2. **BID RESPONSIVENESS (STEP 1).** Criminal Justice Training Commission will review proposals – on a pass/fail basis – to determine whether the proposal is ‘responsive’ to this Competitive Solicitation. This means that Criminal Justice Training Commission will review each proposal to determine whether the proposal is complete – i.e., does the proposal include each of the required proposal submittals, are the submittals complete, signed, legible. Criminal Justice Training Commission reserves the right – in its sole discretion – to determine whether a proposal is responsive – i.e., to determine a bidder’s compliance with the requirements specified in this Competitive Solicitation and to waive informalities in a proposal. An informality is an immaterial variation from the exact requirements of the Competitive Solicitation, having no effect or merely a minor or negligible effect on quality, quantity, or delivery of the goods or performance of the services being procured, and the correction or waiver of which would not affect the relative standing of, or be otherwise prejudicial, to bidders. Responsive proposals will be evaluated as set forth herein.
- 3.3. **PROPOSAL EVALUATION (STEP 2).** Criminal Justice Training Commission will evaluate each bid to ensure that each bidder’s product(s) or service(s) meet the specifications and/or performance requirements to complete the project. Criminal Justice Training Commission reserves the right to request additional information or perform tests and measurements before selecting the Apparent Successful Bidder. A bidder’s failure to provide requested information to Criminal Justice Training Commission within ten (10) business days may result in disqualification.
- 3.4. **WASHINGTON STATE PROCUREMENT PRIORITIES & PREFERENCES (STEP 3B).** Criminal Justice Training Commission will apply the following Washington State procurement priorities and preferences, as set forth below, to this Competitive Solicitation
- Executive Order 18-03
 - Washington Small Business

- Certified Veteran-Owned Business
- Minority or Women Owned Business
- PROCUREMENT PREFERENCE FOR EXECUTIVE ORDER 18-03 (Firms without Mandatory Individual Arbitration for Employees). Pursuant to RCW 39.26.160(3) (best value criteria) and consistent with [Executive Order 18-03 – Supporting Workers’ Rights to Effectively Address Workplace Violations](#) (dated June 12, 2018), [WSCJTC] will evaluate bids for best value and will provide a bid preference in the amount of 5 points to any bidder who certifies, pursuant to **Exhibit A-1 – Bidder’s Certification**, 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 waivers.
- WASHINGTON SMALL BUSINESSES. In furtherance of Washington’s business inclusion goals [WSCJTC] will evaluate bids for best value and will provide a bid preference in the amount of 10 points to any bidder who certifies, pursuant to **Exhibit A-1 – Bidder’s Certification**, that Bidder qualifies as a ‘Washington Small Business’ as set forth in **Exhibit A-1 – Bidder’s Certification**.
- CERTIFIED VETERAN-OWNED BUSINESSES. In furtherance of Washington’s business inclusion goals, [WSCJTC] will evaluate bids for best value and will provide a bid preference in the amount of 5 points to any bidder who certifies, pursuant to **Exhibit A-1 – Bidder’s Certification**, that Bidder qualifies as a Washington Department of Veterans’ Affairs Certified Veteran-Owned Business.
- CERTIFIED OMWBE (MINORITY OR WOMEN OWNED BUSINESS). In furtherance of Washington’s business inclusion goals [WSCJTC] will evaluate bids for best value and will provide a bid preference in the amount of 5 points to any bidder who certifies, pursuant to **Exhibit A-1 – Bidder’s Certification**, that Bidder qualifies as a ‘OMWBE Vendor’ as set forth in **Exhibit A-1 – Bidder’s Certification**.

3.5. **BIDDER RESPONSIBILITY ANALYSIS (STEP 4)**. For responsive proposals, Criminal Justice Training Commission must determine whether the bidder is a ‘responsible bidder.’ Accordingly, Criminal Justice Training Commission will make reasonable inquiry to determine bidder responsibility on a pass/fail basis. In determining bidder responsibility, Criminal Justice Training Commission will consider the following statutory elements:

- The bidder’s ability, capacity, and skill to perform the contract or provide the service required.
- The bidder’s character, integrity, reputation, judgment, experience, and efficiency.
- Whether the bidder can perform the contract within the time specified.
- The bidder’s performance quality pertaining to previous contracts or services.
- The bidder’s compliance with laws relating to the contract or services.
- Whether, within the three-year period immediately preceding the date of the Competitive Solicitation, the bidder has been determined by a final and binding citation and notice of assessment issued by the Washington State Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in RCW 49.48.082, any provision of chapter 49.46, 49.48, or 49.52 RCW; and

- Such other information as may be secured having a bearing on the decision to award the Contract.

See RCW 39.26.160(2)(a)-(g). In addition, Criminal Justice Training Commission may consider the following:

- **Financial Information:** Criminal Justice Training Commission may request financial statements, credit ratings, references, record of past performance, clarification of bidder's offer, on-site inspection of bidder's or subcontractor's facilities, or other information as necessary to determine bidder's capacity to perform and the enforceability of bidder's contractual commitments. Failure to respond to these requests may result in a bid being rejected as non-responsive.
- **References:** Criminal Justice Training Commission reserves the right to use references to confirm satisfactory customer service, performance, satisfaction with service/product, knowledge of products/service/industry and timeliness. Any negative or unsatisfactory reference can be reason for rejecting a bidder as non-responsible.

3.6. **CONTRACT NEGOTIATIONS (STEP 5).** Criminal Justice Training Commission may negotiate with the highest scored responsive, responsible bidder to finalize the Contract and to determine if the proposal may be improved. If, after a reasonable period of time, Criminal Justice Training Commission, in its sole judgement, cannot reach agreement on acceptable Contract terms with such bidder, Criminal Justice Training Commission may suspend negotiations and undertake negotiations with the next highest scored responsive, responsible bidder as determined by the evaluations.

3.7. **ANNOUNCEMENT OF APPARENT SUCCESSFUL BIDDER.** Criminal Justice Training Commission will determine the Apparent Successful Bidder ("ASB"). The ASB will be the responsive and responsible bidder(s) that best meet(s) the Competitive Solicitation requirements and presents the best total value, as calculated consistent with the instructions set forth in **Exhibit B – Proposal**, and other factors as set forth in this Competitive Solicitation including any applicable state procurement priority or preference.

- Designation as an ASB does not imply that Criminal Justice Training Commission will issue an award for a Contract to your firm. Rather, this designation allows Criminal Justice Training Commission to perform further analysis and ask for additional documentation. The bidder must not construe this as an award, impending award, attempt to negotiate, etc. If a bidder acts or fails to act as a result of this notification, it does so at its own risk and expense.
- Upon announcement of the ASB, bidders may request a debrief conference as specified in Section 5.

3.8. **AWARD OF CONTRACT.** Subject to protests, if any, Criminal Justice Training Commission and the ASB will enter into a Contract as set forth in **Exhibit C – Contract**. A contract award is made, and a contract formed by signature of Criminal Justice Training Commission and awarded bidder on the Contract. Criminal Justice Training Commission reserves the right to award on an all-or-nothing consolidated basis. Following the award of the Contract, all bidders registered in WEBS will receive a Notice of Award delivered to the bidder's email address provided in the bidder's profile in WEBS.

3.9. **BID INFORMATION AVAILABILITY.** Upon Criminal Justice Training Commission announcement of ASB, all Proposal submissions and all proposal evaluations are subject to public disclosure pursuant to

Washington's Public Records Act. See RCW 39.26.030(2). Upon Criminal Justice Training Commission announcement of ASB, Criminal Justice Training Commission will post all proposal evaluations to Criminal Justice Training Commission website. In addition, Criminal Justice Training Commission intends to post all winning proposal submissions to its contract portal webpage after the Contract is awarded.

- 3.10. **ADDITIONAL AWARDS.** Criminal Justice Training Commission reserves the right, during the resulting Contract term, to make additional Contract awards to responsive, responsible bidders who provided a proposal but who were not awarded a Contract. Such awards would be on the same or substantially similar terms and conditions and would be designed to address a Contractor vacancy (e.g., a contractor is terminated or goes out of business) or be in the best interest of the State of Washington.

Section 4 – How to Prepare and Submit a proposal for this Competitive Solicitation

This section identifies how to prepare and submit your proposal to Criminal Justice Training Commission for this Competitive Solicitation. In addition, bidders will need to review and follow the Competitive Solicitation requirements including those set forth in the exhibits, which identifies the information that bidders must provide to Criminal Justice Training Commission to constitute a responsive proposal. By responding to this Competitive Solicitation and submitting a proposal, bidders acknowledge having read and understood the entire Competitive Solicitation and accept all information contained within this Competitive Solicitation.

- 4.1. **BIDDER COMMUNICATIONS REGARDING THIS COMPETITIVE SOLICITATION.** During the Competitive Solicitation process, all bidder communications regarding this Competitive Solicitation must be directed by email to the Procurement Coordinator for this Competitive Solicitation. See Section 1.2 of this Competitive Solicitation. Bidders should rely only on this Competitive Solicitation and written amendments to the Competitive Solicitation issued by the Procurement Coordinator. In no event will oral communications regarding the Competitive Solicitation be binding.
- Bidders are encouraged to make any inquiry regarding the Competitive Solicitation as early in the process as possible to allow Criminal Justice Training Commission to consider and, if warranted, respond to the inquiry. If a bidder does not notify Criminal Justice Training Commission of an issue, exception, addition, or omission, Criminal Justice Training Commission may consider the matter waived by the bidder for protest purposes.
 - If bidder inquiries result in changes to the Competitive Solicitation, written amendments will be issued and posted on WEBS.
 - Unauthorized bidder contact regarding this Competitive Solicitation with other state employees involved with the Competitive Solicitation may result in bidder disqualification.
- 4.2. **PROPOSAL COMPONENTS.** Proposals must include all components needed for the goods and/or services as described in this Competitive Solicitation. See **Exhibit B – Proposal**. A bidder's failure to identify all components in a manner consistent with the instructions in this Competitive Solicitation is sufficient grounds for disqualification.

- Inclusive Proposals: Bidders must identify and include all elements in their proposal. Except as provided in the Contract, there shall be no additional costs of any kind.
- 4.3. **PROPOSAL SUBMITTAL CHECKLIST – REQUIRED PROPOSAL SUBMITTALS.** This section identifies the proposal submittals that must be provided to Criminal Justice Training Commission to constitute a responsive proposal. The submittals must be delivered as set forth below. Proposals that do not include the submittals identified below may be rejected as nonresponsive. In addition, a bidder’s failure to complete any submittal as instructed may result in the proposal being rejected. Bidders may not provide unsolicited materials. For any supplemental materials expressly required by Criminal Justice Training Commission in writing, bidders must identify such supplemental materials with the bidder’s name.
- EXHIBIT A-1 – BIDDER’S CERTIFICATION**
This document is the Bidder’s Certification.
Complete the certification, attach it to the proposal along with any exceptions or required explanations, and submit it to Criminal Justice Training Commission.
Note: the Certification must be complete. Where there are choices, bidder **must** check a box. The certification must be signed and submitted by a duly authorized representative for the bidder.
 - EXHIBIT A-2 – BIDDER’S PROFILE**
This document is required bidder information for Criminal Justice Training Commission contract administration purposes.
Complete as instructed and submit with the proposal to Criminal Justice Training Commission.
 - EXHIBIT B – PROPOSAL**
Bidder will need to complete the proposal worksheet templates as instructed in ***Exhibit B – Proposal***.
- 4.4. **PROPOSAL FORMAT.** Proposals must be complete, legible, signed, and follow all instructions stated in the Competitive Solicitation (including the exhibits). Unless otherwise specified in writing by Criminal Justice Training Commission, documents included with an electronic bid must be prepared in MS Word, MS Excel, or Adobe PDF. Where required to do so, bidders may sign using either a physical or electronic signature.
- 4.5. **SUBMITTING PROPOSALS.** Your proposals must be emailed to the Procurement Coordinator at holly.white@cjtc.wa.gov. Criminal Justice Training Commission email boxes only can accept emails that total less than 30MB in size. Bidders are cautioned to keep email sizes to less than 25MB to ease delivery. Zipped files cannot be accepted.

Section 5 – Complaint, Debrief, & Protest Requirements

This section details the applicable requirements for complaints, debriefs, and protests.

- 5.1. **COMPLAINTS.** This Competitive Solicitation offers a complaint period for bidders wishing to voice objections to this solicitation. The complaint period ends five (5) business days before the proposal due date. The complaint period is an opportunity to voice objections, raise concerns, or suggest changes that were not addressed during the Question & Answer Period or, if applicable,

at the Pre-Bid Conference. Failure by the bidder to raise a complaint at this stage may waive its right for later consideration. Criminal Justice Training Commission will consider all complaints but is not required to modify or cancel the Competitive Solicitation. If bidder complaints result in changes to the Competitive Solicitation, written amendments to the Competitive Solicitation will be issued and posted on WEBS.

- a. CRITERIA FOR COMPLAINT. A formal complaint may be based only on one or more of the following grounds: (a) The solicitation unnecessarily restricts competition; (b) The solicitation evaluation or scoring process is unfair or flawed; or (c) The solicitation requirements are inadequate or insufficient to prepare a response.
- b. INITIATING A COMPLAINT. A complaint must: (a) Be submitted to and received by the Procurement Coordinator no less than five (5) business days prior to the deadline for bid submittal; and (b) Be in writing (see Form and Substance, and Other below). A complaint should clearly articulate the basis of the complaint and include a proposed remedy.
- c. RESPONSE. When a complaint is received, the Procurement Coordinator (or designee) will consider all the facts available and respond in writing prior to the deadline for proposal submittals, unless more time is needed. Criminal Justice Training Commission is required to promptly post the response to a complaint on WEBS.
- d. RESPONSE IS FINAL. The Procurement Coordinator's response to the complaint is final and not subject to administrative appeal. Issues raised in a complaint may not be raised again during the protest period. Furthermore, any issue, exception, addition, or omission not brought to the attention of the Procurement Coordinator prior to proposal submittal may be deemed waived for protest purposes.

5.2. **DEBRIEF CONFERENCES.** A Debrief Conference is an opportunity for a bidder and Criminal Justice Training Commission, through its Procurement Coordinator, to meet and discuss the bidder's proposal (and, as further explained below, is a necessary prerequisite to filing a protest). Following the evaluation of the proposal, Criminal Justice Training Commission will issue an announcement of the ASB. That announcement may be made by any means, but Criminal Justice Training Commission likely will use email to the bidder's email address provided in the Bidder's Profile. Bidders will have three (3) business days to request a Debrief Conference. Once a Debrief Conference is requested, Criminal Justice Training Commission will offer the requesting bidder one meeting opportunity and notify the bidder of the Debrief Conference place, date, and time. Please note, because the debrief process must occur before making an award, Criminal Justice Training Commission likely will schedule the Debrief Conference shortly after the announcement of the ASB and the bidder's request for a Debrief Conference. Criminal Justice Training Commission will not allow the debrief process to delay the award. Therefore, bidders should plan for contingencies and alternate representatives. **Bidders who wish to protest must first participate in a debrief conference. Bidders who are unwilling or unable to attend the Debrief Conference will lose the opportunity to protest. A debrief is a required prerequisite for a bidder wishing to file a protest.**

- a. TIMING. A Debrief Conference may be requested by a bidder following announcement of the Apparent Successful Bidder (ASB).
- b. PURPOSE OF DEBRIEF CONFERENCE. Any bidder who has submitted a timely proposal response may request a Debrief Conference (see Form and Substance, and Other below). A Debrief Conference provides an opportunity for the bidder to meet with Criminal Justice Training Commission to discuss bidder's proposal and evaluation. It does not provide an opportunity to discuss other proposals and evaluations.

- c. **REQUESTING A DEBRIEF CONFERENCE.** The request for a Debrief Conference must be made in writing via email to the Procurement Coordinator and received within three (3) business days after the announcement of the Apparent Successful Bidder. Debrief conferences may be conducted either in person at the Criminal Justice Training Commission offices in Burien, Washington, or virtually (e.g., by telephone or web-based virtual meeting such as Zoom, Skype, MS Teams), as determined by Criminal Justice Training Commission, and may be limited by Criminal Justice Training Commission to a specified period of time. The failure of a bidder to request a debrief within the specified time and attend a debrief conference constitutes a waiver of the right to submit a protest. Any issue, exception, addition, or omission not brought to the attention of the procurement coordinator before or during the debrief conference may be deemed waived for protest purposes.

5.3. PROTESTS. Following a Debrief Conference, a bidder may protest the award of a Contract.

- a. **CRITERIA FOR A PROTEST.** A protest may be based only on one or more of the following: (a) Bias, discrimination, or conflict of interest on the part of an evaluator; (b) Error in computing evaluation scores; or (c) Non-compliance with any procedures described in the Competitive Solicitation.
- b. **INITIATING A PROTEST.** Any bidder may protest an award to the ASB. A protest must: (a) Be submitted to and received by the Protest Officer specified below, within five (5) business days after the protesting bidder's Debriefing Conference (see Form and Substance, and Other below); (b) Be in writing; (c) Include a specific and complete statement of facts forming the basis of the protest; and (d) Include a description of the relief or corrective action requested.
- c. **PROTEST RESPONSE.** After reviewing the protest and available facts, Criminal Justice Training Commission will issue a written response within ten (10) business days from receipt of the protest, unless additional time is needed.
- d. **DECISION IS FINAL.** The protest decision is final and not subject to administrative appeal. If the protesting bidder does not accept Criminal Justice Training Commission protest response, the bidder may seek relief in King County Superior Court.

5.4. COMMUNICATION DURING COMPLAINTS, DEBRIEFS, AND PROTESTS. With the exception of protests, all communications about this Competitive Solicitation, including complaints and debriefs, must be addressed to the Procurement Coordinator unless otherwise directed. Protests must be addressed to the Protest Officer.

- a. **FORM, SUBSTANCE, & OTHER.** All complaints, requests for debrief, and protests must:
 - i. Be in writing;
 - ii. Be signed by the complaining or protesting bidder or an authorized agent, unless sent by email;
 - iii. Be delivered within the time frame(s) outlined herein;
 - iv. Identify the Competitive solicitation number;
 - v. Conspicuously state "Complaint," "Debrief," or "Protest" in any subject line of any correspondence or email; and
 - vi. Be sent to the address identified below.
- b. **COMPLAINTS & PROTESTS.** All complaints and protests must (a) State all facts and arguments on which the complaining or protesting bidder is relying as the basis for its action; and (b) Include any relevant documentation or other supporting evidence.

5.5. HOW TO CONTACT Criminal Justice Training Commission.

- a. TO SUBMIT A COMPLAINT. Send an email message to the Procurement Coordinator listed in this Competitive Solicitation. The email message must include “Complaint” in the subject line of the email message. Alternatively, mail the complaint to the Procurement Coordinator listed in this Competitive Solicitation at the following address:

Attn: Procurement Coordinator – Complaint
Washington State Criminal Justice Training Commission
19010 1st Ave South
Burien, WA 98148

- b. TO REQUEST A DEBRIEF CONFERENCE. Send an email message to the Procurement Coordinator listed in this Competitive Solicitation. The email message must include “Debrief” in the subject line of the email message.

- c. TO SUBMIT A PROTEST. Send an email message to the Protest Officer at the following email address: holly.white@cjtc.wa.gov. The email message must include “Protest” in the subject line of the email message. Alternatively, mail the protest to the Protest Officer at the following address:

Attn: Procurement Coordinator-Protest
Washington State Criminal Justice Training Commission
19010 1st Ave South
Burien, WA 98148

Section 6 – Doing Business with the State of Washington

This section provides additional information regarding Washington’s Public Records Act and doing business with the State of Washington, including Criminal Justice Training Commission efforts to enable Washington’s small, diverse, and veteran-owned businesses to compete for and participate in state procurements for goods/services.

6.1. WASHINGTON’S PUBLIC RECORDS ACT – PUBLIC RECORDS DISCLOSURE REQUESTS.

- All documents (written and electronic) submitted to Criminal Justice Training Commission as part of this procurement are public records. Unless statutorily exempt from disclosure, such records are subject to disclosure *if* requested. See [RCW 42.56](#), Public Records Act. Criminal Justice Training Commission strongly discourages bidders from unnecessarily submitting sensitive information (e.g., information that bidder might categorize as ‘confidential,’ ‘proprietary,’ ‘sensitive,’ ‘trade secret,’ etc.).
 - If, in bidder’s judgment, Washington’s Public Records Act provides an applicable statutory exemption from disclosure for certain portions of bidder’s proposal, please mark the precise portion(s) of the relevant page(s) of the bid that bidder believes are statutorily exempt from disclosure and identify the precise statutory basis for exemption from disclosure.
 - In addition, if, in bidder’s judgment, certain portions of bidder’s proposal are not statutorily exempt from disclosure but are sensitive because these particular portions of bidder’s proposal (NOT including pricing) include highly confidential, proprietary, or trade secret information (or the equivalent) that bidder protects through the regular use of confidentiality or similar agreements and routine enforcements through court enforcement actions, please mark the precise

portion(s) of the relevant page(s) of bidder’s proposal that include such sensitive information.

- In the event that Criminal Justice Training Commission receives a public records disclosure request pertaining to information that bidder has submitted and marked either as (a) statutorily exempt from disclosure; or (b) sensitive, Criminal Justice Training Commission, prior to disclosure, will do the following:
 - Criminal Justice Training Commission Public Records Officer will review any records marked by bidder as statutorily exempt from disclosure. In those situations, where the designation comports with the stated statutory exemption from disclosure, Criminal Justice Training Commission will redact or withhold the document(s) as appropriate.
 - For documents marked ‘sensitive’ or for documents where Criminal Justice Training Commission either determines that no statutory exemption to disclosure applies or is unable to determine whether the stated statutory exemption to disclosure properly applies, Criminal Justice Training Commission will notify bidder, at the address provided in the proposal submittal, of the public records disclosure request and identify the date that Criminal Justice Training Commission intends to release the document(s) (including documents marked ‘sensitive’ or exempt from disclosure) to the requester unless the bidder, at bidder’s sole expense, timely obtains a court order enjoining Criminal Justice Training Commission from such disclosure. In the event bidder fails to timely file a motion for a court order enjoining such disclosure, Criminal Justice Training Commission will release the requested document(s) on the date specified. Bidder’s failure properly to identify exempted or sensitive information and timely respond after notice of request for public disclosure has been given shall be deemed a waiver by bidder of any claim that such materials are exempt or protected from disclosure.

6.2. **SMALL & DIVERSE BUSINESSES.** Criminal Justice Training Commission, in accordance with Washington law, encourages small and diverse businesses to compete for and participate in state procurements as contractors and as subcontractors to awarded bidders. See, e.g., [RCW 39.19](#) (OMWBE certified businesses); [RCW 43.60A.200](#) (WDVA certified veteran-owned businesses); and [RCW 39.26.005](#) (Washington small businesses).

- **OMWBE CERTIFICATION.** Bidders may contact the Washington State [Office of Minority and Women’s Business Enterprises](#) (OMWBE) regarding information on Minority-Owned and Women-Owned certified firms, state and federal certification programs, or to become certified. OMWBE can be reached by telephone, 866-208-1064, or through their website at [OMWBE](#). OMWBE-Certified firms may provide their certification information on ***Exhibit A-2 – Bidder’s Profile***.
- **WDVA CERTIFICATION.** Bidders may contact the [Washington State Department of Veterans’ Affairs](#) (WDVA) for information regarding Certified Veteran-Owned businesses or to become a Certified Veteran-Owned Business. The WDVA can be reached by telephone, (360) 725-2169, or through their website at [WDVA](#). The qualification requirements to be a Certified Veteran-Owned Business are set forth in ***Exhibit A-1 – Bidder’s Certification***.
- **WASHINGTON SMALL BUSINESSES.** If you qualify as a Washington Small Business, identify yourself as such in WEBS. Call WEBS Customer Service at 360-902-7400. The qualification requirements to self-certify as a Washington Small Business are set forth in ***Exhibit A-1 – Bidder’s Certification***.

- 6.3. **WEBS REGISTRATION.** Individuals and firms interested in state contracting opportunities with Criminal Justice Training Commission or any state agency must register for competitive solicitation notices at the Washington Electronic Business Solution (WEBS) [WEBS Registration](#).
Note: There is no cost to register on WEBS.

6.4. NONDISCRIMINATION.

- a. Nondiscrimination Requirement. During the term of this Contract, Contractor, including any subcontractor, shall not discriminate on the bases enumerated at RCW 49.60.530(3). In addition, Contractor, including any subcontractor, shall give written notice of this nondiscrimination requirement to any labor organizations with which Contractor, or subcontractor, has a collective bargaining or other agreement.
- b. Obligation to Cooperate. Contractor, including any subcontractor, shall cooperate and comply with any Washington state agency investigation regarding any allegation that Contractor, including any subcontractor, has engaged in discrimination prohibited by this Contract pursuant to RCW 49.60.530(3).
- c. Default. Notwithstanding any provision to the contrary, WSCJTC may suspend Contractor, including any subcontractor, upon notice of a failure to participate and cooperate with any state agency investigation into alleged discrimination prohibited by this Contract, pursuant to RCW 49.60.530(3). Any such suspension will remain in place until WSCJTC receives notification that Contractor, including any subcontractor, is cooperating with the investigating state agency. In the event Contractor, or subcontractor, is determined to have engaged in discrimination identified at RCW 49.60.530(3), WSCJTC may terminate this Contract in whole or in part, and Contractor, subcontractor, or both, may be referred for debarment as provided in RCW 39.26.200. Contractor or subcontractor may be given a reasonable time in which to cure this noncompliance, including implementing conditions consistent with any court-ordered injunctive relief or settlement agreement.

Remedies for Breach. Notwithstanding any provision to the contrary, in the event of Contract termination or suspension for engaging in discrimination, Contractor, subcontractor, or both, shall be liable for contract damages as authorized by law including, but not limited to, any cost difference between the original contract and the replacement or cover contract and all administrative costs directly related to the replacement contract, which damages are distinct from any penalties imposed under Chapter 49.60, RCW. WSCJTC shall have the right to deduct from any monies due to Contractor or subcontractor, or that thereafter become due, an amount for damages Contractor or subcontractor will owe WSCJTC for default under this provision.

INCORPORATED EXHIBITS

See Exhibit A-1 – Bidder’s Certification:



Exhibit A-1 Bidders
Certification.docx

Note: As set forth above, Bidder must complete, sign, and return the *Exhibit A-1 – Bidder’s Certification* to Criminal Justice Training Commission.

See Exhibit A-2 – Bidder’s Profile:



Exhibit A-2 Bidders
Profile.docx

Note: As set forth above, Bidder must complete and return the *Exhibit A-2 – Bidder’s Profile* to Criminal Justice Training Commission.

See Exhibit B – Proposal:



Exhibit B -
Proposal.docx

Note: As set forth above, Bidder must complete and return *Exhibit B – Proposal* to Washington State Criminal Justice Training Commission.

See EXHIBIT C – SAMPLE CONTRACT:



Exhibit C - Sample
Contract.doc