**Washington State Consolidated Technology Services**

ITPS Work Request

**Request for Qualifications and Quote**

**Solicitation number:** **22-RFQQ-001**

**Project name:** Cybersecurity Audit Assessment

**Performance Period:** from 10/25/2021 to 07/30/2022

Consolidated Technology Services is issuing this solicitation pursuant to the Information Technology Professional Services (ITPS) program, which is separately coordinated by the Washington State Department of Enterprise Services (DES).

DES maintains lists or "pools" of IT service providers within Washington’s Electronic Business Solution ([WEBS](http://www.des.wa.gov/services/ContractingPurchasing/Business/Pages/default.aspx)). WEBS is the state's solicitation notification system for state purchasers to advertise their solicitations when seeking competitive proposals for IT business needs. This is one of those solicitations.

The categories of lists are shown below, and they identify common IT business needs of state government. This solicitation specifies one or more of those categories (checked).

The only IT service providers who should be able to view and download this solicitation are on the notification list in WEBS for the category checked below.

NOTE: If this is not the case, and you are viewing this solicitation, you received it by some other means outside of WEBS and the Purchaser will not entertain a proposal from you.For further detail, see [Bidder Eligibility](#_Bidder_Eligibility).

|  |  |
| --- | --- |
| **Solicitation Schedule**  Solicitation posting date: 09/10/2021  Questions due: 09/17/2021  Answers published: 09/21/2022  Vendor conference: 09/22/2021  Complaints due: 09/17/2021  Proposals due: 09/30/2021 by 12 noon PT  Oral interviews (if required): 10/20/2021-10/21/2021  Announcement of Apparently Successful Vendor (ASV): 10/25/2021  **Solicitation Coordinator**  Name: Jessica Smith  Title: Senior Contracts Specialist  Phone: (360) 407-8655  Email: jessica.smith@watech.wa.gov | **Categories**  ITPS\_08215\_01. [IT Funding & Financial Analysis](http://www.des.wa.gov/SiteCollectionDocuments/ContractingPurchasing/ITPSdocs/Open_Enrollment/01_IT_Funding.pdf)  ITPS\_08215\_02. [IT Business Analysis](http://www.des.wa.gov/SiteCollectionDocuments/ContractingPurchasing/ITPSdocs/Open_Enrollment/02_IT_Bus_Analysis.pdf)  ITPS\_08215\_03. [Continuity/Disaster Recovery](http://www.des.wa.gov/SiteCollectionDocuments/ContractingPurchasing/ITPSdocs/Open_Enrollment/03_COOP_DisRec.pdf)  ITPS\_08215\_04. [IT Project Management](http://www.des.wa.gov/SiteCollectionDocuments/ContractingPurchasing/ITPSdocs/Open_Enrollment/04_IT_ProjMgt.pdf)  ITPS\_08215\_05. [Project Quality Assurance](http://www.des.wa.gov/SiteCollectionDocuments/ContractingPurchasing/ITPSdocs/Open_Enrollment/05_Project_QA.pdf)  ITPS\_08215\_06. [Software Testing](http://www.des.wa.gov/SiteCollectionDocuments/ContractingPurchasing/ITPSdocs/Open_Enrollment/06_SoftwareTesting.pdf)  ITPS\_08215\_07. [Client/Server & Web Services](http://www.des.wa.gov/SiteCollectionDocuments/ContractingPurchasing/ITPSdocs/Open_Enrollment/07_ClientServer_Web.pdf)  ITPS\_08215\_08. [Database Services](http://www.des.wa.gov/SiteCollectionDocuments/ContractingPurchasing/ITPSdocs/Open_Enrollment/08_DatabaseSvcs.pdf)  ITPS\_08215\_09. [GIS Services](http://www.des.wa.gov/SiteCollectionDocuments/ContractingPurchasing/ITPSdocs/Open_Enrollment/09_GIS.pdf)  ITPS\_08215\_10. [Infrastructure Services](http://www.des.wa.gov/SiteCollectionDocuments/ContractingPurchasing/ITPSdocs/Open_Enrollment/10_Infrastructure.pdf)  ITPS\_08215\_11. [Mainframe Services](http://www.des.wa.gov/SiteCollectionDocuments/ContractingPurchasing/ITPSdocs/Open_Enrollment/11_Mainframe.pdf)  ITPS\_08215\_12. [Mobile Services](http://www.des.wa.gov/SiteCollectionDocuments/ContractingPurchasing/ITPSdocs/Open_Enrollment/12_Mobile_Svcs.pdf) |

**Table of Contents**

[1. Bidder Eligibility 1](#_Toc443039759)

[2. Definitions 1](#_Toc443039760)

[3. Project Description 2](#_Toc443039761)

[a. Location 2](#_Toc443039762)

[b. Scope of Work 2](#_Toc443039763)

[c. Period of Performance 2](#_Toc443039764)

[d. Work Requirements 2](#_Toc443039765)

[e. Deliverables 2](#_Toc443039766)

[f. Acceptance Criteria 2](#_Toc443039767)

[g. Additional Expectations 2](#_Toc443039768)

[4. Required Submittals 3](#_Toc443039769)

[a. Pre-Screening Documentation (if applicable) 3](#_Toc443039770)

[b. Price Worksheet 3](#_Toc443039771)

[c. Non-Cost Submittals 4](#_Toc443039772)

[d. Solicitation Amendments (if applicable) 4](#_Toc443039773)

[5. Administrative Requirements 5](#_Toc443039774)

[a. Delivery of Proposals 5](#_Toc443039775)

[b. Due Date and Time 5](#_Toc443039776)

[c. Required Submittals 5](#_Toc443039777)

[6. Evaluation and Award 5](#_Toc443039778)

[a. Award Criteria 6](#_Toc443039779)

[b. Evaluation Process 6](#_Toc443039780)

[(1) Initial Determination of Responsiveness 6](#_Toc443039781)

[(2) Cost Evaluation 6](#_Toc443039782)

[(3) Non-Cost Evaluation 7](#_Toc443039783)

[(4) Interviews / Oral Evaluations (if applicable) 7](#_Toc443039784)

[(5) Selection of Apparent Successful Bidders 7](#_Toc443039785)

[(6) Notification of Apparent Successful Bidders 8](#_Toc443039786)

[(7) Award Notification 8](#_Toc443039787)

[(8) Award 8](#_Toc443039788)

[7. Additional Instructions to Bidders 8](#_Toc443039789)

[a. Authorized Communication 8](#_Toc443039790)

[b. Questions 9](#_Toc443039791)

[c. Complaints and Protests 9](#_Toc443039792)

[8. General Information 9](#_Toc443039793)

[a. Option to Extend 9](#_Toc443039794)

[b. Right to Cancel 9](#_Toc443039795)

[c. Information Availability 9](#_Toc443039796)

[d. Proprietary or Confidential Information 9](#_Toc443039797)

[e. Work Orders 10](#_Toc443039798)

[f. Solicitation Amendments 10](#_Toc443039799)

[g. Incorporation of Documents 10](#_Toc443039800)

# Bidder Eligibility

Proposals to this solicitation will only be entertained from companies who are currently on the DES WEBS notification list for the technical service category(ies) checked on the cover page.

Addition to notification lists is a prerequisite to submitting a proposal to this, or any other ITPS Work Request. To be added, a program agreement (DES Master Contract 08215) must be submitted to DES. For further detail, refer to the [DES ITPS](http://www.des.wa.gov/services/ContractingPurchasing/ITContracts/ITMasterContract/ITPS/Pages/default.aspx).

NOTE: Master contract submittals received by DES prior to the 20th of each month; but no later, will be reviewed for compliance on the 20th. Those companies will be added to the applicable notification lists in WEBS at the beginning of the month following receipt. Submittals received after the 20th will be processed the following month. DES cannot expedite this schedule to facilitate a company’s ability to meet the due date of a currently posted solicitation such as this one.

Vendors that have performed one-or more audits within scope of this RFQ since 2015 will be ineligible to submit a Response to this RFQ. Vendors must state in their Response whether they comply with this requirement.

# Definitions

“Agency” means a government entity of the state of Washington and for purposes of this RFQQ it means Consolidated Technology Services.

“Apparent Successful Vendor” The bidder with the highest evaluation point total will be declared the apparent successful vendor (ASV). The Purchaser may then enter into contract negotiations with the apparent successful vendor.

“Audit” means an examination performed by an independent entity to validate compliance to industry standard(s), state and/or federal regulatory requirements or some other entity defined requirement.

“DES” means the Washington state Department of Enterprise Services, any division, section, office, unit or other entity of DES or any of the officers or other officials lawfully representing DES.

“Notification List” means a list within Washington’s Electronic Business Solution (WEBS) which is categorized by technical service category for state purchasers to publicly release and notify when they seek competitive bids or proposals.

“OCS” means the Office of Cybersecurity, a division within Consolidated Technology Services.

“Purchaser” means the authorized user of the program or a person, or entity authorized to make purchases of material, supplies, services, and/or equipment under the resulting Work Order. Includes any Washington state agency and any authorized party to the [Master Contracts Usage Agreement (MCUA)](http://www.des.wa.gov/services/ContractingPurchasing/Purchasing/Pages/MasterContractsUsageAgreement.aspx). Includes institutions of higher education, boards, commissions, nonprofit corporations and political subdivisions such as counties, cities, school districts, or public utility districts.

“**Response”** means the written proposal submitted by Vendor to CTS in accordance with this Work Request The Response shall include all written material submitted by Vendor as of the date set forth in the Solicitation Schedule or as further requested by CTS. The Response shall be in the English language, and all measurements and qualities will be stated in units required by law in the United States.

“Solicitation” means this RFQQ 22-RFQQ-001.

“Technical Service Category” means an information technology service categorized by common IT business needs of state government described and set forth in this agreement.

“Washington’s Electronic Business Solution or WEBS” means DES’s web-based solicitation notification system.

“Work Order” means a contractual document incorporated by reference to this solicitation and executed between an eligible purchaser and a company. Each Work Order shall be the result of a Work Request (competitive solicitation).

“Work Request” means this RFQQ 22-RFQQ-001.

“Bidder or Vendor” means the person or firm, responding to this RFQQ, and includes all of its officers and employees.

# Project Description

During the 2021 legislative session, the Washington state Legislature passed Engrossed Substitute Senate Bill 5432 (The Bill), concerning cybersecurity and data sharing in state government. The bill established in Revised Code of Washington (RCW), the formal creation of the Office of Cybersecurity (OCS) within the Office of the Chief Information Officer (OCIO) and conveys the primary duties of OCS and the position of Chief Information Security Officer. Additionally, the Legislature directed OCS to contract for an independent security assessment of state agency information technology security program audits since July 1, 2015. The stated goals of this assessment are to:

* Determine the effectiveness of previous audits conducted within the state relative to industry standards at the time the audits were performed.
* Evaluate the performance in acting upon audit findings and implementing recommendations.
* Provide specific recommendations to improve state policies and standards relative to state cybersecurity audits to increase their value.

## Location

Work will primarily be performed remotely. With advance notice, Bidder may be required to conduct work onsite at Consolidated Technology Services headquarters in Olympia, Washington.

Vendors must comply with Governor’s Proclamation 21-14 regarding vaccination against COVID.

## Scope of Work

This project requires an independent security assessment of the state agency information technology security program audits completed by Washington state agencies since July 1, 2015. The Bill requires each assessment of an agency’s audit(s) shall include the following elements:

1. A review of state agency information technology security program audits that have been performed since July 1, 2015;

2. Assess the content of audit findings and evaluate the findings relative to industry standards at the time of the audit;

3. Evaluate the state’s performance in taking action upon audit findings and implementing recommendations from the audit;

4. Evaluate the State technology policies and standards, and provide recommendations for improving State policies and standards; and

5. Include recommendations, based on best practices, for both short-term and long-term programs and strategies designed to implement audit recommendations. All recommendations need to be actionable and convey to executive-level leadership and technical audiences, meaningful and substantive advice on how to enhance and improve agency information technology security program audits, and processes to support audits and policies and standards.

The contents of the audit assessment shall be analyzed for common themes and gaps in performing the audit and implementing the audit findings. The common themes should be cross referenced against relevant industry standards (e.g., NIST, CIS, ISO) and leading practices. The results and any recommendations shall be compiled into a report that is submitted to the governor and Legislature. The report will undergo a review by stakeholders prior to final submittal and shall be completed no later than June 15, 2022.

## Period of Performance

The period of performance shall be Upon Execution of the resulting agreement with the ASV through July 30, 2022.

## Work Requirements

The total number of agency information technology security program audits to be assessed for this engagement is expected to range between 70 - 85.

* The vendor will conduct a high-level review of the audits and provide criteria and recommendations of a subset of those audits that require a comprehensive evaluation to accomplish the stated objectives 3(b)2 thru 3(b)5.

Audit assessments must be led by audit experts supported by technical subject matter experts knowledgeable in the following:

* Past, current and emerging industry standards and leading cybersecurity audit practices (e.g., NIST SP800-171)
* Technical, threat and attack landscapes relevant to the subject of the assessment.

Assessments will be performed through collaboration with OCS and WaTech subject matter experts as appropriate.

The successful vendor shall be capable of analyzing complex programmatic and technical information.

The results of all audit assessments shall be submitted using appropriate standard report formats along with all working papers. Requests shall specify deliverables consisting of a traditional report of the findings, or for an opinion paper to be provided as a means of differentiating architectural options and selections based upon specific criteria, such as:

* Full report: Includes all assessment raw data, summary data and recommendations.
* Executive Summary report: Includes summary data and recommendations.

All deliverables need to be marked in accordance with state policies and needs to be protected in accordance with the state security standards.

## Deliverables

All deliverables to be provided by the ASV shall meet the deliverable criteria defined in the deliverable expectation document developed by the State of Washington.

There are five deliverables the successful Vendor will be required to produce. The deliverables for this project are listed below, with approximate timing in parenthesis:

1. Onboarding, data sharing agreement, project plan and schedule, status reporting process, and conduct an official “Kick-off Meeting” to begin field work (November 8th, 2021).

2. An initial assessment report of the 70 - 85 agency audits, to include as appropriate, a listing of agency audits that are recommended for a more detailed assessment and inspection along with detailed justifications for performing a more in-depth assessment on a sub-set of the audits. (no later than December 31, 2021).

3. Summary document of reviewed security assessments, documenting details, themes and quality (no later than February 28, 2022).

4. Draft final report and table of contents, detailing previous deliverables in report format (no later than March 31, 2022).

5. Final report detailing all statutory requirements as identified in the Scope of Work section. (no later than May 31, 2022).

## Acceptance Criteria

Acceptance of deliverables will be based on the deliverable expectation document. OCS will provide the vendor with a Deliverable Acceptance Form (DAF) notifying the vendor in writing if a deliverable is accepted or not, and if not, feedback to improve the deliverable so that it may be accepted. Incomplete or irrelevant work to the subject matter will not be accepted. General expectations will include, at a minimum:

* 1. All interim drafts and working materials shall be provided in electronic format and comply with the state policies and security standards.
  2. All interim and final deliverables shall be fit for purpose, complete with no missing data (see deliverables) and accurate
  3. OCS will review and validate all drafts and working materials and may request clarification and/or correction.
  4. All final deliverables shall be provided in electronic format and comply with the provided Agency classification and marking standards. OCS will formally accept the final deliverables in writing only.
  5. OCS will collaborate with the successful vendor in order to set and agree to any additional expectations related to each deliverable.

## Additional Expectations

The successful vendor shall have a minimum of five years of experience providing the services described in the Statement of Work.

The Vendor shall provide at least three customer references with full contact information to whom the relevant services were provided within the past two years.

The Vendor shall provide consultants with the following profiles:

* Fluent English for written and oral communications;
* Experience in providing consultancy in a highly confidential environment;
* Industry certifications or similar qualifications appropriate to the services provided, at least two (2) of those listed below:
  + Certified Information Systems Auditor (CISA).
  + Control Objectives for Information and Related Technologies (COBIT) 5 certifications (above Foundation).
  + International Organization of Standards (ISO)
* Experience in making presentations on security topics at recognized information security industry conferences.

OCS reserves the right to perform or require the vendor to undergo a formal security design review process to evaluate their equipment security configuration is in alignment with State of Washington cybersecurity requirements.

The successful vendor will agree to encrypt any data created, stored and/or transmitted related to the performance of this work. The method of encryption and key management will be agreed upon by both, vendor and OCS.

Due to the nature of the work being performed the vendor must demonstrate their ability to comply with all state of Washington cybersecurity and privacy requirements.

OCS and the successful vendor will enter into a Data Sharing Agreement which governs the exchange of any assessment information, and dictates the manner, terms, and access to agency audit information.

# Required Submittals

Bidders must include, at a minimum, the following electronic submittals attached to an email sent to the Solicitation Coordinator identified above.

The proposal must include the signature of an authorized bidder representative on all documents requiring a signature.

Proposals that do not include the following required submittals will be rejected for non-responsiveness:

## Pre-Screening Documentation (if applicable)

Attach a self-authored document detailing any applicable debarments or terminations for cause within the past three years, the status of any former state employees working for your company or any changes to the sample Work Order. No form is provided for this submittal.

Failure to provide this submittal as detailed herein will render a proposal non-responsive and cause it to be rejected.

## Price Worksheet

As per Master Contract 08215, bidders may not bid higher rates than the hourly rates they have provided DES. However, that rate may be adjusted to a lower price point.

For the performance of all work required in this RFQQ, submit your company’s hourly rate in the following format:

|  |  |
| --- | --- |
| Company Name | Hourly Rate |
|  |  |

Expectation: One separate, scanned email attachment labeled in accordance with the file naming convention specified below:

* Required Format: MS Word
* File naming convention: [BidderName]\_PRICE\_WORKSHEET.docx.

## Non-Cost Submittals

Bidders should provide a high-level project plan and schedule of the project as they understand it based on information provided in this solicitation. Any explicit dates and timelines identified throughout this solicitation must be addressed in this submitted project plan. Failure to acknowledge dates and timelines may render the proposal non-responsive at CTS’ sole discretion. This response can be reused and refined to meet some of the requirements of the Deliverables identified above.

Attach a self-authored document (two pages maximum; one-sided) answering the following questions in the Evaluation Questionnaire. No form is provided for this submittal. Only the first two pages will be considered. It is the bidder’s responsibility to determine how much of the available space to allocate to each question. Point award allotment among the questions has been established in accordance with primary stakeholder considerations.

Failure to provide this submittal as detailed herein will render a proposal non-responsive and cause it to be rejected.

|  |  |
| --- | --- |
| Evaluation Questionnaire | Available Points |
| 1. Explain your experience with performing an assessment of audits performed by regulators, or your competitors. | 150 |
| 1. Based upon the description of work, the work requirements and expected deliverables, please explain your proposed approach and process to satisfactorily complete this assessment. | 150 |
| 1. Explain your company’s quality assurance processes and procedures that will be used to ensure quality of execution and delivery for this assessment. | 100 |
| 1. Describe the expertise, quality and availability of key personnel who will be accountable for the planning, coordinating and delivery of work for this assessment (please include names, titles, certifications). | 100 |
| Non-cost points | 500 |

Expectation: One separate, scanned email attachment labeled in accordance with the file naming convention specified below:

* Required Format: PDF
* File naming convention: [BidderName]\_QUESTIONNAIRE.pdf.

## Solicitation Amendments (if applicable)

See the [Solicitation Amendments](#_Solicitation_Amendments) subsection.

In the event that solicitation amendments are required as a submittal, the bidder must complete, sign and scan any solicitation amendments issued.

Expectation: One separate email attachment of a completed signed and scanned file, labeled in accordance with the file naming convention specified below:

* Required Format: PDF
* File naming convention: [BidderName]\_AMENDMENT\_01.pdf, [BidderName]\_AMENDMENT\_02.pdf, [BidderName]\_AMENDMENT\_03.pdf, etc.

Do not include any exceptions, comments or special notations in this document.

Do not make any changes to this document other than to enter data where requested and sign.

# Administrative Requirements

## Delivery of Proposals

All proposals must be emailed to the Solicitation Coordinator. Facsimile transmissions will not be accepted. Improperly delivered proposals will be rejected as non-responsive.

The Purchaser assumes no responsibility for confirmation of receipt and cannot discuss contents prior to the due date and time.

All proposals and any accompanying documentation become the property of the Purchaser and will not be returned.

## Due Date and Time

Proposals in their entirety must be received by the solicitation coordinator by the due date and time as indicated on the cover page. Late proposals will be rejected as non-responsive.

The "receive date/time" posted by the Purchaser’s email system will be used as the official time stamp. Bidders should allow sufficient time to ensure timely receipt.

The Purchaser assumes no responsibility for delays and or errors caused by bidder’s e-mail, Purchaser’s email, network events or any other party.

## Required Submittals

All required submittals must be submitted as instructed. Proposals that do not include all required submittals are determined to be non-responsive and will be rejected. The bidder will be notified of the reasons for such rejection.

# Evaluation and Award

To aid in the evaluation process, after the due date, individual bidders may be required to attend a meeting on a date and time determined by the Purchaser to determine if both parties fully understand the nature and scope of the contractual requirements. In no manner shall such action be construed as negotiations or an indication of an intention to award.

During evaluation, the Purchaser reserves the right to make reasonable inquiry to determine the responsibility of any bidder. Requests may include, but are not limited to, financial statements, credit ratings, references, record of past performance, clarification of Bidder’s offer, and on-site inspection of bidder's or bidder's subcontractor's facilities. Failure to respond to said request(s) may result in a proposal being rejected as non-responsive.

The Purchaser reserves the right to use references. Any negative or unsatisfactory response may be adequate reason for rejecting a bidder as irresponsible.

Proposals that are determined to be non-responsive will be rejected and the bidder will be notified of the reasons for such rejection.

## Award Criteria

Award will be based on the following criteria and will be in accordance with provisions identified in [RCW 39.26.160](http://apps.leg.wa.gov/RCW/default.aspx?cite=39.26.160) and other criteria identified in the solicitation.

|  |  |
| --- | --- |
| Criteria | Available points |
| Responsiveness | pass/fail |
| Cost | 700 |
| Non-cost | 500 |
| Executive Order 18-03 Certification | 100 |
| Interviews/Oral Evaluations (Top 3 Candidate Vendors) | 100 |
| Evaluation point total | 1,400 |

## Evaluation Process

### Initial Determination of Responsiveness

Proposals will be reviewed initially to determine, on a pass/fail basis, whether they meet all administrative requirements specified herein.

Purchaser reserves the right to determine at its sole discretion whether a bidder’s response to a mandatory requirement is sufficient to pass. However, if all responding bidders fail to meet any single mandatory item, the Purchaser reserves the right to either cancel the procurement, or revise or delete the mandatory item.

### Cost Evaluation

The bidder with the lowest hourly rate will receive the maximum (700) cost evaluation points. Bidders with higher hourly rates will receive proportionately fewer cost evaluation points based upon the lowest hourly rate as follows:

Low bid / higher bid = % of avail. points awarded \* avail. points = total cost points

|  |  |  |
| --- | --- | --- |
|  | **Bidder A** | **Bidder B** |
| Hourly rate bid | $50.00 (Low bid) | $56.00 |
| % of available points awarded | 100% | 89% |
| Cost points (700 available) | 700 | 623 |

### Non-Cost Evaluation

An evaluation team will evaluate non-cost submittals and award points consistent with their values and best professional judgment.

Each question has been assigned a weighted percentage of the total available non-cost points and the available points per question have been calculated accordingly.

The evaluators will review each bidder’s responses and award either all or a portion of the available points for each question. Scoring may be performed in isolation or together as a group, or a combination of both.

Each bidder’s awarded points will be averaged for each question. If a minimum score for a question is required but is not achieved, that bidder is disqualified. This process will repeat for all questions.

The average points awarded for each bidder’s questions will be summed to determine their non-cost point totals. The following are for illustrative purposes only:

|  |  |  |
| --- | --- | --- |
| **Question 1** (150 possible) | **Bidder A** | **Bidder B** |
| Points awarded: Evaluator 1 | 140 | 130 |
| Points awarded: Evaluator 2 | 145 | 135 |
| Question 1 average points | 142.5 | 132.5 |
|  |  |  |
| **Question 2** (150 possible) | **Bidder A** | **Bidder B** |
| Points awarded: Evaluator 1 | 140 | 130 |
| Points awarded: Evaluator 2 | 145 | 135 |
| Question 2 average points | 142.5 | 132.5 |
|  | **Bidder A** | **Bidder B** |
| Non-cost points (500 available) | 285 | 265 |

In addition to presiding over the evaluation team, the Solicitation Coordinator may review the submittals, provide input, assemble evaluation aids, or perform other functions helpful to the team. Evaluators may engage in a free flow of discussion among themselves and the Solicitation Coordinator prior to, during, and after the evaluation.

### 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*](https://www.governor.wa.gov/sites/default/files/exe_order/18-03%20-%20Workers%20Rights%20%28tmp%29.pdf?=32717) (dated June 12, 2018), Consolidated Technology Services – Office of Cyber Security will evaluate bids for best value and provide a bid preference in the amount of 100 points to any bidder who certifies, pursuant to the certification attached as *Exhibit A – Contractor Certification for Executive Order 18-03 – Workers’ Rights*, that their firm does NOT require its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waiver.

### Interviews / Oral Evaluations (if applicable)

At its sole discretion, Consolidated Technology Services – Office of Cyber Security may conduct an oral interview of the top three vendor candidates as an additional means to help evaluate bids for best value. Vendor candidates can earn up to 100 points based upon their performance during the oral interview.

### Selection of Apparent Successful Bidders

To identify an apparent successful bidder, each bidder’s points earned from the cost evaluation and the non-cost evaluation will be added together. The following example is for illustrative purposes only:

|  |  |  |
| --- | --- | --- |
|  | **Bidder A** | **Bidder B** |
| Cost points (700 Possible) | 700 | 623 |
| Non-cost score (500 Possible) | 485 | 365 |
| Executive Order 18-03 Certification | 100 | 100 |
| Interview/Oral Examination | 90 | 80 |
| Evaluation point total | 1,375 | 1,168 |

The bidder with the highest evaluation point total will be declared the apparent successful bidder. The Purchaser may then enter into contract negotiations with the apparent successful bidder.

Designation as an Apparently Successful Vendor does not imply that a Work Order will be issued. This designation does allow a Purchaser the opportunity to perform further analysis. The Purchaser also reserves the right to re-review and determine whether a proposal is responsive as initially determined.

Bidders must not construe a notification of apparent successful bidder, notification of award, or attempts to negotiate, etc. as a final award decision. Any assumptions are done so at the bidder’s own risk and expense.

Should negotiations for a Work Order fail within 30 days of their initiation, the Purchaser may cease negotiations and declare the second-place bidder the new apparent successful bidder and enter into negotiations with that bidder. This process will continue until a Work Order is signed or no qualified bidders remain.

### Notification of Apparent Successful Vendors

All bidders will be notified when the Purchaser has determined the Apparent Successful Vendor.

### Award Notification

After all considerations, all bidders will be notified via WEBS when Purchaser has confirmed its intent to award.

### Award

An award, in part or full, is made by the Purchaser’s signature on the Work Order that is delivered to the Apparently Successful Vendor. In some circumstances, the Purchaser may include an award letter which will accompany the signed Work Order; an award letter will further define the award and is included by reference.

# Additional Instructions to Bidders

## Authorized Communication

All bidder communications concerning this solicitation must be directed to the Solicitation Coordinator. Contact with other state employees involved with the solicitation may result in disqualification. All verbal communications will be considered unofficial and non-binding. Bidders should rely only on written statements issued by the Solicitation Coordinator, such as written amendments.

## Questions

Questions will be allowed consistent with the schedule. All questions must be submitted in writing to the Solicitation Coordinator.

The Purchaser will provide written answers for questions received by the question and answer period’s deadline. Answers will be posted to WEBS.

Verbal responses to questions will not be provided. Only written answers posted to WEBS will be considered official and binding. Bidders will not be identified in answers.

When the question and answer period is complete, additional comments will be for the purpose of informing the Solicitation Coordinator of an issue only. Questions and comments outside the question and answer period will not be answered or acknowledged.

If interpretations or other changes to the solicitation are required as a result of inquiries made during the question and answer period, the solicitation may be amended. Amendments are posted to WEBS.

Vendors who wish to submit a response to this RFQQ may participate in the Vendor Conference on the date identified in the Solicitation Schedule. The Vendor Conference will be conducted via Microsoft Teams, and CTS will communicate the details via amendment.

The purpose of this conference is to provide Vendors an opportunity to address questions they may have concerning the RFQQ. Verbal answers to additional Vendor questions at the time of the conference will be unofficial. Vendors should rely only on written statements issued by the RFQQ Coordinator. **This Vendor Conference will be recorded**.

## Complaints and Protests

Complaints and protest will be entertained consistent with enabling legislation [RCW 39.26.170](http://apps.leg.wa.gov/rcw/default.aspx?cite=39.26.170) and [Policy # DES-170-00](http://des.wa.gov/SiteCollectionDocuments/About/Procurement_reform/Policies/DES-170-00ComplaintsProtests.pdf).

# General Information

## Option to Extend

The Purchaser reserves the right to extend a Work Order issued under this solicitation at its discretion.

## Right to Cancel

The Purchaser reserves the right to cancel or reissue all or part of this solicitation at any time as allowed by law without obligation or liability.

## Information Availability

Proposal contents (including pricing information) and evaluations are exempt from disclosure until the Purchaser announces apparent successful bidders.

## Proprietary or Confidential Information

All proposals submitted become the property of the Purchaser and a matter of public record after the Purchaser announces apparent successful bidder(s).

Any information contained in the proposal that is proprietary or confidential must be clearly designated. Marking of the entire proposal or entire sections thereof as proprietary or confidential will not be accepted nor honored. The Purchaser will not honor designations by the bidder where pricing is marked as proprietary or confidential.

## Work Orders

A proposal submitted to this solicitation is an offer to contract with the Purchaser. An order document resulting from this solicitation will be designated as a Work Order. Work Orders are established upon award, acceptance and signature by both parties.

## Solicitation Amendments

The Purchaser reserves the right to revise the schedule or other portions of this solicitation at any time. Changes or corrections will be by one or more written amendment(s), dated, attached to or incorporated in and made a part of this solicitation. All changes must be authorized and issued in writing by the Solicitation Coordinator. If there is any conflict between amendments, or between an amendment and the solicitation, whichever document was issued last in time shall be controlling. Only bidders who have properly registered and downloaded the original solicitation directly via WEBS will receive notification of amendments and other pertinent correspondence. Bidders may be required to sign and return solicitation amendments with their proposal. Bidders must carefully read each amendment to ensure they have met all requirements of the solicitation.

## Incorporation of Documents

This document, any subsequent amendments and the bidder’s proposal will be incorporated into the Work Order which is, in turn, incorporated into the successful bidder’s ITPS Master Contract with DES.

Work Orders may include additional or conflicting terms and conditions as determined by the Purchaser. In the event of any conflict, the terms of the Work Order shall prevail.