



REQUEST FOR PROPOSAL (RFP)

Solicitation Number	Solicitation Title	Proposal Due Date and Time
RFP 2302 SWM	Food Waste Reduction Campaign	August 18, 2022 by 4:00 pm Lacey, WA time

RFP Procurement Coordinator: Jade Monroe

Phone: 360-628-4031

Email: jade.monroe@ecy.wa.gov

Instructions to Bidders:

- Any questions concerning this solicitation are to be directed to the above Procurement Coordinator.
- Check [WEBS](#) for any amendments.
- Bid must be received on or before the Proposal Due Date and Time by Ecology to be considered responsive.

How to respond on this bidding opportunity:

- Review RFP section 2.7 for Submission of Bids instructions.
- Only emailed bids are accepted in response to this RFP. Attach your bid submissions to your email.
- Bid must contain an official signature of a duly authorized officer or agent of the Bidder's company empowered with the right to bind the Bidder. Remember to sign your Bid.
- For electronic submissions by email, attach a scanned PDF of the signature page to your Bid, electronic digital signatures are accepted.
- Email subject line is to note the Solicitation Number and Solicitation Title.

Bids must be received on or before the due date & time at this location:

- Bidders are responsible for the timely delivery of their bid to the address shown below:
- Submit responses via email directly to the Procurement Coordinator identified above, by email to: jade.monroe@ecy.wa.gov.

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1. INTRODUCTION

1.1 Announcements and Special Information

Bidders are required to read, understand, and accept all information contained within this entire solicitation package. By responding to this solicitation, the Bidder acknowledges having read and understood the entire solicitation, and accepts all the information contained herein.

In support of the State's economic and environmental goals, we encourage you to consider the following elements in responding to our solicitations. These are not a factor of award (unless otherwise specified in this document):

- *Using environmentally preferable products and services that exceed EPA guidelines.*
- *Supporting a diverse supplier pool, including small, veteran, minority, and women-owned firms.*
- *Supplying products made or grown in Washington.*

1.2 Objectives

The Department of Ecology (Ecology) is soliciting bids for consulting services to develop, implement, and manage an innovative public education and behavior change campaign with the goal of reducing food waste and food waste contamination in Washington State. For full details, refer to [Appendix E: Scope of Work and Deliverables](#).

The primary goals of the campaign are to:

- Reduce food waste and wasted food through prevention, rescue, and recovery strategies.
- Reduce contamination of food waste and wasted food diverted from landfills.
Contamination reduction applies to food rescue and food waste recovery.
- Develop culture-centered messaging through social marketing/community-based social marketing to raise awareness of the environmental, social, and economic impacts of food waste and wasted food.
- Engage businesses, organizations, local governments, and state or federal agencies to gain their support and sponsorship of campaign activities.

Ecology is soliciting proposals for consulting services to:

- Conduct research and identify priority audiences.
- Develop and test key messages with priority audiences.
- Design and implement a multifaceted statewide social marketing campaign plan.
- Develop a brand identity, marketing collateral, and partner toolkit. Campaign brand and materials must also be transcreated into Spanish, at a minimum.
- Plan, negotiate, and buy media.
- Engage stakeholders.
- Solicit sponsorships.

Project Expectations:

- Ecology expects proposals from highly qualified and experienced practitioners that actively provide this specialized consulting service.
- Ecology expects proposals to contain a well thought out work plan response with clear explanation of deliverables and breakdown of approach/tasks on how the bidder will meet the objectives and the deliverables detailed in [Appendix E, Scope of Work and Deliverables](#).
- Ecology expects the Bidder to plan for sufficient availability to ensure high quality deliverables.
- Ecology expects the Bidder to be either on-site at Ecology's Headquarters, Lacey, WA or available for video (online) conferencing during project start, during the critical implementation period, and during beginning, intermediate, and final management presentations.
- Ecology expects the Bidder to produce both a written and presentation deliverable with specific recommendations that pertain to areas outlined in the objectives in RFP Section 1.2., *Objectives*.

1.3 Background

About Washington State Department of Ecology:

The Department of Ecology (<http://www.ecy.wa.gov/>) employs about 1,600 people located in six major offices and a number of smaller offices throughout the State. Ecology's headquarters is in Lacey. The mission of the agency is to protect, preserve, and enhance Washington's environment, and promote the wise management of air, land, and water for the benefit of current and future generations. The agency is organized into ten environmental programs plus one administrative program with six divisions. The agency provides services in the areas of environmental permitting; technical assistance; inspections and enforcement; contracts, grants, and loans; environmental monitoring and analysis; policy and rule development; and education and outreach.

Food waste reduction in Washington:

Food has intrinsic value. It nourishes us and is a cornerstone of all cultures. Despite this importance, food waste is one of the largest components (13 percent) of Washington's solid waste stream¹. Washington is also experiencing unprecedented food insecurity, with over 2 million Washingtonians (26 percent) identified as food insecure, or unable to reliably access a sufficient quantity of affordable, nutritious food, in 2020².

¹ Ecology [Washington State Department of Ecology] 2021. Washington State Waste Characterization Study. <https://apps.ecology.wa.gov/publications/documents/2107026.pdf>

² Hanson, Scott. Seattle Times. September 10, 2020. 1 in 5 Washington residents could face hunger this year as COVID-19 pandemic wears on, says Food Lifeline CEO. <https://www.seattletimes.com/seattle-news/food-insecurity-crisis-in-washington-likely-to-get-worse-as-covid-19-pandemic-drags-on-officials-say/>

To address food waste and wasted food, Washington law codified as [RCW 70A.205.715](#) tasks Ecology with adopting a food waste reduction plan, identifying baseline food waste data, and annually measuring progress toward statewide food waste reduction goals. The [food waste reduction plan](#) (Use Food Well Washington Plan) was completed in December 2021.

Staff at Ecology developed the baseline data and further defined the edible food waste reduction goal, resulting in the following statewide food waste reduction goals:

Goal 1: Reduce food waste generated by 50% by 2030.

Goal 2: Reduce at least half of edible food waste by 2030.

Washington generates about 1.2 million tons of food waste, annually. More than 390,000 tons of that is edible food waste. Washington must reduce food waste generation by 579,373 tons, including at least 195,032 tons of edible food waste, to achieve the 2030 food waste reduction goals set by the State Legislature.

The Use Food Well Washington Plan:

The *Use Food Well Washington Plan* ([UFWW Plan](#)) followed the direction of the law through a collaborative research process that took place from 2019 to 2021. Ecology drafted the plan after consulting with the Washington departments of Agriculture, Health, Commerce, the Office of Superintendent of Public Instruction, and over 100 subject matter experts to identify ways to reduce food waste in Washington.

Thirty actionable recommendations, across all sectors of the food system, are included in the *UFWW Plan*. By focusing on federal and state policy, funding, public education, and infrastructure development, these recommendations can help Washington meet its 2030 food waste reduction goals and create a more resilient food system. Along with supporting food waste reduction to meet the 2030 food waste reduction goals, this contract directly supports the following recommendations in the *UFWW Plan*:

- Recommendation 18 – Develop and maintain statewide food waste reduction campaigns
- Recommendation 19 – Develop and maintain statewide food waste contamination reduction campaigns

Current Status:

Ecology continues to measure and track progress towards the 2030 food waste reduction goals, along with continued coordination with agency partners and subject matter experts. A critical component of current work includes this food waste reduction campaign. Similarly, [Engrossed Second Substitute House Bill 1799](#), passed in the 2022 legislative session, supports the statewide goals and additional recommendations in the *UFWW Plan*.

Ecology is also focused on contamination reduction through [Washington's Contamination Reduction and Outreach Plan \(CROP\)](#), which includes [strategies and resources](#) to increase efforts across the state to reduce recycling contamination.

Applicable Documents:

Ecology has a long history of promoting reduction of food waste and wasted food. Priorities for this outreach have been historically included in the [State Solid and Hazardous Waste Plan](#). Staff conducted outreach on food waste reduction throughout the last two decades, focusing communication on food waste reduction with an emphasis on prevention. This food waste and contamination reduction campaign is a continuation of Ecology's efforts to reduce food waste in Washington. The Use Food Well Washington Plan highlights the importance of establishing statewide food waste reduction and contamination reduction campaigns to meet the 2030 food waste reduction goals:

- [Use Food Well Washington Plan](#) (Recommendations 18 and 19)
- [Use Food Well Washington Plan: Focus sheet](#)

Other Food Waste Reduction and Contamination Reduction Campaigns

Many groups have resources and campaigns to achieve similar goals including:

- [Don't let good food go bad](#) – Oregon Department of Environmental Quality (DEQ) - 2021 food waste reduction campaign for both residential and commercial sectors. Previous Oregon DEQ campaigns include [Wasted Food Wasted Money](#).
- [Recycling Right Campaign](#) – Washington Department of Ecology – 2019 campaign to raise awareness and educate Washington residents that their recyclable items need to be empty, clean, and dry before they go in their curbside recycling bin. Additional examples include [Local Programs Outreach, Data, and Contamination Reduction Resources | Powered by Box](#).
- [Washington State Organics Contamination Reduction Workgroup](#) – This report and toolkit was developed in 2017 to help further address contamination in organic waste generated in Washington State.
- [Washington's Contamination Reduction and Outreach Plan \(CROP\) - Ecology](#), includes [strategies and resources](#) to increase efforts across the state to reduce recycling contamination.
- [Food Recovery Challenge](#) – United States Environmental Protection Agency – The Food Recovery Challenge challenges universities, businesses, and other community organizations to make their food management systems more sustainable.
- [Love Food Hate Waste](#) – Waste and Resources Action Programme (WRAP), United Kingdom (UK) – The Love Food Hate Waste campaign provides information on the environmental and socio-economic impact of food waste. Their website offers tips, recipes, and tools to help individuals and families reduce food waste and save money.
- [Love Food Hate Waste](#) – Canadian version of the UK program
- [Save the Food](#) – Natural Resource Defense Council (NRDC) – Save the Food is a national public service ad launched by the NRDC and the Ad Council to raise public awareness about the environmental and socio-economic impacts of food waste.
- [Think.Eat.Save](#) – United Nations Environmental Programme – The Think.Eat.Save campaign seeks to provide a global vision for reducing food waste. The campaign hopes

to increase public awareness and create greater understanding of the total impact of food waste.

- [I Value Food](#) – Sustainable America – The I Value Food campaign aims to raise awareness about food waste in the United States. The campaign’s website offers tools and tips on how to help end food waste.
- [Zero Hunger Challenge](#) – United Nations – To eliminate all forms of malnutrition and to build a more sustainable food system, this international initiative focuses on ending hunger and living more sustainably.

1.4 Period of Performance

The period of performance of any Contract resulting from this RFP is from day of award to June 30, 2023 unless at Ecology’s sole discretion the contract is terminated sooner, or extended for additional periods. Amendments extending the period of performance, if any, shall be exercised at the sole discretion of Ecology and are subject to written mutual agreement.

Ecology reserves the right to extend the contract for up to four (4) years should additional funding be obtained by Ecology.

The total contract term may not exceed five (5) years unless an emergency exists and/or special circumstances require a partial term extension.

The actual Project Schedule and period of performance may vary depending on the Apparent Successful Bidder’s response and Contract negotiations.

1.5 Funding

Funding will be provided by Ecology’s Solid Waste Management Program. The maximum budget for this procurement is \$1,000,000, inclusive of all cost, including materials, travel, and any applicable state sales tax. Any bid response in excess of the budget will be considered non-responsive. In the event additional funds are required due to an approved change order, or should additional funding be obtained by Ecology; the parties may negotiate an amended Statement of Work. Any such Statement of Work is contingent upon the availability of funding.

1.6 No Costs or Charges

No costs or charges under the proposed Contract may be incurred before the Contract is fully executed.

1.7 Acquisition Authority

Ecology issues this RFP acting under the delegated authority of the Department of Enterprise Services, in accordance to Revised Code of Washington [RCW 39.26](#), which establishes the Department of Enterprise Services and regulates the manner in which state agencies may acquire goods and services.

1.8 Authority to Bind

The Director of the Department of Ecology, or the Director's designee, is the only individual who may legally commit Ecology to the expenditures of funds for a Contract resulting from this RFP. No cost chargeable to the proposed Contract may be incurred before receipt of either a fully executed Contract or specific written authorization from the Director.

1.9 Contract Formation

A Proposal submitted in response to this Solicitation is an offer to contract with Ecology. A Proposal becomes a contract only when legally awarded and accepted in writing by Ecology.

1.10 Incorporation of Documents into a Contract

This Solicitation document, any subsequent Amendments, and the Bidder's Response will be incorporated into the resulting Contract.

1.11 Contract Type

Ecology anticipates awarding a service contract for the Food Waste Reduction Campaign.

To be responsive to this RFP, Bidder must indicate a willingness to enter into a Contract substantially the same as the *Sample Service Contract*, [Appendix F](#), by signing the *Certifications and Assurances*, located in [Appendix A](#), and returning it with your bid. Bidder's submission of a Response to this solicitation constitutes acceptance of these contract requirements, unless otherwise noted in Bidder's submittal.

The Bidder may submit exceptions to this solicitation as allowed in Appendix A - *Certifications and Assurances*. Under no circumstances is a Bidder to submit its own standard contract terms and conditions as a response to this solicitation. The terms and conditions of any other contract shall have no force or effect. Instead, Bidder is to review and identify the language in Appendix F, *Sample Service Contract* and its attached *General Terms and Conditions* that the Bidder finds problematic, state the issue, and propose the specific language or contract modification that the Bidder is requesting changed, and then attach such to Appendix A, *Certification and Assurances*, as a proposal submittal.

Ecology expects the Contract signed with the Apparent Successful Bidder to be substantially the same as the *Sample Service Contract*, Appendix F. Any specific areas of dispute with the *Sample Service Contract* must be identified in the Bidder's Response. Ecology will review any requested exceptions and accept or reject them at its sole discretion, and may, at the sole discretion of Ecology be grounds for disqualification from further consideration in the award of a Contract.

The foregoing should not be interpreted to prohibit either party from proposing additional contract terms and conditions during negotiation of the final Contract.

1.12 Definitions

For a complete list of definitions review those definitions in [Chapter 39.26 RCW](#), all terms contained herein will be read consistently with those definitions.

In addition to the definitions identified in the Appendix F, *Sample Service Contract*, and its attached Appendix C, General Terms and Conditions, the following definitions apply for the purposes of this RFP include:

“Accessibility” means the inclusive practice of reducing barriers that prevent interaction with, or access to, physical and digital content, by people with physical disabilities, situational disabilities, and socio-economic restrictions. This means a person with a disability has the opportunity to have access to the same information, engage in the same interactions, and use the same services as a person without a disability. A person with a disability must be able to obtain the information as fully, equally, and independently as a person without a disability.

“ASB” means Apparent Successful Bidder (Proposer).

“Bid” means a written offer in response to a solicitation from the Department of Ecology to perform a Contract to provide labor, materials, supplies, services, and/or equipment.

“Bidder” means an individual or entity who submitted a bid in response to a solicitation from the Department of Ecology.

“Community-based social marketing (CBSM)” is a method of communication based in social psychology and draws from the idea that sustainable behavior change is most effective when it involves direct contact with people and is carried out at the community level.

“Contaminant” means any chemical, physical, biological, or radiological substance that does not occur naturally in the environment or that occurs at concentrations greater than natural background level.

“Contamination” means all materials that prevent wasted food and food waste from being rescued or recovered.

“Contractor” means individual or entity whose Proposal has been accepted by Ecology and is awarded a fully executed, written contract.

“Culture-centered” means an approach to communicating with the understanding that cultural meanings are co-constructed by individuals in their interactions with the structures and systems that surround their lives. The culture-centered approach to communication proposes that structure and agency are embedded within culture, which is an ever-changing system of values that influences attitudes, perception, and behaviors that enable and constrain social action. The culture-centered approach assumes that behaviors have no meaning until they are understood in the cultural context in which those behaviors have been learned and are displayed.

“DES” means state of Washington Department of Enterprise Services.

“Ecology” means state of Washington Department of Ecology.

“Food Waste” means waste from fruits, vegetables, meats, dairy products, fish, shellfish, nuts, seeds, grains, and similar materials that results from the storage, preparation, cooking, handling,

selling, or serving of food for human consumption. Food waste includes, but is not limited to, excess, spoiled, or unusable food and includes inedible parts commonly associated with food preparation such as pits, shells, bones, and peels. "Food waste" does not include dead animals not intended for human consumption or animal excrement.

"Food waste reduction" includes strategies to prevent, rescue, and recover food waste and wasted food.

"Prevention" means to prevent and reduce the amount of food wasted.

"Proposal" means a written offer in response to a solicitation from the Department of Ecology to perform a Contract to provide labor, materials, supplies, services, and/or equipment.

"Proposer" means the individual or entity who submitted a proposal in response to a solicitation from the Department of Ecology.

"Recovery" means to support productive uses of inedible food materials, including using it for animal feed, energy production, and nutrient recovery through anaerobic digestion, and for off-site or on-site management systems including composting, vermicomposting, or other biological systems.

"Rescue" means to rescue edible food that would otherwise be wasted and ensure the food reaches those who need it.

"Response" means bid or proposal.

"RFP" means Request for Proposal.

"Services" means labor, work, analysis, or similar activities provided by a Contractor relating to the solicitation to accomplish a specific scope of work.

"SOW" means Statement of Work, a written agreement between Department of Ecology and the Contractor for services to be accomplished under the terms and conditions of the resulting Contract from a Request for Proposal.

"UFWW" means Use Food Well Washington Plan.

"Umbrella brand" means branding that involves several related actions under the name of a single brand, or umbrella brand.

"Wasted Food" means the edible portion of food waste.

"WEBS" means Washington's Electronic Business Solution, the state vendor registration and Bidder notification system maintained by the Washington State Department of Enterprise Services located at: [Doing Business with the State | Department of Enterprise Services \(wa.gov\)](https://doingbusiness.wa.gov/).

2. ADMINISTRATIVE REQUIREMENTS

2.1 Procurement Coordinator

The Procurement Coordinator is the sole point of contact in Ecology for this RFP. Communications directed to parties other than the Procurement Coordinator may result in disqualification of the Bidder. All oral communications will be considered unofficial and non-binding on Ecology. Bidders should rely only on written statements issued by the Procurement Coordinator.

The Procurement Coordinator may be reached as follows:

Name: **Jade Monroe**

Telephone Number: **(360) 628-4031**

E-Mail Address: **jade.monroe@ecy.wa.gov**

2.2 Estimated Procurement Schedule

The dates and times listed below represent the estimated procurement schedule. Ecology reserves the right to change the schedule as needed. Notification of changes to the procurement schedule prior to Bid Due Date and Time will be sent electronically to all properly registered users in the Department of Enterprise Services' WEBS who have downloaded this solicitation from WEBS. Changes to the procurement schedule after Bid Due Date and Time may not be communicated.

All times are local time in Lacey, WA.

DATES & TIMES	EVENT
June 29, 2022	RFP Issued through WEBS
July 18, 2022	Vendor Questions and Comments Due
July 26, 2022	State's Written Answers to Questions, issue amendment to RFP (Vendors should check WEBS for any amendments)
August 18, 2022 By 4:00 pm	Proposal Due Date and Time Local time in Lacey, WA
Below dates are anticipated and are subject to change.	
8/19/2022 to 9/14/2022	Evaluation Period
9/7/2022 to 9/9/2022	Bidder Interviews (Optional)
9/15/2022	Apparent Successful Bidder Announcement
9/16/2022 to 9/21/2022	Hold debriefing conferences (if requested)
9/16/2022 to 9/23/2022	Contract Negotiation and Agreement
October 1, 2022	Estimated Contract Effective Start Date

2.3 WEBS Registration

Ecology will use [Washington's Electronic Business Solution \(WEBS\)](#) exclusively for the issuance of this RFP and all RFP updates (i.e., addenda, amendments, answers to submitted questions, etc.). Vendors are responsible for checking WEBS for any changes to the RFP.

Bidders are solely responsible for:

1. Properly registering with the Department of Enterprise Services' WEBS at [Doing Business with the State | Department of Enterprise Services \(wa.gov\)](#).
2. Maintaining an accurate Vendor profile in WEBS.
3. Downloading the solicitation consisting of the RFP with all attachments and exhibits related to the solicitation for which you are interested in bidding; downloading all current and subsequent amendments to the solicitation.

To ensure receipt of all solicitation documents, the RFP for this solicitation must be downloaded from WEBS. Notification of amendments to the solicitation will only be provided to those Vendors who have registered with WEBS and have downloaded the RFP from WEBS. Failure to do so may result in a potential Bidder having incomplete, inaccurate, or otherwise inadequate information, or a Bidder submitting an incomplete, inaccurate, or otherwise inadequate Proposal.

Bidders and potential bidders accept full responsibility and liability for failing to receive any amendments resulting from their failure to register with WEBS and download the RFP from WEBS, and hold the state of Washington harmless from all claims of injury or loss resulting from such failure. Contact the WEBS Customer Service for any questions regarding the WEBS registration process at (360) 902-7400.

2.4 Americans with Disabilities Act (ADA)

Ecology complies with the ADA and related federal and state laws and regulations. To request ADA reasonable accommodations for public access and mobility for attending meetings, printed materials in a format for the hearing or visually impaired, or ADA parking please contact the Procurement Coordinator. Persons with impaired hearing may call Washington Relay Service at 711 and those with speech disability may call TTY at 877-833-6341. Vendors may contact the Procurement Coordinator to receive this solicitation in Braille or on tape.

2.5 Bidder Questions and Answers

Bidders are responsible for communicating to the RFP Procurement Coordinator any issues, exceptions, additions, or omissions concerning the solicitation. Specific questions or comments concerning the RFP must be submitted to the RFP Procurement Coordinator via email by the date and time set forth in the Estimated Procurement Schedule identified herein.

The solicitation designates a particular time period for vendor questions and comments in order to help in the procurement process. Early submission of questions and comments is encouraged. For

questions received after the Question/Answer Period, in the interest of maintaining the procurement process, Ecology reserves the right at its sole discretion whether to provide an answer.

An answer to any Vendor question given orally or via email is considered as tentative, unofficial, and non-binding on Ecology. For any changes to the RFP as a result of Vendor questions or comments will be issued via a written amendment by the RFP Procurement Coordinator and provided to Vendors through WEBS, this will assure accurate and consistent responses to all Vendors.

2.6 RFP Amendments

Prior to submittal due date and time, Ecology reserves the right to change portions of this solicitation. Any 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 document. All changes must be authorized and issued in writing by the Procurement Coordinator. If there is any conflict between amendments, or between an amendment and the RFP, whichever document was issued last in time shall be controlling.

Only Bidders who have properly registered and downloaded the original solicitation directly via WEBS system will receive notification of amendments and other correspondence pertinent to the procurement. Ecology shall use WEBS for all updates (i.e., addenda, amendments, answers to questions, etc.). Vendors are responsible for checking WEBS for any changes to the RFP. In the event it becomes necessary to revise any part of this RFP, addenda will be placed on the Department of Enterprise Service's WEBS website [Bid Opportunities | Department of Enterprise Services \(wa.gov\)](https://bid.opportunities.wa.gov)

2.7 Submission of Proposal

Due date and time: All bid submittals must be received by the Procurement Coordinator no later than the due bid date and time specified in the Estimated Procurement Schedule at the specific location identified on cover page of this solicitation.

Bidders are responsible for the timely submission of their bids. Bids not received by the date and time specified, or at location other than that specified, will not be accepted and shall be disqualified from further consideration.

For emails, the "receive date/time" posted by the Ecology's email system will be used as the official time stamp for the time of receipt for the response. Bidders should allow sufficient time to ensure timely receipt of the email. Ecology assumes no responsibility for delays and or errors caused by bidder's e-mail, Ecology's email, network events, or any other party.

Bidders assume full responsibility for timely, correct, and complete receipt of all submissions to the Procurement Coordinator. It is the Bidder's responsibility to contact the Procurement Coordinator to verify that the items submitted are received in complete and usable form.

Bid Submittal: Submit an electronic copy of the bid submittal to the Procurement Coordinator identified on the cover page. Electronic copy must be in either Microsoft or Adobe product formats.

Bids must be legible and properly signed by an authorized representative of the Bidder. Electronic digital signatures are accepted. The Bidder may submit a scanned PDF with original signatures for the bid documents that require the signature of an authorized Bidder representative. Unsigned Bids will be rejected on opening unless satisfactory evidence was submitted clearly establishing the Bidder's desire and intent to be bound by their Bid, such as a signed cover letter. Incomplete or illegible Bids may be rejected as nonresponsive.

Identification and Delivery: To facilitate proper delivery and processing, bids sent by email are to include in the subject line the RFP number and title.

2.8 Proposal Presentation and Organization

Bidders are encouraged to label and organize their Proposal Response in the format outlined in Appendix H, *Response Checklist* for ease of evaluation.

Standard brochures are not to be included in the Proposal submittals. There should not be any unnecessary attachments, enclosures, or exhibits. Any electronic submittals shall be in Microsoft Office or Adobe .pdf formats. Charts and spreadsheets may be larger than normal letter size 8.5in x 11in paper.

2.9 Cost of Response Preparation

Ecology will not reimburse Bidders for any costs associated with preparing or presenting a Response to this RFP.

2.10 Response Property of Ecology

All materials submitted in response to this solicitation become the property of Ecology, unless received after the deadline in which case the Response will be returned back to the sender. Ecology has the right to use any of the ideas presented in any material offered that is not proprietary to the Bidder, selection or rejection of a Response does not affect this right.

2.11 Proprietary or Confidential Information

In accordance with RCW 39.26.030, all records submitted to the Department of Ecology relating to state procurement are exempt from public disclosure prior to the announcement of the apparent successful bidder. Upon receipt of a bid and until such announcement is issued, Department of Ecology will withhold bidder submissions and deny disclosure in the event a request for public inspection or copying is made pursuant to Chapter 42.56 RCW.

However, once the apparent successful bidder announcement is issued, Department of Ecology will withhold information marked confidential or proprietary only to the extent Ecology believes information is exempt under applicable laws. When a third party requests a bidder's information, Ecology may or may not notify the affected bidder prior to releasing. In the event of such

notification, the bidder must obtain a court order enjoining disclosure or Department of Ecology will release the information on the date specified.

2.12 Errors in Response

Bidder is liable for all errors or omissions contained in their Proposal Response. Bidders will not be allowed to alter Response documents after the deadline for Proposal submission. Ecology is not liable for any errors in Responses. Ecology reserves the right to contact a Bidder for clarification of Response contents.

In those cases, where it is unclear to what extent a requirement or price has been addressed, the Procurement Coordinator may contact a Bidder to clarify specific points in the submitted Response. However, under no circumstances will the responding Bidder be allowed to make changes to the proposed items after the deadline for Proposal submissions.

2.13 Waive Minor Administrative Irregularities

Ecology reserves the right to consider the actual level of Bidder's compliance with the requirements specified in this solicitation and to waive informalities in a Proposal. 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 supplies 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.

Ecology reserves the right, at its sole option, to make corrections to a Bidders' Responses when an obvious arithmetical error has been made in the price quotation for Proposal evaluation purposes. Bidders will not be allowed to make changes to their quoted price after the Response submission deadline.

2.14 Responsiveness

All Proposals will be reviewed by the RFP Procurement Coordinator to determine compliance with bid administrative requirements and instructions specified in this RFP. Bidders are specifically notified that failure to comply with any part of the RFP may result in rejection of the Proposal as non-responsive. Any Proposal that is rejected as non-responsive will not be evaluated for award.

Bidders who do not meet minimum qualifications (refer to Section 4.1) will be rejected as non-responsive and will not receive further consideration.

2.15 Exclusive Use

This RFP is being issued for Ecology's exclusive use for the purpose set forth in this RFP. The results of this RFP may not be used to satisfy the competitive requirements of any other agency that may choose to purchase similar Products/Services directly from the Apparent Successful Bidder.

2.16 Minority and Women Owned Business Enterprises (MWBE)

In accordance with the legislative findings and policies set forth in [RCW 39.19](#), the state of Washington encourages participation in all of its Contracts by Minority and Women Owned Business Enterprise (MWBE) firms either self-identified or certified by the Office of Minority and Women's Business Enterprises (OMWBE). While the state does not give preferential treatment, it does seek equitable representation from the minority and women's business community.

Participation may be either on a direct basis in response to this Solicitation or as a Subcontractor to a Contractor. However, unless required by federal statutes, regulations, grants, or Contract terms referenced in the original Solicitation, no preference will be included in the evaluation of Bids and Proposals, no minimum level of MWBE participation shall be required as condition for receiving an award, and Bids and Proposals will not be evaluated, rejected or considered non-responsive on that basis.

Any affirmative action requirements set forth in federal regulations or statutes included or referenced in the original Solicitation will apply. Bidders may contact Office of Minority and Women's Business Enterprises (OMWBE) to obtain information on certified firms for potential sub-contracting arrangements. Nothing in this section is intended to prevent or discourage Bidders from inviting others from participation from non MWBE firms as well as MWBE firms. For questions regarding the above, contact OMWBE toll free at 866-208-1064.

Bidders who are MWBE or intend to use MWBE Subcontractors are encouraged to identify the participating firm(s) on [Appendix B](#).

2.17 Wage Laws and Workers' Rights Certifications

Pursuant to legislative enactment in 2017, Bidder shall certify it has not willfully violated Washington's wage laws, Title 49 RCW. Review RCW 39.26.160 (2) (f) for requirements.

Bidder is to submit the completed certification for Wage Laws Certification form in [Appendix C – Wage Laws Certification](#) with their response.

Pursuant to the Washington State Governor's Executive Order 18-03, the Washington State Department of Ecology is seeking to contract with qualified entities and business owners who certify that their employees are not, as a condition of employment, subject to mandatory individual arbitration clauses and class or collective action waivers.

Bidder is to submit the completed certification for Workers' Rights Certification form in [Appendix D – Workers' Rights Certification](#) with their response.

2.18 Non-Endorsement and Publicity

Neither Ecology nor the end users are endorsing the Bidder's Products or Services, nor suggesting that they are the best or only solution to their needs. Bidder agrees to make no reference to Ecology, any end user or the state of Washington in any literature, promotional material, brochures, sales presentation or the like, regardless of method of distribution, without the prior review and express written consent of Ecology.

2.19 No Best and Final Offer

Ecology reserves the right to make an award without further discussion of the Proposal submitted. Therefore, the Proposal should be submitted initially on the most favorable terms that the Bidder can propose. There will be no best and final offer option, unless at the sole discretion of Ecology it is determined to be in the best interest of the state.

2.20 No Obligation to Contract/Buy

Ecology reserves the right to refrain from contracting with any and all Bidders. Neither the release of this solicitation document nor the execution of a resulting Contract obligates Ecology to make any purchases.

2.21 Rejection of Proposals

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

2.22 Right to Cancel

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

2.23 Award Intent

Only one (1) successful Bidder will be identified via this procurement. Ecology intends to award only one (1) Contract.

2.24 Insurance Coverage

The Successful Bidder is required to obtain insurance to protect the State should there be any claims, suits, actions, costs, or damages or expenses arising from any negligent or intentional act or omission of the Contractor or its Subcontractor(s), or their agents, while performing work under the terms of any Contract resulting from this solicitation. Review [Appendix F, Sample Service Contract](#), for a description of the insurance requirements.

3. EVALUATION AND CONTRACT AWARD PROCESS

3.1 Basis for Evaluation

Contract award shall be made to the lowest Responsive and Responsible Bidder based on the evaluation and award criteria established herein and subject to consideration of all factors identified in [RCW 39.26](#) and preferences in state law.

Ecology reserves the right subject to the provisions of [RCW 39.26.160](#) to: (1) Waive any informality; (2) Reject any or all Bids, or portions thereof; (3) Accept any portion of the items bid unless the Bidder stipulates all or nothing in their Bid; (4) Cancel a solicitation and re-solicit Bids; (5) Negotiate with the highest scoring Responsive and Responsible Bidder to determine if that Bid can be improved for the Purchaser; (6) Award on an all or none consolidated basis taking into consideration “lifecycle costs”; and, (7) Award in aggregate when in the best interest of the state.

Ecology seeks to acquire the goods/services that best meet the State’s needs and offers best value in the interest of the state.

Responses will be evaluated on the basis of the information provided in the Bidder’s Proposal. Bidders are not to assume that the evaluators know anything about the Bidder or its proposed solution. Therefore, it is important that the responses be clear and complete so that the evaluators can adequately understand all aspects of the Proposal. Failure of a Bidder to provide such may result in the Bidder receiving a low evaluation score or being deemed non-responsive.

Due to the complex nature of this RFP, the Evaluation Team, during the course of their evaluation, may consult with other technical experts within Ecology to ensure that they understand the Bidder’s response to those requirements in order to assign appropriate scoring. Such technical experts are not part of the Evaluation Team and will not assign scores.

3.2 Evaluation Process

The evaluation process is designed to award the Contract to the Bidder with the best combination of attributes as demonstrated in the Bidder’s Proposal. Scores are based on the evaluation of the Bidder’s responses to the requirements in this RFP.

Step 1: Responsiveness Evaluation

Proposals will be reviewed initially by the Procurement Coordinator to determine on a pass/fail basis compliance with administrative requirements of this RFP. Responses meeting the administrative requirements will then be reviewed on a pass/fail basis to determine if the Response meets the Mandatory requirements (M) outlined in Sections 4 – *Vendor Requirements and Submittals*, and the Bidder meets the Minimum Bidder Qualifications. Only Proposals that satisfactorily pass the Responsiveness Review will be further evaluated. Ecology reserves the right to determine at its sole discretion whether Bidder’s Response to a Mandatory requirement is sufficient to pass.

If the Bidder does not pass the Responsiveness Evaluation they will be deemed non-responsive and will not be further evaluated.

Step 2: Evaluation of Written Proposals

Ecology will use the Evaluation Criteria to evaluate and score Bidder's responses to the scored requirements (MS) in Section 4 - *Vendor Requirement and Submittals*. The evaluation of Bids shall be accomplished by an evaluation team, to be designated by Ecology, which will determine the scoring of the Bids.

Step 3: Bidder Interviews with the top candidates

Ecology may select top scoring Bidder(s) from Step 2 to participate in a Bidder Interview. Ecology reserves the right to select and award to a bidder without conducting interviews. If a Bidder does not pass the Bidder Interview evaluation, they may be deemed non-responsive and will not be further evaluated.

Step 4: Reference Evaluation

For the top scoring Bidder(s) advanced from Step 2 or Step 3, the Evaluation Team will contact references and evaluate Bidder's references for pass/fail. References will be used to assist in the evaluation of timeliness, performance, industry knowledge, and customer service.

Ecology reserves the right to contact references supplied by the Bidder and to contact others who may have pertinent information regarding the Bidder's prior experience and ability to perform the services contemplated in this procurement, and use such in the evaluation process. Ecology reserves the right to select and award to a bidder without conducting reference evaluations. If a Bidder does not pass the Reference Evaluation, they may be deemed non-responsive and will not be further evaluated.

Step 5: Final Score Tabulation

Upon completion of Steps 1-4, the RFP Procurement Coordinator will sum scores to figure the final score for each Bidder and consider other evaluation information to determine the Apparent Successful Bidder.

3.3 Clarification of Proposal

The RFP Coordinator may contact the Bidder for clarification of any portion of the Bidder's Proposal.

3.4 Evaluation Scoring Points

The evaluation scores assign a relative importance for each scored topic. Scores for Level 1 and Level 2 will be added together resulting in the total points awarded.

PROCUREMENT EVALUATION 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](#), Ecology will evaluate bids for best value and provide a bid preference identified herein to any bidder who certifies, pursuant to the certification attached as Appendix D, *Workers' Rights Certification for Executive Order 18-03*, 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.

The following points will be assigned for evaluation purposes:

EVALUATION LEVEL 1	Scoring Points Available
Approach and Work Plan	35
Summary of Proposed Staff	15
Similar Work Experiences	30
Cost (Price Sheet)	15
Workers' Rights Certification Preference	5
Total Level 1 Points	100 points
EVALUATION LEVEL 2	
Bidder Interviews <i>(optional)</i>	30
Past Customer References	Pass/Fail
Total Level 2 Points	30 points
TOTAL EVALUATION POINTS	130 points

3.5 Scoring Process

Evaluations of the written response to this RFP will be as follows:

“(M)” or “**Mandatory**” shall mean the Bidder must comply with the requirement and the Response will be evaluated on a pass or fail basis. For Mandatory requirements (M), the Response must indicate whether or not the Bidder or its proposed Products/Services meet the requirement and provide all information requested. A statement, “*(Bidder’s Name) has read, understands, and fully complies with this requirement*” is acceptable, along with any additional information requested.

“(MS)” or “**Mandatory Scored**” shall mean the Bidder must comply with the requirement and the Response will be scored. For Mandatory Scored (MS) items, the Response must indicate whether or not the Bidder or its proposed Products/Services meet the requirement, and describe how the proposed Bidder’s Products/Services will accomplish each requirement.

Failure to follow these above instructions may result in disqualification.

3.6 Substantially Equivalent Scores

When evaluation of the proposals produces numerical ratings that are substantially equivalent, i.e., final scores separated by two percent (2%) or less of the final score, Ecology reserves the right to award the Contract to the Bidder whose Proposal is deemed to be in Ecology’s best interest.

3.7 Bidder Interview (optional)

Ecology, at its sole discretion, may elect to select the top Bidder(s) from the written evaluations for an oral presentation. Ecology will contact the top Bidder(s) to schedule a date, time, and location for a Bidder Interview. Ecology reserves the right to select and award to a Bidder without conducting an interview based on Bidder's score.

The Bidder presentation will include review and confirmation of the Bidder's Proposal, and may include service and product description and demonstration, demonstration of Bidder's capabilities, etc. to aid in the evaluation of the Bidder. Representations made by the Bidder during the oral presentation will be considered binding. If an interview is requested, Ecology will prepare a list of technical questions for the Bidder to answer in a sixty to ninety (60-90) minute time period. The answers to the questions will be scored to aid in the evaluation of the bid.

If possible, the Bidder's proposed Project Manager and key staff who will be providing the services should participate. The score from the Bidder presentation will be used to determine the Apparent Successful Bidder.

3.8 Selection of Apparent Successful Bidder

Apparent Successful Bidder selection begins after all evaluation steps are completed as outlined in Section 3 – Evaluation and Contract Award Process.

Based on the evaluation process, Bidder(s) with the highest total score and best meet the State's needs and offers the best value in the interest of Ecology will be declared the ASB.

3.9 Notification of Apparent Successful Bidder

All Bidders responding to this solicitation will be notified when Ecology has determined the ASB. The date of announcement of the ASB will be the date of the notification from Ecology. The Procurement Coordinator will notified Bidders via email from DES/WEBS.

Designation as an ASB does not imply that Ecology will issue an award to your firm. It merely suggests that at this moment in time Ecology believes your bid to be responsive. This designation allows Ecology to perform a further responsiveness and responsibility analysis and ask for additional documentation. Ecology is also at liberty to re-review and determine whether the bid is truly responsive as initially believed. The Bidder must not construe this as a notification of award, impending award, an attempt to negotiate, etc. If you act or fail to act in reliance of this notification, you do so at your own risk and expense.

3.10 Contract Negotiations with Apparent Successful Bidder

After the notification of the ASB, Ecology may enter into contract negotiations with the ASB, which may include discussion regarding the terms of the Contract. Contract negotiations may result in incorporation of some or the Bidder's entire Bid. The Bidder should be prepared to accept

this RFP for incorporation into a contract resulting from this RFP. It is also understood that the Bid will become part of the contract and the official file.

Should contract negotiations fail to be completed within one (1) month after initiation, Ecology may immediately cease contract negotiations and declare the Bidder with the next highest score as the new Apparent Successful Bidder and enter into contract negotiations with that Bidder.

The ASB will be expected to execute the Contract within ten (10) Business Days of its receipt of the final Contract. If the selected Bidder fails to sign the Contract within the allotted ten (10) days timeframe, Ecology may elect to cancel the award, and award the Contract to the next ranked Bidder, or cancel or reissue this solicitation (Refer to Subsection 2.22 - *Right to Cancel*).

3.11 Debriefing of Unsuccessful Bidders

Only Bidders who submit a Response may request an optional debriefing conference to discuss the evaluation of their Response. Upon request, a debriefing conference will be scheduled with an unsuccessful Bidder. The Procurement Coordinator must receive the request for a debriefing conference within three (3) business days after the announcement of Apparent Successful Bidder is sent to the responding Bidders. The debriefing conference is held within three (3) business days of the request, unless Ecology chooses a more convenient time. Debriefing conferences may be conducted in person or on the telephone, and will be scheduled for no more than one hour.

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

- Evaluation and scoring of the Bidder's proposal.
- Critique of the Bidder's proposal.
- Review of the Bidder's final score and ranking in comparison with other Bidders' final scores without identifying the other Bidders.

3.12 Complaint and Protest Requirements

For Complaints and Protests, review [Appendix G - Complaints and Protests Procedures](#), regarding the grounds for, filing, and resolution of complaints and protests.

4. VENDOR REQUIREMENTS AND SUBMITTALS

4.1 (M) Minimum Bidder Qualifications

Bidder is to provide a statement of compliance with the following minimum requirements:

- a) Bidder must be licensed to conduct business in Washington State or commit to becoming licensed in Washington State within thirty (30) calendar days of being selected as the Apparent Successful Bidder.
- b) Bidder must have been in business for a minimum of three (3) years providing those service identified herein.
- c) Bidder must not be suspended or debarred from government contracts.

4.2 (MS) Approach and Work Plan

Bidder is to describe their approach and work plan for how the Bidder will meet the objectives and expectations outlined in RFP, Section 1.2, *Objectives*. Bidder is to include at minimum: (keep response to 20 pages or less)

- a) Provide a complete description of the proposed approach and work plan for the project.
- b) Provide overall task breakdown with estimated timeline/hours for each deliverable. Describe deliverables produced at each step. Provide estimated level of effort breakdown between the objectives pertaining to the project, as outlined in RFP Section 1.2 and [Appendix E: Scope of Work and Deliverables](#).
- c) Bidder may present any alternate, creative approaches and ideas that meet the requirements of the deliverables in [Appendix E, Scope of Work and Deliverables](#). The Bidder may also provide supporting documentation that would be pertinent to this RFP.
- d) Include examples or samples from past similar projects demonstrating your approach, if available. (May include links to websites.)
- e) Provide your approach to Quality Assurance and review of the deliverables, specify how you would ensure the recommendations, analysis, and deliverables have been well researched and reviewed.
- f) Describe the firm's experience measuring the impact of media messages, behavior change efforts, and propose a methodology for establishing performance measurement and associated reporting.
- g) Provide your approach to developing both a process and working with the Ecology Project Manager to make the process as efficient as possible.
- h) Describe Bidder's expectations from Ecology and what would be required for each deliverable.

- i) Describe your internal policies and procedures for handling conflict of interest and client confidentiality.
- j) Provide your proposed schedule to meet the contract schedule from date of award to June 30, 2023. Bidder must discuss the feasibility of meeting this timeline and any contingencies.

4.3 (MS) Summary of Proposed Staff

Ecology requires the Bidder to provide *professional/expert* level business and technical staff to perform the work necessary to meet the requirements outlined in this RFP.

Bidder is to provide in five (5) pages or less a summary of Bidder's proposed staff who will be assigned to the project. For each staff member proposed, provide the following:

- Name, role in the project, whether they will be in a leading or supporting role.
- Highlighted summary of their skills, experience, and achievements as they pertain to the proposed work. Describe specifically their achievements in community based social marketing, behavior change, public relations campaigns, statewide campaigns, and social media marketing.
- Staff schedule of availability working on-site in Lacey, WA with the Ecology's staff.
- Staff schedule of availability by telephone and email when working off-site.
- Current résumé for each proposed Key staff member (attach to the Summary of Proposed Staff response, résumés are not limited to five (5) pages).
- Ecology reserves the right to request additional information on staff for evaluation purposes.

4.4 (M) Staffing Requirements

Bidder is to provide a statement of compliance with the following minimum staff requirements:

- Bidder must commit that staff listed in their Proposal will actually perform the contracted services within the Ecology's proposed schedule.
- Bidder must commit that it will not remove staff without notifying Ecology. Bidder must agree to submit the name(s) of the proposed replacement(s), who must meet the qualification and experience requirements for Ecology's review before that individual(s) is assigned responsibility for performance of contracted services.
- Specific restrictions apply to contracting with current or former state employees pursuant to chapter [42.52 RCW](#). Bidders should familiarize themselves with the requirements prior to submitting a Response.

4.5 (MS) Similar Work Experiences

Bidder is to describe in five (5) pages or less similar project work the proposed staff has completed:

- Identify any experiences in working with federal, state, or local governments. This may include previous experience (as contractor or employee in the government sector) of the Bidder's staff assigned to the project.
- Describe any experience and knowledge of developing and evaluating culture-centered or community-based social marketing and behavior change campaigns.
- Describe any experience developing comprehensive multimedia, multiplatform campaigns, and associated collateral.
- Describe any related knowledge, experience and understanding of the food waste and wasted food problem, guiding legislation ([RCW 70A.205.715](#) the Food Waste Reduction Act).
- Include a list of the contracts the Bidder has had within the past 3 years that relate to the Bidder's ability to perform the services needed under this RFP.
- Include examples or samples from past similar contracts demonstrating your qualifications. (May include links to websites.)
- Identify the customer(s) and provide contact information (name, telephone, and email). Bidder may use the same customers as references (Section 4.6 - *Past Customer References*).
- Describe the engagement(s), include the outcomes achieved for the customer(s).

4.6 (MS) Past Customer References

Bidder is to provide three (3) customer references to whom the Bidder has provided similar work within the last five (5) years. Bidder may use the customer(s) from Sections 4.5 as part of the reference list. It is the Bidder's responsibility to ensure that every reference contact is available during the evaluation period.

References must be:

- Complete with company names, addresses, contact persons, telephone numbers, and email addresses.
- Independent of the Bidder's company/corporation (i.e., non-Vendor owned, in whole or in part, or managed in whole or in part) and include a statement that each reference meets this requirement.
- From unique references, in no event shall the Bidder submit two references from the same client/business entity.

4.7 (M) Subcontractors Use

Bidder agrees that any and all such Subcontractor relationships must be Subcontractor(s) to the Bidder and the Bidder must be the Prime Contractor. Bidder agrees that, as Prime Contractor, the Bidder accepts full responsibility for successful performance of the work requested in this RFP and will indemnify Ecology for the acts and omissions of its Subcontractor(s). Bidder agrees that Ecology has the rights to request the removal of any Subcontractor(s) or other third party staff from performance under this contract, if such happens the Contractor will not be relieved of its responsibilities under this contract.

Bidder's Response must:

- State whether Subcontractor(s) will/will not be used for the proposed solution under this RFP.
- Identify and describe any and all subcontractor relationship with another party.
- Describe in detail Bidder's management of subcontractor relationships to ensure high quality performance of all subcontractor functions and products.
- Identify any Subcontractors, who are certified by the state of Washington Office of Minority and Women's Business Enterprises.

4.8 (M) Informational Background

1. Bidder is to provide by attachment the following information about the Bidder and any proposed subcontractors:
 - a) Name, address, principal place of business, telephone number, and email address of legal entity or individual with whom a contract would be written.
 - b) Legal status of the Bidder (sole proprietorship, partnership, corporation, etc.) and the year the entity was organized to do business as the entity now substantially exists.
 - c) Location of the office/facility from which the Bidder would operate and normal business hours. Identify if Bidder maintains an office in Washington State.
 - d) Federal Employer Tax Identification number (if Social Security number, then do not provide but indicate it is available) and if available the Washington Uniform Business Identification (UBI) number issued by the state of Washington Department of Revenue.
2. Bidder is to provide the following related Bidder Information:
 - a) A statement acknowledging whether or not any state employees or former state employees serve on the Contractor's governing board as of the due date of this Bid. If yes, then include their position and responsibilities within the Bidder's organization. Review Ethics in Public Service, RCW 42.52. If following a review of this information it is determined by Ecology that a conflict of interest exists, the Bidder may be disqualified from further consideration for the award of a contract.
 - b) A statement acknowledging whether or not a member of the Contractor's staff or subcontractor's staff was an employee of the state of Washington during the past 24

months or is currently a Washington State employee. If yes, then identify the individual by name, where previously or currently employed, job title or position held, and separation date. Review Ethics in Public Service, Chapter 42.52 RCW, especially RCW 42.52.080 which pertains to “Employment after public service.” If following a review of this information it is determined by Ecology that a conflict of interest exists, then the Bidder may be disqualified from further consideration for the award of a contract or requested to remove the staff from the project.

- c) A statement acknowledging whether or not the Contractor or any subcontractor has contracted with the state of Washington during the past 24 months. If yes, then indicate the name of agency, the contract number, contact person, and project description and/or other information available to identify the contract. Ecology may use such information for evaluation of past performance.
- d) A statement acknowledging whether or not the Contractor has had a contract terminated for default in the last five (5) years by a government entity. If yes, then briefly describe such incident, submit details of the terms for default including the other party’s name, address, and phone number, and present the Contractor’s current position on the matter. Ecology will evaluate the facts and may at its sole discretion, reject the Bid on the grounds of the past experience. Termination for default is defined as notice to stop performance due to the Contractor’s non-performance or poor performance and the issue of performance was either (a) not litigated due to inaction on the part of the Proposer or (b) litigated and such litigation determined that the Proposer was in default.
- e) Bidder must disclose to Ecology any interest, direct or indirect, that might be construed as prejudicial in any way to the professional judgment of the Bidder in rendering service to Ecology under the resulting contract. If following a review of this information it is determined by Ecology that a conflict of interest exists, the Bidder may be disqualified from further consideration for the award of a contract.

4.9 (MS) Price Proposal

Bidder is to submit a by task price. Price for the proposed work is inclusive of all costs (*read below for details*).

The maximum budget for this procurement is \$1,000,000, including all media buys and advertising costs, any bid above will be considered non-responsive. Review RFP Section 1.5, *Funding*.

Bidder will be evaluated and scored on its total bid cost. The score for the price will be computed by dividing the lowest cost bid received by the Bidder’s total bid cost, and then multiplying by the cost scoring points.

Presentation of All Cost Components

- Failure to identify all costs in a manner consistent with the instructions in this RFP is sufficient grounds for disqualification.
- Bid Price for the proposed work is inclusive of all costs except sales tax. Do not include sales taxes in Price Sheet totals.
- Bidder must complete and return the Price Sheet to be considered responsive to this RFP.
- Bidder is to bid all items. If any item is left blank, then Ecology will consider it a no cost (\$0) and included in the overall project price.
- Bidder is to submit a by task price. Price for the proposed work is inclusive of all costs, including advertising and media buys, except state tax (*read below for details*).
- Identify all costs in U.S. dollars including expenses to be charged for performing the services necessary to accomplish the objectives of this RFP, Section 1.2.
- Bidder is to provide all summary costs in the Price Sheet as a lump sum per Task.
- Bidder is to submit with the Price Sheet a detailed budget including staff costs and any expenses necessary to accomplish the tasks and to produce the deliverables.
- Costs for subcontractors are to be broken out separately in the budget, if they are not already identified in the Price Sheet.
- Please identify any subcontractors that are certified by the Office of Minority and Women's Business Enterprises (OMWBE).
- Expenses related to day-to-day performance under any Contract, including but not limited to, travel, lodging, meals, materials, and incidentals will not be reimbursed to the Contractor, except those noted herein.

Taxes

- Contractor is required to collect and pay Washington State and local sales tax, if applicable, refer to the *Sample Service Contract*, Appendix F for more details.

Bidder Instructions:

- Bidder is refer to RFP Section 1.2 and [Appendix E, Scope of Work](#) for proposed tasks. Bidder should address those items in and any other tasks the Bidder intends to propose to meet the Objectives in RFP Section 1.2.

Price Sheet		
Bidder Name:		
Task Item No.	Description	Bid Price
1.	Conduct Research and Identify Priority Audiences	\$
2.	Develop and Test Key Messages With Priority Audience(s)	\$
3.	Design a Multifaceted Statewide Social Marketing Campaign Plan	\$
4.	Develop Brand Identity, Marketing Collateral, and Partner Toolkit	\$
5.	Plan, Negotiate, and Buy Media (includes all advertising costs)	\$
6.	Stakeholder Engagement	\$
7.	Solicitation of Sponsorships	\$
8.	Project Management, Meetings, and Reporting	\$
9.	Other Requirements (Bidder identified):	\$
Total Evaluation Cost		\$

APPENDIX A

Certifications and Assurances

I/We, Bidder, make the following certifications and assurances as a required element of the Response, to which it is attached, affirming the truthfulness of the facts declared here and acknowledging that the continuing compliance with these statements and all requirements of the RFP are conditions precedent to the award or continuation of the resulting Contract.

1. The prices in this Response have been arrived at independently, without engaging in collusion, bid rigging, or any other illegal activity, and without for the purpose of restricting competition, any consultation, communication, or agreement with any other offeror or competitor relating to (i) those prices, (ii) the intention to submit an offer, or (iii) the methods or factors used to calculate the prices offered.

2. Response has not been and will not be knowingly disclosed by the offeror, directly or indirectly, to any other offeror or competitor before Contract award unless otherwise required by law.

3. No attempt has been made or will be made by the offeror to induce any other concern to submit or not to submit an offer for the purpose of restricting competition. However, we may freely join with other persons or organizations for the purpose of presenting a single proposal or bid.

4. In preparing this Response, we have not been assisted by any current or former employee of the state of Washington whose duties relate (or did relate) to the State's solicitation, or prospective Contract, and who was assisting in other than his or her official, public capacity. Neither does such a person nor any member of his or her immediate family have any financial interest in the outcome of this Response. (Any exceptions to these assurances are described in full detail on a separate page and attached to this document.)

5. The attached Response is a firm offer for a period of 120 days following the Response Due Date specified in the RFP, and it may be accepted by Ecology without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 120-day period. In the case of protest, our Response will remain valid for 180 days or until the protest is resolved, whichever is later.

6. We understand that the State will not reimburse us for any costs incurred in the preparation of this Response or participation in a product demonstration/oral interview. All Responses become the property of the State, and we claim no proprietary right to the ideas, writings, items or samples unless so stated in the Response.

7. Submission of the attached Response constitutes an acceptance of the evaluation criteria and an agreement to abide by the procedures and all other administrative requirements described in the solicitation document.

8. I/we grant Ecology the right to contact references and others who may have pertinent information regarding the prior experience, products, and ability of the Vendor and the proposed staff to perform the services contemplated in the procurement.

9. By submitting this Bid, Bidder hereby offers to furnish materials, supplies, services and/or equipment in compliance with all terms, conditions, and specifications contained in this solicitation.

10. We understand that any Contract awarded as a result of this Response will incorporate the solicitation requirements. Submission of a Response and execution of this Certifications and Assurances document certify our willingness to comply with the Contract terms and conditions appearing in Appendix F, or substantially

similar terms, if selected as a contractor. It is further understood that our standard contract will not be considered as a replacement for the terms and conditions appearing in Appendix F of this solicitation.

11. The authorized signatory below acknowledges having read and understood the entire solicitation including any amendments and agrees to comply with the terms and conditions of the solicitation in submitting and fulfilling the offer made in its Bid.

12. We ☐ **are** / ☐ **are not** (check box) submitting proposed Contract exceptions.

The signatory below represents that he/she has the authority to bind the company named below to the Bid submitted and any contract awarded as a result of this solicitation.

Bidder Signature	Bidder Company Name
Print Name:	Phone:
Title:	Email:
Date:	

(SIGN AND RETURN WITH BID)

APPENDIX B

MWBE Participation Form

Minority and Women's Owned Business Enterprises (MWBE) Participation Form

Bidder is encouraged to identify any MWBE participation under this Bid. For this solicitation, MWBE participation is defined as either or both *Certified MBEs and WBEs.

Bidder is to complete below form identifying any MWBE participation under this Bid. If there is no MWBE participation anticipated, then indicated such below. Enter firm names in the MBE and WBE Firm Name columns and the participation percentage. The anticipated percentage is the percentage of cost the MBE or WBE firm would cover.

Potential MWBEs are encouraged to contact the Washington State Office of Minority and Women's Business Enterprises concerning certification and participation. For questions regarding the above, contact the state Office of Minority and Women's Business Enterprises toll free at 866-208-1064.

After bid award, this form will be used to identify MWBE participation.

☐ No MWBE anticipated participation for this bid.

MBE FIRM NAME	*MBE CERTIFICATION NO.	PARTICIPATION %

WBE FIRM NAME	*WBE CERTIFICATION NO.	PARTICIPATION %

*Certification number issued by the Washington State Office of Minority and Women's Business Enterprises.

Name of Vendor completing this Certification: _____

APPENDIX C

Wage Laws Certification

Bidder is to complete the Wage Law Certification form and return it with their bid submittals.

Pursuant to legislative enactment, Contractor shall certify it has not willfully violated Washington's wage laws, [Title 49 RCW](#). Review [RCW 39.26.160 \(2\)\(f\)](#).

I hereby certify, on behalf of the firm identified below, as follows (check one):

☐ **NO VIOLATIONS OF WAGE LAWS.** This firm has NOT been determined by a final and binding citation and notice of assessment issued by the Washington 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 RCW chapters [49.46](#), [49.48](#), or [49.52](#) within three (3) years prior to the date of the procurement solicitation, June 29, 2022.

OR

☐ **YES VIOLATIONS OF WAGE LAWS.** This firm has been determined by a final and binding citation and notice of assessment issued by the Washington 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 RCW chapters [49.46](#), [49.48](#), or [49.52](#) within three (3) years prior to the date of the procurement solicitation, June 29, 2022. Bidder is to provide explanation for consideration by Ecology. Bidder that marks this item may be considered not a "responsible" bidder per [RCW 39.26.160](#) and may not be considered for award.

I hereby certify, under penalty of perjury under the laws of the state of Washington, that the certifications herein are true and correct and that I am authorized to make these certifications on behalf of the firm listed herein.

FIRM NAME:

Name of Contractor/Bidder – Print full legal entity name of firm

By: _____
Signature of authorized person

Name: _____
Print Name of person making certifications for firm

Title: _____
Title of person signing certificate

Place: _____
Print city and state where signed

Date: _____

Bidder is to return Wage Law Certification with bid submittals

APPENDIX D Workers' Rights Certification

EXECUTIVE ORDER 18-03

Bidder is to complete the Workers' Rights Certification form and return it with their bid submittals.

Mandatory Individual Arbitration Clauses and Class or Collective Action Waivers for Employees

Pursuant to the Washington State Governor's Executive Order 18-03, the Washington State Department of Ecology is seeking to contract with qualified entities and business owners who certify that their employees are not, as a condition of employment, subject to mandatory individual arbitration clauses and class or collective action waivers.

I hereby certify, on behalf of the firm identified below, as follows (check one):

☐ This 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.

☐ This firm **DOES** require its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waivers.

I hereby certify, under penalty of perjury under the laws of the state of Washington, that the certifications herein are true and correct and that I am authorized to make these certifications on behalf of the firm listed herein.

FIRM NAME:

Name of Bidder – Print full legal entity name of firm

By: _____
Signature of authorized person

Name: _____
Print Name of person making certifications for firm

Title: _____
Title of person signing certificate

Place: _____
Print city and state where signed

Date: _____

Bidder is to return Workers' Rights Certification with bid submittals

APPENDIX E

Scope of Work and Deliverables

Introduction

This solicitation is for developing, managing, and evaluating an innovative behavior change campaign with the ultimate goal of reducing food waste and wasted food in Washington State.

The multimedia, multiplatform campaign must use a social marketing (or community-based social marketing) framework, be responsive to the language needs of the priority audience(s), and reduce barriers to access. The campaign and materials must be transcreated to Spanish at a minimum and must be developed with culture-centered communication strategies. The campaign must include a strong social media strategy and an online partner outreach toolkit.

The Contractor will gain support and sponsorships from key businesses and organizations to enhance the effectiveness and reach of the campaign. Ecology seeks creative approaches to save time and budget to ideally launch the campaign in early 2023.

A successful campaign is dependent on a thorough understanding of food waste and wasted food in Washington State. All personnel assigned to this project are expected to be familiar with the law ([RCW 70A.205.715](#)), the [Use Food Well Washington Plan](#), the 2015 food waste baseline data, the results of the most recent [Waste Characterization Study](#), and other historical documents pertaining to the food waste issue.

Objectives

Objectives of the food waste reduction campaign are to:

- Reduce food waste and wasted food through prevention, rescue, and recovery strategies.
- Reduce contamination of food waste and wasted food diverted from landfills.
Contamination reduction applies to food rescue and food waste recovery.
- Develop culture-centered messaging through social marketing/community-based social marketing to raise awareness of the environmental, social, and economic impacts of food waste and wasted food.
- Engage businesses, organizations, local governments, and state or federal agencies to gain their support and sponsorship of campaign activities.

Task 1: Conduct Research and Identify Priority Audience(s)

Research is a necessary first step in campaign planning and provides baseline information for developing an effective behavior change campaign. Results of this work will be included as appendices in the campaign plan (review Task 3 below).

The Contractor will:

- Review relevant materials, reports, and accomplishments related to past food waste reduction education efforts to identify strengths, weaknesses, and missed opportunities.
(Review RFP section 1.3, Background)

- Gather and use relevant research related to food waste and wasted food generation behavior, priority audiences, food waste types, social marketing strategies, and messaging.
- Research successful food waste and contamination reduction programs and communications to identify best practices and generate ideas and concepts to test and implement in Washington.
- Conduct research to identify primary and secondary priority audiences in terms of demographics, preferred language, psychographics, behavior trends and patterns, barriers to overcome, motivators, media use, social networks, etc.
- Identify opportunities to involve agency partners including Washington State Departments of Agriculture, Commerce, Health, and the Office of Superintendent of Public Instruction in campaign development and ongoing promotion.
- Identify strategies to gain more support from key partners including food businesses (such as wholesale, grocery retail, and restaurants), and hunger relief organizations. The sectors and key partners identified in the *UFWW Plan* include:
 - Farmers and ranchers
 - Transportation, storage, and logistics
 - Retail food businesses
 - Schools and institutions
 - Hunger relief organizations
 - Food service and hospitality
 - Community and residential
 - Food manufacturers and processors
 - Composters and anaerobic digesters
 - Local governments
 - Washington State Legislature

Task 2: Develop and Test Key Messages with Priority Audience(s)

The Contractor will conduct market research, develop messages and concepts, and conduct testing with priority audience(s) to ensure relevancy of campaign themes, advertising strategies, environmental prompts, and potential behavior change tools.

The Contractor will identify a brand identity and supporting messages most likely to motivate priority audiences to change a desired behavior as well as particular demotivating messages and strategies to avoid.

Messaging must be developed through a culture-centered and community-based social marketing approach. Campaign materials must be made digitally and linguistically accessible to help address barriers to access. Campaign messaging and materials must be provided in languages appropriate to the identified priority audience(s), and be transcreated into Spanish at a minimum.

The entire campaign strategy should have a coordinated theme using an umbrella brand with behavior-specific campaigns fitting underneath. Results of this work will be included as appendices in the campaign plan (review Task 3).

Task 3: Design a Multifaceted Statewide Campaign Plan

The Contractor will develop a results-oriented behavior change and public relations campaign plan using culture-centered communication and a social marketing/community-based social marketing framework. The plan should provide implementation schedules, timelines, milestones for deliverables and project assessment, and budgets for campaign activities. The campaign plan includes, but is not limited to, the elements below.

- **Project purpose, goals, and objectives**
A detailed roadmap for the project. Focus on defining what success looks like and include measureable short and long-term objectives.
- **Desired behavior changes**
Determine the specific desired behavior changes that are the most direct path to achieving the program's goals. Map which behaviors have the highest impact on the goal and the highest probability of change.
- **Research**
Good campaigns and materials are grounded in research. Research is used to understand the priority audiences' current actions and identify what they think and feel about the subject matter and behaviors.
- **Priority audiences**
Define the priority audiences that are likely to be the most receptive to changing their behaviors. Develop a complete profile of the priority audience(s) including demographics, preferred language, psychographics, behavior trends and patterns, media use, social networks, etc.
- **Barriers, benefits, and motivators for the desired behavior changes**
Analyze the barriers that prevent the priority audience(s) from doing the desired behaviors, and the possible benefits and motivators that could overcome those barriers. The goal is to set the program up for success by identifying the achievable behaviors and where to focus efforts.
- **Messaging strategy**
A succinct and compelling message strategy is critical. Using research findings, identify key value propositions and messaging to motivate the desired change. Provide options and recommendations related to the development of commercials and usage licensing early in the creative development process.

- **Social marketing intervention**

Prioritize and choose social marketing tools based on what will work best to influence behaviors among the priority audience(s).

- **Partners and sponsors**

Partnerships help create demand for a program by providing access to a larger audience, incentives for program participants, and adding credibility to the cause. Identify potential partners and sponsors that have a complementary mission and audiences that overlap with the campaign's priority audience(s). Develop a sponsorship plan to help media buys and advertising dollars go farther.

- **Marketing plan**

A fully developed marketing plan identifying how to operationalize the social marketing tools, deliver the program's message to priority audiences, and defines outreach strategies and tactics that deliver on the program's goals and objectives. Detail how to pilot the social marketing program to gather feedback on effectiveness prior to broad-scale implementation. Include detailed guidance on Ecology and Contractor's roles in social media, advertising and public relations efforts. Detail the content and management of the online partner outreach toolkit, and schedules and budget for media production and associated usage licensing. Ecology would like to maximize usage licensing rights to own or use commercials developed under this contract for as long as feasible. Provide details and options on usage licensing and budget early in the creative development process.

- **Evaluation Plan**

Develop an evaluation plan that tracks the program's progress, celebrates successes, and makes necessary changes along the way. It must include measuring campaign inputs, outputs, outcomes, and overall campaign impacts over the long-term. Detail associated reporting, frequency and information or studies that may be needed to evaluate success in the future.

- **Appendices**

Summaries of research and testing.

Task 4: Develop Brand Identity, Marketing Collateral, and Partner Toolkit

The Contractor will create a brand identity, brand guidelines, and comprehensive suite of campaign materials. Campaign collateral must be developed with culture-centered communication, a community-based social marketing framework, convey a memorable message, resonate with priority audiences, and ultimately change behavior.

The entire campaign should have a coordinated theme using an umbrella brand and behavior-specific sub-campaigns.

The Contractor must submit preliminary drafts, mockups, message testing stimuli, etc. for review and obtain final Ecology's approval for all campaign materials created. All materials must meet Ecology's communication and accessibility standards to reduce barriers to access.

Contractor will create:

- Umbrella brand, logo, and guidelines.
- Behavior change campaigns under the umbrella brand.
- Messaging playbook and fact sheets.
- Web copy, design, wireframes, banners and images for campaign webpages.
- Radio and video commercials.
- Indoor and outdoor signage.
- Print and digital ads.
- Social media content.
- Images.
- Infographics.
- Other priority audience specific outreach materials, behavior change tools, and/or prompts. This may include guidance on how to utilize the toolkits, and what makes this information most useful for Washingtonians.

Document Accessibility Requirements

Ecology will identify those documents and outreach materials intended to be published, posted, or hosted on Ecology's public web site, including materials in the partner outreach toolkit and other collateral campaign materials. The Contractor shall provide these documents in both their "native format" (such as Word, Excel, or PowerPoint) and in PDF format (latest version of Adobe Acrobat Pro or compatible). The Contractor shall run the PDF Accessibility Checker's report and provide the report with the delivered documents. The PDF documents must satisfactorily pass the Adobe Acrobat Pro Accessibility Checker (Full Check). Ecology will review the PDF Accessibility results and may request the Contractor remedy any known issues. Ecology reserves the right to perform independent testing to validate accessibility and may require the Contractor remedy any identified issues before acceptance of the documents. For assistance concerning accessibility, visit Washington State Office of the Chief Information Officer, OCIO Policy no. 188, Accessibility found at: [Accessibility | OCIO \(wa.gov\)](#).

Ownership

Ecology owns all original artwork, layout, design, brand, and final products for all campaign collateral and can use as needed. Ecology intends to make these materials available to organizations, local governments, state agencies, and business partners.

The Contractor must submit all native design files to Ecology in addition to jpg/png/pdf or other easy to use and share formats.

The Contractor must provide options, pricing and guidance on usage licensing for commercials early in the creative process and negotiate terms to ensure Ecology has ownership or usage of the commercials for as long as feasible.

Printing

The Contractor must obtain competitive bids on all print jobs. Printed materials should be on 100% recycled content paper if possible.

Partner Toolkit

The Contractor will develop a digitally and linguistically accessible campaign toolkit for partners across the state to further implement the campaign. The toolkit will go on the campaign website for partners to download and co-brand. The toolkit should help partners communicate about food waste reduction. This includes the strategies of prevention, rescue, and recovery, along with an emphasize on contamination reduction for food rescue and recovery.

Task 5: Plan, Negotiate, and Buy Media

The Contractor must develop a media plan that is cost-efficient and effective at reaching the priority audience(s). The media plan must take into consideration all free and paid media outlets in Washington State and look for opportunities for bonus added value media.

The Contractor must track, evaluate, and communicate media reach and impact with Ecology via monthly progress reports.

Co-Promotions

With the support of Ecology staff, the Contractor may solicit and encourage joint advertising and promotional opportunities with other State agencies, local governments, or other Washington entities. The Contractor must indicate the potential benefits to Ecology from any co-promotion recommended.

Bonus Commercials

The Contractor must attempt to negotiate free bonus spots or additional promotional support from all radio and TV stations included in a media buy. Any bonus spots or additional promotional support provided by participating stations must be identified in the summary of any media buy, and the value of the bonus spots or additional promotional support must be calculated as an added value to Ecology.

Negotiation and Placement

The Contractor is responsible for the negotiation, purchase, and instructions for the placement of all media time and space.

In negotiating media purchases, the Contractor shall keep Ecology informed and aware of any savings that might be achieved through long-term commitments or other special programs.

Placement Verification

The Contractor must notify Ecology before approving any deliverables for ads that did not run as scheduled. All such materials shall be maintained by the Contractor and must be available for inspection by Ecology representatives. Affidavits and tear sheets must accompany any final billings.

Post-Buy Analysis

The Contractor will be required to provide Ecology with post-buy analyses indicating that the reach and frequency goals of each media buy were achieved within budget.

Spending Analysis

At the end of the initial contract period, the Contractor must provide Ecology an analysis of the media campaign's initial goals, metrics met, and a description of any issues and resolutions if any. The analysis must include a recommendation regarding proposed changes in future media purchasing for the campaign, and all media contacts used during the initial contract period.

Task 6: Stakeholder Engagement

Several groups involved in Ecology's food waste reduction efforts have interest in this project: Ecology management, legislators, state agencies, local governments, farmers and ranchers, transportation and logistics businesses, retail food businesses, schools and institutions, hunger relief organizations, community organizations, food manufacturers and processors, and composters and recovery facilities. Gaining support and feedback from these groups is critical to this project's success.

The Contractor is expected to work with Ecology staff to keep stakeholders informed and gain their support for materials developed. The Contractor should develop a quarterly timeline for stakeholder engagement, including cost bids for this work. Stakeholder engagement can include in-person and online (virtual) meetings, surveys, and comment periods. Stakeholder input and feedback must be utilized in the project development. A report must be developed on stakeholder feedback received and how it was considered with the development of the project.

Task 7: Solicitation of Sponsorships

Solicitation of corporate partnerships, sponsorships, and free advertising opportunities will help limited funding go further and assist in reaching priority audiences. RCW 70.93.210 encourages businesses and industry organizations to actively cooperate with Ecology in the media campaign effort. The Contractor is expected to develop a creative sponsorship plan/program, identify and secure the right sponsors, and foster ongoing relationships. With the support of Ecology staff, Contractor may also solicit and encourage joint advertising and promotional opportunities with local and state governments.

Task 8: Project Management, Meetings, and Reporting

Routine Calls and Meetings

The Contractor must remain in close contact with the Ecology's project manager, such as bi-weekly calls or online meetings. These meetings will include discussion regarding the work plan, status updates, schedules, concept approvals, pre-production of advertisements, etc.

If the Bidder anticipates use of online (virtual) meeting, Bidder needs to describe in their work plan the stages and to what extent online meetings will be used.

Ecology expects that there will be at least two in-person or online meetings with Ecology staff in Lacey during this initial contract period. This includes a kick-off meeting within two weeks of signing the contract. Additional online or in-person meetings may be held with certain Ecology staff or other state agency partners on an as-needed basis, either remotely or in-person.

COVID-19 Vaccination Requirements

The Contractor agrees to comply with current COVID-19 Vaccination requirements for any on-site meetings at Ecology. (Refer to Appendix F, *Sample Service Contract for COVID-19 requirements.*)

Reporting and Invoicing Requirements

The Contractor is responsible for submitting monthly written progress reports. These detailed monthly reports document all expenditures, highlight activities, and media reach and impact accomplished for the month.

At a mutually agreed upon frequency, Contractor will submit detailed reports evaluating the overall impact, effectiveness, and strategies of the campaign. Ecology reserves the right to request additional reports relating to various aspects of the project.

Ecology and the Contractor will mutually agree to an invoicing schedule. All invoices must be accompanied by reports documenting expenditures and activities during the billing period.

APPENDIX F

Sample Service Contract



To view click the icon.

APPENDIX G

Complaint and Protest Procedures

This Complaint and Protest Procedures are in compliant with RCW 39.26.170 and Department of Enterprise Services Policy # DES-170-00. Complaints and Protests that do not follow these below procedures will not be considered.

These procedures provide the following information:

- 1) Requirements for a complaint process and protest process.
- 2) The criteria for filing a complaint or protest.
- 3) Agency response requirements and timelines.

Complaint Process Before Bid Due Deadline:

The purpose of a complaint process is to settle unresolved vendor issues or concerns that have not been resolved before the bid is due. The complaint process allows vendors to focus on the solicitation requirements and evaluation process, and raise issues with these processes to allow an agency time to correct a problem before bids are submitted. Any vendor may submit a Complaint.

1. Complaints must be based on any of the following reasons:
 - a) The solicitation unnecessarily restricts competition.
 - b) The solicitation evaluation or scoring process is unfair or flawed.
 - c) The solicitation requirements are inadequate or insufficient to prepare a response.
2. Complaints must meet the following requirements:
 - a) Be sent in writing, may be sent via email, to the Procurement Coordinator for the bid.
 - b) Be submitted at least five (5) business days before the bid submissions deadline.
 - c) Clearly state it is a “Complaint” in the correspondence or email subject line.
 - d) Clearly articulate the basis for the complaint.
 - e) Include a proposed remedy.
3. Complaints will be handled as follows:
 - a) All communications relative to a complaint must be coordinated through the Procurement Coordinator, or designee.
 - b) The Procurement Coordinator, or designee, will consider all the facts available and respond to complaints in writing, may use email.
 - c) The response to complaints, including any changes to the solicitation, will be posted on WEBS.

- d) Agency Director will be notified of all complaints and will be provided a copy of the agency's response.
- e) Vendor's complaint may not be raised again during the protest period.
- f) Agency complaint process does not include an appeal process.

Protest Process Before Final Award:

The purpose of a protest process is to allow unsuccessful Bidders, after the announcement of the Apparent Successful Bidder, to raise issues related to the evaluation process as set out in the solicitation or how the process was executed. The protest procedure allows the agency to correct evaluation process errors and problems before a contract is executed.

1. Debriefing Opportunity:

- a) Unsuccessful Bidders may request a debriefing conference after the announcement of the Apparent Successful Bidder (ASB).
- b) Bidders have three (3) business days after the ASB announcement date to request a debriefing conference.
- c) Debriefing conference may be held in person at the agency or by phone.
- d) Only those Bidders that participated in a debriefing conference are allowed to file a protest.

2. Protest Period:

- a) Bidder has five (5) business days after their debriefing conference to submit a written Intent to Protest, may be via email, to the Procurement Coordinator for the bid.
- b) The protest must be received within five (5) calendar days after the written Intent to Protest is submitted.
- c) The protest must be submitted to the Procurement Coordinator, who will acknowledge receipt.
- d) The protest must be in writing and signed by the Bidder, may be submitted via email.
- e) If a protest is not received within the above protest periods, it will be considered untimely and the Procurement Coordinator may proceed with the award without further obligation.

3. Protest Reason, a protest must be based on any of the following reasons:

- a) A matter of bias, discrimination, or conflict of interest on the part of an evaluator.
- b) Errors in computing the scores.
- c) Non-compliance with procedures described in the procurement document or Department of Enterprise Services' requirements.

4. A Protest must include the following:

- a) Reference the bid title and number.
- b) Clearly state it is a "Protest" in the correspondence or email subject line.
- c) A clear and orderly presentation of the protested reason(s) with supportive facts.
- d) Description of the relief or corrective action being requested.

5. Agency Review Actions:

- a) Agency will assign a neutral party that had no involvement in the evaluation and award process as the official contact person to investigate and respond to the protest.
- b) Agency will communicate to the Protester who is the official contact person for their protest. All communications relative to the protest must be coordinated through the official contact person for the protest.
- c) Agency will notify the ASB that a protest was filed and may provide the ASB an opportunity to submit its views and any relevant information on the protest.
- d) Agency will issue a written protest response no more than ten (10) business days from receipt of the protest, unless additional time is needed by the agency. If additional time is needed, the agency will notify the protesting bidder.

6. Protest final determination shall take one of the following actions:

- a) Find the protest lacking in merit and uphold the agency's action, and reject the protest.
- b) Find only insignificant technical, immaterial, or harmless errors in the procurement process and determine the agency to be in substantial compliance and reject the protest.
- c) If the agency determines that the protest is without merit, then the agency will enter into a contract with the ASB.
- d) If the protest is determined to have merit, then one of the alternatives noted below will occur:
 - 1. Correct the errors and re-evaluate all bids/proposals.
 - 2. Reissue the solicitation document and begin a new process.
 - 3. Make other findings and determine other courses of action as appropriate.

7. Agency Protest Decision:

- a) Once the agency's protest response is issued, both the Agency Director and the Department of Enterprise Services' Director will be provided a copy of the original protest and the agency's response.
- b) Agency may sign a contract before the protest process is completed when the Department of Enterprise Services' Director grants the agency the authority to do so.
- c) Agency protest decision is final and no appeal process is allowed. If a protesting bidder does not accept the agency's protest response, the bidder may try to seek relief from superior court.

APPENDIX H

Response Checklist

This Response Checklist is provided for Bidder's convenience only. It is the Bidder's responsibility to thoroughly read this Solicitation and ensure all required information and documents are submitted with each Response. Any Response received without any one or more of these documents may be rejected as being non-responsive.

Bidders are encouraged to label and organize their Proposal in the order listed below for ease of evaluation.

In order to be considered responsive, Bidder to include, at a minimum, the following components in their RFP Response:

- ☐ Bidder's cover letter acknowledging receipt of all RFP amendments issued, if any.
- ☐ Appendix A – *Signed Certifications and Assurances form*.
- ☐ Appendix B – *MWBE Participation form*.
- ☐ Appendix C – *Wage Laws Certification form*.
- ☐ Appendix D – *Workers' Rights Certification form*.
- ☐ Bidder's exceptions to *Sample Service Contract* (Appendix F), if any.
- ☐ Amendments, (if any) signed and returned as instructed – Bidder is to check the [WEBS](#) site for any and all amendments.
- ☐ Response to the *Minimum Bidder Qualifications* (Section 4.1).
- ☐ Response to *Approach and Work Plan* (Section 4.2).
- ☐ Response to *Summary of Proposed Staff* (Section 4.3).
- ☐ Response to *Staffing Requirements* (Section 4.4).
- ☐ Response to *Similar Work Experiences* (Section 4.5).
- ☐ Response to *Past Customer References* (Section 4.6).
- ☐ Response to *Subcontractors Use* (Section 4.7).
- ☐ Response to *Informational Background* (Section 4.8).
- ☐ Response to *Price Proposal* (Section 4.9).
- ☐ *Electronic copy of Proposal Submittals*.
- ☐ Other documentation, e.g., manuals or other materials, as necessary.

End of Document