



STATE OF WASHINGTON  
HEALTH CARE AUTHORITY

**REQUEST FOR QUALIFICATIONS AND QUOTATIONS (RFQQ)**

**RFQQ NO.** 2021HCA23

**PROJECT TITLE:** Enterprise Architecture Consultant

**PROPOSAL DUE DATE:** September 29, 2021 by 2:00p.m. Pacific Time.

E-mailed bids will be accepted. Faxed bids will not.

**ESTIMATED TIME PERIOD FOR CONTRACT:** November 15, 2021 to November 14, 2024

The Health Care Authority reserves the right to extend the contract for up to three (3) additional 1-year periods.

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

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# 1. INTRODUCTION

## 1.1. DEFINITIONS

Definitions for the purposes of this RFQQ include:

**Apparent Successful Bidder (ASB)** – The Bidder selected as the entity to perform the anticipated services, subject to completion of contract negotiations and execution of a written contract.

**Bidder** – Individual or company interested in the RFQQ that submits a proposal in order to attain a contract with the Health Care Authority.

**Business Day(s)** – Monday through Friday, except for holidays observed by the State of Washington.

**Contractor** – The Bidder who is awarded and enters into the Contract for Enterprise Architecture Consultant.

**Health Care Authority (HCA)** – An executive agency of the state of Washington that is issuing this RFQQ.

**Mandatory (M)** – The Bidder must comply with the requirement, and the Response will be evaluated on a pass/fail basis.

**Mandatory Scored (MS)** – The Bidder must comply with the requirement, and the Response will be scored.

**Proposal** – A formal offer submitted in response to this solicitation.

**Request for Qualifications and Quotations (RFQQ)** – Formal procurement document in which a service or need is identified, and firms are invited to provide their qualifications to provide the services and their hourly rates.

**Subcontractor** – One not in the employment of Bidder, who is performing all or part of the business activities under the RFQQ under a separate contract with Bidder. The term “Subcontractor” means Subcontractor(s) of any tier.

## 1.2. ESTIMATED SCHEDULE OF PROCUREMENT ACTIVITIES

This RFQQ is being issued under the following Schedule. The Response deadlines are Mandatory and non-negotiable. Failure to meet any of the required deadlines (dates and times) may result in disqualification from participation.

Issue Request for Qualifications and Quotations	September 3, 2021
Questions Due	September 14, 2021 -
Answers Posted	September 17, 2021
Proposals Due	September 29, 2021 - 2:00PM Pacific Time
Evaluate Proposals	September 30, 2021 - October 6, 2021
Conduct Oral Interviews with Finalists, if required	October 11 - 12, 2021

Announce “Apparent Successful Bidder” and send notification via e-mail to unsuccessful Bidders	October 15, 2021
Debrief Request Deadline	October 20, 2021
Begin Contract Negotiations	October 21, 2021

HCA reserves the right in its sole discretion to revise the above schedule and to waive informalities or deficiencies.

### **1.3. PURPOSE AND BACKGROUND**

The Washington State Health Care Authority, hereafter called “HCA,” is initiating this Request for Qualifications and Quotations (RFQQ) to solicit proposals from firms interested in participating to assist HCA’s Enterprise Technology Services (hereafter called “ETS”) Division with a nationally recognized industry expert level Enterprise Architecture consultant to work alongside their Strategic Services Team to develop a number of architecture products with appropriate processes, service ownership, governance structures and workflows across the varied and numerous business services that ETS provides the agency. This is a critical undertaking for the business success of the division and is a large body of work. In addition, the consultant will assist the Architectural Review Board and its members with the creation, approval adoption and finalization of technological models for a wide variety of existing work and new projects ETS has in its portfolio.

HCA intends to award one contract to provide the services described in this RFQQ.

### **1.4. OBJECTIVES AND SCOPE OF WORK**

HCA’s ETS Division requires an expert level Enterprise Architecture (EA) consultant to assist their Strategic Services Team with developing a number of business processes with appropriate service ownership, governance structures and workflows across the varied and numerous business services that ETS provides the HCA. This is a critical undertaking for the business success of the division and is a large body of work.

The consultant will also work with the ETS EA team to develop enterprise data models, process models, technology models and other necessary enterprise level deliverables to drive and support business functions. The consultant will help the EA team create enterprise level principles, policies, models and standards as requested by service owners and/or divisional leadership. In addition, the consultant will assist the Architectural Review Board and its members with the creation, approval adoption and finalization of deliverables for a wide variety of existing work and new projects ETS has in its portfolio.

### **1.5. MINIMUM QUALIFICATIONS**

The following are the minimum qualifications for Bidders:

- 1.5.1. Licensed to do business in the State of Washington or provide a commitment that it will become licensed in Washington within 30 calendar days of being selected as the ASB.

- 1.5.2. 25 years' experience in Enterprise Architecture.
- 1.5.3. 25 years' experience with enterprise business processes.
- 1.5.4. 25 years' experience with enterprise data modeling.
- 1.5.5. 10 years' experience within a modern Medicaid environment.
- 1.5.6. 25 years' experience with facilitating enterprise decision making at the executive level.

## **1.6. FUNDING**

HCA has a current maximum budgeted amount of \$300,000 per year for the initial three (3) year contract term.

Any contract awarded as a result of this procurement is contingent upon the availability of funding.

## **1.7. FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT**

If the resulting contract is supported by federal funds, such contract may require compliance with the Federal Funding Accountability and Transparency Act (FFATA or the Transparency Act). The purpose of the Transparency Act is to make information available online so the public can see how federal funds are spent.

To comply with the act and be eligible to enter into the resulting contract, the ASB's organization must have a Data Universal Numbering System (DUNS®) number. A DUNS® number provides a method to verify data about your organization. If the organization does not already have one, it may receive a DUNS® number free of charge by contacting Dun and Bradstreet at [www.dnb.com](http://www.dnb.com).

The ASB may be required to complete a Federal Funding Accountability and Transparency Act (FFATA) Data Collection Form which must be returned with the signed contract. If applicable, the contract will not be executed until this form has been properly completed, executed, and received by the agency.

Required information about the contracting organization and this contract will be made available on USASpending.gov by the Washington State Health Care Authority as required by P.L. 109-282. As a tool to provide the information, HCA encourages registration with the Central Contractor Registry (CCR) because less data entry and re-entry is required on behalf of both HCA and the contracting organization. Registration can be done with CCR online at <https://www.uscontractorregistration.com/>.

## **1.8. PERIOD OF PERFORMANCE**

The period of performance of any contract resulting from this RFQQ is tentatively scheduled to begin on or about November 15, 2021 through November 14, 2024. Amendments extending the period of performance, if any, will be at the sole discretion of HCA.

HCA reserves the right to extend the contract for three (3), additional 1-year periods.

## **1.9. CONTRACTING WITH CURRENT OR FORMER STATE EMPLOYEES**

Specific restrictions apply to contracting with current or former state employees pursuant to chapter 42.52 of the Revised Code of Washington. Bidders should familiarize themselves with the requirements prior to submitting a proposal that includes current or former state employees.

#### **1.10. ADA**

HCA complies with the Americans with Disabilities Act (ADA). Bidders may contact the RFQQ Coordinator to receive written information in another format (e.g., large print, audio, accessible electronic formats and other formats).

## 2. GENERAL INFORMATION FOR BIDDERS

### 2.1. RFQQ COORDINATOR

The RFQQ Coordinator is the sole point of contact in HCA for this procurement. All communication between the Bidder and HCA upon release of this RFQQ must be with the RFQQ Coordinator, as follows:

Name	Danielle Mortenson
E-Mail Address	HCAProcurements@hca.wa.gov

Any other communication will be considered unofficial and non-binding on HCA. Bidders are to rely on written statements issued by the RFQQ Coordinator. Communication directed to parties other than the RFQQ Coordinator may result in disqualification of the Bidder.

### 2.2. SUBMISSION OF PROPOSALS

The proposal must be received by the RFQQ Coordinator no later than the Proposal Due deadline in Section **Error! Reference source not found.**, Estimated Schedule of Procurement.

Proposals must be submitted electronically as an attachment to an e-mail to the RFQQ Coordinator at the e-mail address listed in Section 2.1. Attachments to e-mail should be in Microsoft Word format or PDF. Zipped files cannot be received by HCA and cannot be used for submission of proposals. The cover submittal letter and the Certifications and Assurances form must have a scanned signature of the individual within the organization authorized to bind the Bidder to the offer. HCA does not assume responsibility for problems with Bidder's e-mail. If HCA e-mail is not working, appropriate allowances will be made.

Proposals may not be transmitted using facsimile transmission.

Bidders should allow sufficient time to ensure timely receipt of the proposal by the RFQQ Coordinator. Late proposals will not be accepted and will be automatically disqualified from further consideration, unless HCA e-mail is found to be at fault. All proposals and any accompanying documentation become the property of HCA and will not be returned.

### 2.3. PROPRIETARY INFORMATION / PUBLIC DISCLOSURE

Proposals submitted in response to this RFQQ will become the property of HCA. All proposals received will remain confidential until the ASB is announced; thereafter, the proposals will be deemed public records as defined in chapter 42.56 of the Revised Code of Washington (RCW).

Any information in the proposal that the Bidder desires to claim as proprietary and exempt from disclosure under chapter 42.56 RCW, or other state or federal law that provides for the nondisclosure of a document, must be clearly designated. The information must be clearly identified and the particular exemption from disclosure upon which the Bidder is making the claim must be cited. Each page containing the information claimed to be exempt from disclosure must be clearly identified by the words "Proprietary Information" printed on the lower right-hand corner of the page. Marking the entire proposal exempt from disclosure or as Proprietary Information will not be honored.

If a public records request is made for the information that the Bidder has marked as "Proprietary Information," HCA will notify the Bidder of the request and of the date that the records will be released to the requester unless the Bidder obtains a court order enjoining that disclosure. If the Bidder fails to obtain the court order enjoining disclosure, HCA will release the requested



information on the date specified. If a Bidder obtains a court order from a court of competent jurisdiction enjoining disclosure pursuant to chapter 42.56 RCW, or other state or federal law that provides for nondisclosure, HCA will maintain the confidentiality of the Bidder's information per the court order.

A charge will be made for copying and shipping, as outlined in RCW 42.56. No fee will be charged for inspection of contract files, but 24 hours' notice to the RFQQ Coordinator is required. All requests for information should be directed to the RFQQ Coordinator.

The submission of any public records request to HCA pertaining in any way to this RFQQ will not affect the procurement schedule, as outlined in Section 1.2, unless HCA, in its sole discretion, determines that altering the schedule would be in HCA's best interests.

## **2.4. REVISIONS TO THE RFQQ**

If HCA determines in its sole discretion that it is necessary to revise any part of this RFQQ, then HCA will provide addenda via e-mail to all individuals who have made the RFQQ Coordinator aware of their interest. Addenda will also be published on Washington's Electronic Bid System (WEBS) at <https://fortress.wa.gov/ga/webs/>. For this purpose, the published questions and answers and any other pertinent information will be provided as an addendum to the RFQQ and will be placed on the website.

HCA also reserves the right to cancel or to reissue the RFQQ in whole or in part, prior to execution of a contract.

## **2.5. DIVERSE BUSINESS INCLUSION PLAN**

Bidders will be required to submit a Diverse Business Inclusion Plan with their proposal. In accordance with legislative findings and policies set forth in RCW 39.19, the state of Washington encourages participation in all contracts by firms certified by the Office of Minority and Women's Business Enterprises (OMWBE), set forth in RCW 43.60A.200 for firms certified by the Washington State Department of Veterans Affairs, and set forth in RCW 39.26.005 for firms that are Washington Small Businesses. Participation may be either on a direct basis or on a subcontractor basis. However, no preference on the basis of participation is included in the evaluation of Diverse Business Inclusion Plans submitted, and no minimum level of minority- and women-owned business enterprise, Washington Small Business, or Washington State certified Veteran Business participation is required as a condition for receiving an award. Any affirmative action requirements set forth in any federal Governmental Rules included or referenced in the contract documents will apply.

## **2.6. ACCEPTANCE PERIOD**

Proposals must provide 120 calendar days for acceptance by HCA from the due date for receipt of proposals.

## **2.7. COMPLAINT PROCESS**

The complaint process allows vendors to focus on the solicitation requirements and evaluation process and raise issues early enough in the process to allow HCA to correct a problem before proposals are submitted. The complaint period starts on the date of the RFQQ posting and concludes on the Complaints Due date specified in section 1.2, Estimated Schedule of Procurement Activities.

2.7.1. Vendors may submit a complaint to HCA based on any of the following:

- 2.7.1.1. The RFQQ unnecessarily restricts competition;
- 2.7.1.2. The RFQQ evaluation or scoring process is unfair or unclear; or
- 2.7.1.3. The RFQQ requirements are inadequate or insufficient to prepare a response.
- 2.7.2. A complaint may be submitted to HCA prior to (5) five Business Days before the bid response deadline. The complaint must:
  - 2.7.2.1. Be in writing;
  - 2.7.2.2. Be sent to the RFQQ Coordinator, or designee;
  - 2.7.2.3. Clearly articulate the basis for the complaint; and
  - 2.7.2.4. Include a proposed remedy.

The RFQQ Coordinator, or designee, will respond to the complaint in writing. The response to the complaint and any changes to the RFQQ will be posted on WEBS. The Director of HCA will be notified of all complaints and will be provided a copy of HCA's response. A Bidder or potential Bidder cannot raise during a bid protest any issue that the Bidder or potential Bidder raised in a complaint. HCA's action or inaction in response to a complaint will be final. There will be no appeal process.

## **2.8. RESPONSIVENESS**

The RFQQ Coordinator will review all proposals to determine compliance with administrative requirements and instructions specified in this RFQQ. A Bidder's failure to comply with any part of the RFQQ may result in rejection of the proposal as non-responsive.

HCA also reserves the right at its sole discretion to waive minor administrative irregularities.

## **2.9. MOST FAVORABLE TERMS**

HCA 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 which the Bidder can propose. HCA does reserve the right to contact a Bidder for clarification of its proposal.

HCA also reserves the right to use a Best and Final Offer (BAFO) before awarding any contract to further assist in determining the ASB.

The ASB should be prepared to accept this RFQQ for incorporation into a contract resulting from this RFQQ. The contract resulting from this RFQQ will incorporate some, or all, of the Bidder's proposal. The proposal will become a part of the official procurement file on this matter without obligation to HCA.

## **2.10. CONTRACT AND GENERAL TERMS & CONDITIONS**

The ASB will be expected to enter into a contract which is substantially the same as the draft Contract and its general terms and conditions included as Exhibit D. HCA will not accept any draft contracts prepared by any Bidder. The Bidder must be prepared to agree to all terms of the attached Draft Contract, Exhibit D, as presented or the Proposal may be rejected. Bidders must include a copy of the Draft Contract with their proposals that includes redline edits documenting the changes they propose be made if selected as an ASB. If the Bidder fails to identify an objection to any particular term or condition, the term or condition will be deemed agreed to by the Bidder. HCA will review requested exceptions and accept or reject the same at its sole discretion.

If, after the announcement of the ASB, and after a reasonable period of time, the ASB and HCA cannot reach agreement on acceptable terms for the Contract, HCA may cancel the selection and Award the Contract to the next most qualified Bidder.

#### **2.11. COSTS TO PROPOSE**

HCA will not be liable for any costs incurred by the Bidder in preparation of a proposal submitted in response to this RFQQ, in conduct of a presentation, or any other activities related in any way to this RFQQ.

#### **2.12. RECEIPT OF INSUFFICIENT NUMBER OF PROPOSALS**

If HCA receives only one responsive proposal as a result of this RFQQ, HCA reserves the right to either: 1) directly negotiate and contract with the Bidder; or 2) not award any contract at all. HCA may continue to have the bidder complete the entire RFQQ process. HCA is under no obligation to tell the Bidder if it is the only Bidder.

#### **2.13. NO OBLIGATION TO CONTRACT**

This RFQQ does not obligate HCA to enter into any contract for services specified herein.

#### **2.14. REJECTION OF PROPOSALS**

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

#### **2.15. COMMITMENT OF FUNDS**

The Director of HCA or his/her delegate is the only individual who may legally commit HCA to the expenditures of funds for a contract resulting from this RFQQ. No cost chargeable to the proposed contract may be incurred before receipt of a fully executed contract.

#### **2.16. ELECTRONIC PAYMENT**

The state of Washington prefers to utilize electronic payment in its transactions. The ASB will be provided a form to complete with the contract to authorize such payment method.

### 3. PROPOSAL CONTENTS

Proposals must be written in English and submitted electronically to the RFQQ Coordinator in the order noted below:

- A. Letter of Submittal (see Section 3.1), including signed Certifications and Assurances (Exhibit A)
- B. Bidder Information (see Section 3.2)
- C. Qualifications (see Section 3.3)
- D. Quotation Section (see Section 3.4)
- E. Executive Order 18-03 (see Section 3.5 and Exhibit C)
- F. Diverse Business Inclusion Plan (see Exhibit B)
- G. Draft Contract (see Exhibit D)

Proposals must provide information in the same order and with the same section numbers and heading titles as presented in this document.

Items marked “Mandatory” or “M” must be included as part of the proposal for the proposal to be considered responsive; however, these items are not scored. Items marked “Scored” or “MS” are those that are awarded points as part of the evaluation conducted by the evaluation team.

- a) **Mandatory Requirements (M):** The Proposal must always indicate explicitly whether or not the Bidder’s proposed services meet the requirement. A statement, “(Bidder Name) has read, understands, and fully complies with this requirement” is acceptable, along with any additional information requested.
- b) **Mandatory Scored Requirements (MS):** The Proposal must always indicate explicitly whether or not the Bidder’s proposed goods and services meet the requirement and describe how the Bidder’s proposed goods and services will accomplish each requirement.

#### 3.1. LETTER OF SUBMITTAL (M)

The Letter of Submittal and the attached Certifications and Assurances form (Exhibit A to this RFQQ) must be signed and dated by a person authorized to legally bind the Bidder to a contractual relationship, e.g., the President or Executive Director if a corporation, the managing partner if a partnership, or the proprietor if a sole proprietorship. Along with introductory remarks, the Letter of Submittal is to include by attachment the following information about the Bidder and any proposed subcontractors:

- 3.1.1. Name, address, principal place of business, telephone number, and fax number/e-mail address of legal entity or individual with whom contract would be written.
- 3.1.2. Name, address, and telephone number of each principal officer (President, Vice President, Treasurer, Chairperson of the Board of Directors, etc.)
- 3.1.3. Bidder’s authorized representative for this Procurement (This representative will also be named the authorized representative identified in the Bidder’s Proposal);
- 3.1.4. 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.
- 3.1.5. Federal Employer Tax Identification number or Social Security number and the Washington Uniform Business Identification (UBI) number issued by the state of Washington Department of Revenue. If the Bidder does not have a UBI number, the

Bidder must state that it will become licensed in Washington within thirty (30) calendar days of being selected as the ASB.

- 3.1.6. Location of the facility from which the Bidder would operate.
- 3.1.7. Identify any state employees or former state employees employed or on the firm's governing board as of the date of the proposal. Include their position and responsibilities within the Bidder's organization. If following a review of this information, it is determined by HCA that a conflict of interest exists, the Bidder may be disqualified from further consideration for the award of a contract.
- 3.1.8. A statement of how you meet ALL of the Minimum Requirements specified in Section 1.5 of the Procurement.
- 3.1.9. Any information in the proposal that the Bidder desires to claim as proprietary and exempt from disclosure under the provisions of RCW 42.56 must be clearly designated. The page must be identified and the particular exemption from disclosure upon which the Bidder is making the claim must be listed. Each page claimed to be exempt from disclosure must be clearly identified by the word "Proprietary" printed on the lower right-hand corner of the page. In your Letter of Submittal, please list which pages and sections that have been marked "Proprietary" and the particular exemption from disclosure upon which the Bidder is making the claim.

## **3.2. BIDDER INFORMATION (M) and (Optional)**

### **3.2.1. BUSINESS INFORMATION (M):**

- 3.2.1.1. State the name of the company, address, phone number, fax number, e-mail address, legal status of entity (ownership), and year entity was established as it now substantially exists.
- 3.2.1.2. Provide the firm's Federal Employer Tax Identification number or Social Security number and the Washington Uniform Business Identification (UBI) number issued by the state of Washington Department of Revenue.
- 3.2.1.3. Indicate how many employees are with the firm. Name the firm principles and their roles.
- 3.2.1.4. Identify any state employees or former state employees employed by the Bidder or on the Bidder's governing board as of the date of the proposal. Include their position and responsibilities within the Bidder's organization. If following a review of this information it is determined by HCA that a conflict of interest exists, the Bidder may be disqualified from further consideration for the award of a contract.
- 3.2.1.5. If the Bidder'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, identify the individual by name, the agency previously or currently employed by, job title or position held, and separation date.
- 3.2.1.6. If the Bidder has had a contract terminated for default in the last five years, describe such incident. Termination for default is defined as notice to stop performance due to the Bidder'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.

- 3.2.1.7. Submit full details of the terms for default, including the other party's name, address, and phone number. Present the Bidder's position on the matter. HCA will evaluate the facts and may, at its sole discretion, reject the proposal on the grounds of the past experience. If no such termination for default has been experienced by the Bidder in the past five years, so indicate.

**3.2.2. REFERENCES (M)**

List names, addresses, telephone numbers, fax numbers, and e-mail addresses of three (3) business references for whom work has been accomplished and briefly describe the type of service provided for them. By submitting a proposal in response to this RFQQ, the Bidder and team members grant permission to HCA to contact these references and others, who from HCA's perspective, may have pertinent information. HCA may or may not, at HCA's discretion, contact references. Do not include current HCA staff as references.

**3.2.3. OMWBE CERTIFICATION (OPTIONAL AND NOT SCORED)**

Include proof of certification issued by the Washington State Office of Minority and Women's Business Enterprises if certified minority-owned firm and/or women-owned firm(s) will be participating on this project.

**3.3. QUALIFICATIONS (MS)**

Maximum available points: 80

Please provide your response to each of the below scored items within this Qualifications Section.

**3.3.1. EXPERIENCE (MS; Maximum available points: 35)**

- 3.3.1.1. Describe the firm's recent experience with Enterprise Architecture development, including but not limited to: enterprise governance efforts, enterprise data modeling, enterprise process modeling, enterprise policy creation, enterprise standards creation, enterprise principles creation. (Maximum available points: 25)
- 3.3.1.2. Describe services provided by the Bidder that indicate the firm's ability to provide the services described in this RFQQ. (Maximum available points: 10)

**3.3.2. STAFFING (MS; Maximum available points: 25)**

- 3.3.2.1. Provide a description of the proposed individual and internal controls to be used during the course of the resulting contract. Subcontractors/Subcontracts will not be acceptable. (Maximum available points: 10)
- 3.3.2.2. Provide the name and a resume of the person who will be the lead contact for the resulting contract. Provide name and resume for the single individual, which includes information on the individual's particular skills related to this resulting contract, education, experience, significant accomplishments, and any other pertinent information. (Maximum available points: 15)

3.3.3. SCHEDULE (MS: Maximum available points: 20)

Describe the firm's ability to meet deadlines, especially on a short-time frame, and give examples of how past tight deadlines have been successfully met.

### 3.4. QUOTATIONS (MS)

Bidders are to provide their response to this Section 3.4 as a separate attachment.

The evaluation process is designed to award this procurement not necessarily to the Bidder of least cost, but rather to the Bidder whose proposal best meets the requirements of this RFQQ. However, Bidders are encouraged to submit proposals which are consistent with state government efforts to conserve state resources.

3.4.1. Identification of Costs (Maximum available points: 15)

Bidder is to provide their hourly rate inclusive of all costs in U.S. dollars including expenses to be charged for performing the services necessary to accomplish the objectives of the contract, including staff costs and any expenses necessary to accomplish the tasks and to produce the deliverables under the contract. Bidders are required to collect and pay Washington state sales and use taxes, as applicable.

3.4.2. Computation

The score for the cost proposal will be computed by dividing the lowest cost bid received by the Bidder's total cost. Then the resultant number will be multiplied by the maximum possible points for the cost section.

### 3.5. EXECUTIVE ORDER 18-03 (MS)

Maximum available points: 5

Pursuant to RCW 39.26.160(3) and consistent with Executive Order 18-03 – Supporting Workers' Rights to Effectively Address Workplace Violations (dated June 12, 2018), HCA will evaluate bids for best value and provide a bid preference in the amount of 5 points to any Bidder who certifies, pursuant to the certification attached as Exhibit C, 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. Bidders that do require their employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waiver will not be disqualified evaluation of this RFQQ, however they will receive 0 out of 5 points for this section.

## 4. EVALUATION AND CONTRACT AWARD

### 4.1. EVALUATION PROCEDURE

Responsive proposals will be evaluated strictly in accordance with the requirements stated in this solicitation and any addenda issued. The evaluation of proposals will be accomplished by an evaluation team(s), to be designated by HCA, which will determine the ranking of the proposals. Evaluations will only be based upon information provided in the Bidder's Proposal.

All proposals received by the stated deadline, Section 1.2, Estimated Schedule of Procurement Activities, will be reviewed by the RFQQ Coordinator to ensure that the Proposals contain all of the required information requested in the RFQQ. Only responsive Proposals that meet the requirements will be evaluated by the evaluation team. Any Bidder who does not meet the stated qualifications or any Proposal that does not contain all of the required information will be rejected as non-responsive.

The RFQQ Coordinator may, at his or her sole discretion, contact the Bidder for clarification of any portion of the Bidder's proposal. Bidders should take every precaution to ensure that all answers are clear, complete, and directly address the specific requirement.

Responsive Proposals will be reviewed and scored by an evaluation team using a weighted scoring system, Section 4.2, Evaluation Weighting and Scoring. Proposals will be evaluated strictly in accordance with the requirements set forth in this RFQQ and any addenda issued.

HCA, at its sole discretion, may elect to select the top-scoring firms as finalists for an oral presentation.

### 4.2. EVALUATION WEIGHTING AND SCORING

Below outlines the maximum available points that will be assigned to the proposal for evaluation purposes:

Section	Maximum Available Points
<b>Qualifications</b>	<b>80</b>
Experience	35
Staffing	25
Schedule	20
<b>Quotations</b>	<b>15</b>
<b>Executive Order 18-03</b>	<b>5</b>
<b>Total (without Oral Presentation)</b>	<b>100</b>
Oral Presentation (if required)	50
<b>Total (with Oral Presentation, if required)</b>	<b>150</b>

HCA reserves the right to award the contract to the Bidder whose proposal is deemed to be in the best interest of HCA and the state of Washington.



#### 4.3. SCORING METHODOLOGY - QUALIFICATIONS

Evaluators will assign a score from 0-10 to each Qualifications scored element based on the scoring matrix below:

Scoring Methodology		
Score	Description	Scoring Criteria
10	Far Exceeds Requirements	The Bidder has provided an innovative, detailed, and thorough response to the requirement, and clearly demonstrates a high level of experience with, or understanding of the requirement.
7	Exceeds Requirements	The Bidder has demonstrated an above-average capability, approach, or solution and has provided a complete description of the capability, approach, or solution.
5	Meets Requirements	The Bidder has an acceptable capability of solution to meet this criterion and has described its approach in sufficient detail to be considered "as substantially meeting the requirements".
3	Below Requirements	The Bidder has established some capability to perform the requirement but descriptions regarding their approach are not sufficient to demonstrate the Bidder will be fully able to meet the requirements.
1	Substantially Below Requirements	The Bidder has not established the capability to perform the requirement, has marginally described its approach, or has simply restated the requirement.
0	No Value	The Bidder does not address any component of the requirement or no information was provided.

#### 4.4. ORAL PRESENTATIONS MAY BE REQUIRED

HCA may after evaluating the written proposals elect to schedule oral presentations of the finalists. Should oral presentations become necessary, HCA will contact the top-scoring firm(s) from the Qualifications, Quotations, and EO-18-03 evaluation to schedule a date, time, and location. Commitments made by the Bidder at the oral interview, if any, will be considered binding.

The scores from the Qualifications, Quotations, and EO-18-03 evaluation and the oral presentation combined together will determine the ASB.

#### 4.5. SUBSTANTIALLY EQUIVALENT SCORES

Substantially equivalent scores are scores separated by two percent or less in total points. If multiple Proposals receive a Substantially Equivalent Score, HCA may leave the matter as scored, or select as the ASB the one Proposal that is deemed by HCA, in its sole discretion, to be in HCA's best interest relative to the overall purpose and objective as stated in Sections 1.3 and 1.4 of this RFQQ.

If applicable, HCA's best interest will be determined by HCA managers and executive officers, who have sole discretion over this determination. The basis for such determination will be communicated in writing to all Bidders with equivalent scores.

#### **4.6. NOTIFICATION TO BIDDERS**

HCA will notify the ASB of its selection in writing upon completion of the evaluation process. Individuals or firms whose proposals were not selected for further negotiation or award will be notified separately by e-mail.

#### **4.7. DEBRIEFING OF UNSUCCESSFUL BIDDERS**

Any Bidder who has submitted a proposal and been notified it was not selected for contract award may request a debriefing. The request for a debriefing conference must be received by the RFQQ Coordinator no later than 5:00 p.m., local time, in Olympia, Washington, within three business days after the Unsuccessful Bidder Notification is e-mailed to the Bidder. The debriefing will be held within three (3) business days of the request, or as schedules allow.

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

- 4.7.1. Evaluation and scoring of the firm's proposal;
- 4.7.2. Critique of the proposal based on the evaluation; and
- 4.7.3. Review of Bidder's final score in comparison with other final scores without identifying the other firms.

Comparisons between proposals, or evaluations of the other proposals will not be allowed. Debriefing conferences may be conducted in person or on the telephone and will be scheduled for a maximum of thirty (30) minutes.

#### **4.8. PROTEST PROCEDURE**

Protests may be made only by Bidders who submitted a response to this solicitation document and who have participated in a debriefing conference. Upon completing the debriefing conference, the Bidder is allowed five (5) Business Days to file a protest of the acquisition with the RFQQ Coordinator. Protests must be received by the RFQQ Coordinator no later than 4:30 p.m., local time, in Olympia, Washington on the fifth Business Day following the debriefing. Protests may be submitted by e-mail to ensure timely receipt.

Bidders protesting this RFQQ must follow the procedures described below. Protests that do not follow these procedures will not be considered. This protest procedure constitutes the sole administrative remedy available to Bidders under this RFQQ.

All protests must be in writing, addressed to the RFQQ Coordinator, and signed by the protesting party or an authorized agent. The protest must state 1) the RFQQ number, 2) the grounds for the protest with specific facts, 3) complete statements of the action(s) being protested, and 4) the relief or corrective action being requested. Protests must be emailed to [contracts@hca.wa.gov](mailto:contracts@hca.wa.gov) with the following subject line: RFQQ #2021HCA23 Protest – [Bidder Name].”

Consistent with RCW 39.26.030, bid submissions and bid evaluations will be available for public inspection following the announcement of ASB. If requested, the protest period will not conclude before the requestor has been provided with the applicable bid submissions and bid evaluations and provided five (5) Business Days to review the same. Bidder is responsible for notifying the Procurement Coordinator of any such public disclosure requests so the timeline can be adjusted accordingly.

Only protests alleging an issue of fact concerning the following subjects will be considered:

- 1. A matter of bias, discrimination, or conflict of interest on the part of an evaluator;

2. Errors in computing the score; or
3. Non-compliance with procedures described in this RFQQ, HCA's protest process, or DES policy requirements (POL-DES0170-00).

Protests based on anything other than those items listed above will not be considered. Protests will be rejected as without merit to the extent they address issues such as: 1) an evaluator's professional judgment on the quality of a proposal; or 2) HCA's assessment of its own needs or requirements.

Upon receipt of a protest, HCA will undertake a protest review. The HCA Director, or an HCA employee who is a neutral party with no involvement in the evaluation and award process, a Protest Officer will be assigned to investigate and respond to the protest. If the HCA Director delegates the protest review to an HCA employee, the Director nonetheless reserves the right to make the final agency decision on the protest. The HCA Director or his or her designee will have the right to seek additional information regarding the RFQQ from sources they deem appropriate in order to fully consider the protest.

If HCA determines in its sole discretion that a protest from one Bidder may affect the interests of another Bidder, then HCA will invite such Bidder to submit its views and any relevant information on the protest to the Protest Officer. In such a situation, the protest materials submitted by each Bidder will be made available to the other Bidder upon request.

The Protest Officer will issue a written protest response no more than ten Business Days after receipt of the protest, unless additional time is needed, in which case HCA will notify the protesting bidder in writing. The Protest Officer's decision is final unless the HCA Director exercises their right to make the final agency decision on the protest. There will be no appeal process.

The final determination of the protest will:

1. Find the protest lacking in merit and uphold HCA's action; or
2. Find only technical or harmless errors in HCA's acquisition process and determine HCA to be in substantial compliance and reject the protest; or
3. Find merit in the protest and provide options to the HCA Director, which may include:
  - a. Correct the errors and re-evaluate all proposals; or
  - b. Issue a new solicitation document and begin a new process; or
  - c. Make other findings and determine other courses of action as appropriate.

If the protest is not successful, HCA will enter into a contract with the ASB, assuming the parties reach agreement on the contract's terms.

## **5. RFQQ EXHIBITS**

Exhibit A	Certifications and Assurances
Exhibit B	Diverse Business Inclusion Plan
Exhibit C	Executive Order 18-03
Exhibit D	Draft Contract (separate attachment)

**EXHIBIT A  
CERTIFICATIONS AND ASSURANCES**

I/we make the following certifications and assurances as a required element of the proposal to which it is attached, understanding that the truthfulness of the facts affirmed here and the continuing compliance with these requirements are conditions precedent to the award or continuation of the related contract:

1. I/we declare that all answers and statements made in the proposal are true and correct.
2. The prices and/or cost data have been determined independently, without consultation, communication, or agreement with others for the purpose of restricting competition. However, I/we may freely join with other persons or organizations for the purpose of presenting a single proposal.
3. The attached proposal is a firm offer for a period of 120 days following receipt, and it may be accepted by HCA without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 120-day period.
4. In preparing this proposal, I/we have not been assisted by any current or former employee of the state of Washington whose duties relate (or did relate) to this proposal or prospective contract, and who was assisting in other than his or her official, public capacity. If there are exceptions to these assurances, I/we have described them in full detail as redline edits within our response to Exhibit D, Draft Contract.
5. I/we understand that HCA will not reimburse me/us for any costs incurred in the preparation of this proposal. All proposals become the property of HCA, and I/we claim no proprietary right to the ideas, writings, items, or samples, unless so stated in this proposal.
6. Unless otherwise required by law, the prices and/or cost data which have been submitted have not been knowingly disclosed by the Bidder and will not knowingly be disclosed by him/her prior to opening, directly or indirectly, to any other Bidder or to any competitor.
7. I/we agree that submission of the attached proposal constitutes acceptance of the solicitation contents and the attached draft contract and general terms and conditions. If there are any exceptions to these terms, I/we have described those exceptions as redline edits in detail within our response to Exhibit D, Draft Contract.
8. No attempt has been made or will be made by the Bidder to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition.
9. I/we grant HCA the right to contact references and other, who may have pertinent information regarding the ability of the Bidder and the lead staff person to perform the services contemplated by this RFQQ.
10. If any staff member(s) who will perform work on this contract has retired from the State of Washington under the provisions of the 2008 Early Retirement Factors legislation, his/her name(s) is noted on a separately attached page.

We (circle one) **are / are not** submitting proposed Contract exceptions. (See Section 2.12, Contract and General Terms and Conditions.) If Contract exceptions are being submitted, I/we have included them within Exhibit D, Draft Contract.

**On behalf of the Bidder submitting this proposal, my name below attests to the accuracy of the above statement. We are submitting a scanned signature of this form with our proposal.**

\_\_\_\_\_  
Signature of Bidder

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**Exhibit B**  
**DIVERSE BUSINESS INCLUSION PLAN**

Do you anticipate using, or is your firm, a State Certified Minority Business?	<input type="checkbox"/> Y	<input type="checkbox"/> N
Do you anticipate using, or is your firm, a State Certified Women's Business?	<input type="checkbox"/> Y	<input type="checkbox"/> N
Do you anticipate using, or is your firm, a State Certified Veteran Business?	<input type="checkbox"/> Y	<input type="checkbox"/> N
Do you anticipate using, or is your firm, a Washington State Small Business?	<input type="checkbox"/> Y	<input type="checkbox"/> N

If you answered No to all of the questions above, please explain: \_\_\_\_\_

Please list the approximate percentage of work to be accomplished by each group:

Minority	_____	%
Women	_____	%
Veteran	_____	%
Small Business	_____	%

Please identify the person in your organization to manage your Diverse Inclusion Plan responsibility.

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

E-Mail: \_\_\_\_\_

## Exhibit C

**CONTRACTOR CERTIFICATION  
EXECUTIVE ORDER 18-03 – WORKERS’ RIGHTS  
WASHINGTON STATE GOODS & SERVICES CONTRACTS**

*Pursuant to the Washington State Governor’s Executive Order 18-03 (dated June 12, 2018), the Washington State Health Care Authority 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.*

Solicitation No.: RFQQ #2021HCA23

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

- ☐ **NO MANDATORY INDIVIDUAL ARBITRATION CLAUSES AND CLASS OR COLLECTIVE ACTION WAIVERS FOR EMPLOYEES.** 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.

OR

- ☐ **MANDATORY INDIVIDUAL ARBITRATION CLAUSES AND CLASS OR COLLECTIVE ACTION WAIVERS FOR EMPLOYEES.** This firm requires 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 Contractor/Bidder – Print full legal entity name of firm

By: \_\_\_\_\_  
Signature of authorized person

\_\_\_\_\_  
Print Name of person making certifications for firm

Title: \_\_\_\_\_  
Title of person signing certificate

Place: \_\_\_\_\_  
Print city and state where signed

Date: \_\_\_\_\_