



# City of Seattle

## Department of Education and Early Learning (DEEL) REQUEST FOR PROPOSALS Consultant Contract

**Project Title:  
Family Child Care Study**

### Procurement Schedule

Schedule of Events	Date/Time	Where
Solicitation Release	January 25, 2018	1. Daily Journal of Commerce 2. Department of Education and Early Learning website page: <a href="http://www.seattle.gov/education">http://www.seattle.gov/education</a>
Pre-Submittal Conference	January 30, 2018: 2:30pm to 3:30pm	Seattle Municipal Tower Room 2750, 27 <sup>th</sup> Floor <a href="#">Map It</a> 700 5 <sup>th</sup> Avenue, Seattle, WA 98104 <b>If you would like to refer to a hard copy, please bring a copy of this RFP to the Pre-Submittal Conference.</b>
Questions Deadline	February 9, 2018 by 5pm	E-mail all questions to <a href="mailto:cameron.clark@seattle.gov">cameron.clark@seattle.gov</a>
Response Deadline	February 16, 2018 by 5pm	Submission instructions included in <a href="#">Section 7.9</a> , pg. 7
RFP Interviews	February 27 and February 28, 2018	Department of Education and Early Learning (DEEL) <a href="#">Map It</a> 700 5 <sup>th</sup> Ave, Suite, Room TBD Seattle, WA 98104
Announcement of Successful Proposer(s)	March 9, 2018	
Anticipated Contract Negotiation Period	March 12 to March 23, 2018	
Contract Execution	April 6, 2018	

*The City reserves the right to modify this schedule.  
Changes will be posted on the City's Funding Opportunities page on the DEEL website:  
<http://www.seattle.gov/education/for-providers/funding-opportunities>*

# Procurement Contact

Project Manager:

Cameron Clark, [cameron.clark@seattle.gov](mailto:cameron.clark@seattle.gov), (206) 684-5734

Unless authorized by the Project Manager, no other City official or employee may speak for the City regarding this solicitation until award is complete. Any Proposer contacting other City officials or employees does so at Proposer’s own risk. The City is not bound by such information.

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# 1. Purpose and Background

This Request for Proposal (RFP) seeks qualified consultants and/or researchers to implement a strategy review of our family child care (FCC) approach. The maximum cost for this work is \$80,000.

DEEL's mission, under the direction of Mayor Jenny Durkan, is to ensure that all Seattle children have the greatest opportunity to succeed in school and life, and to graduate from school ready for college or a career. DEEL achieves these goals by investing in high-quality early learning services, supporting programs that help children succeed in school, and increasing the capacity of early learning programs in underserved communities. To realize this mission, DEEL values working with quality community-based early learning partners to ensure City investments and programs are reaching traditionally underserved populations.

Seattle has a rich and vibrant family child care community, with over 350 family child care businesses serving children from birth through age 12 across the city. DEEL has partnered with FCCs in our Comprehensive Child Care Program (CCCP) for several years and supported FCC owner-operators to attend HighScope curriculum training. This fall, DEEL began two FCC partnership pilot programs. First, DEEL developed a structure for including FCCs as service delivery partners in our Seattle Preschool Program (See Attachment 3 and link in Section 13). Second, in partnership with United Way of King County, DEEL is piloting a new iteration of Parent Child Home Program (PCHP) in FCC homes (See link in Section 13). To guide the evolution of these new lines of business, DEEL has convened an advisory council, Seattle Family Child Care Advisory Council (See Attachment 4 and link in Section 13), which consists of active family child care operators and other FCC stakeholders. The purpose of this group is to advise DEEL on the development of our overarching family child care strategy.

DEEL is in the beginning stages of developing an FCC engagement strategy and, with that in mind, the Seattle City Council in 2017 allocated funds and directed DEEL to identify researchers to conduct a study to ascertain how the City can best support the Seattle FCC community. The deliverables that result from this study will be leveraged both by the Family Child Care Advisory Council and the City of Seattle to shape the guiding principles and strategy areas for our family child care investments.

The successful entity will work closely both with DEEL staff and its Family Child Care Advisory Council to share learnings and engage in strategic discussions. To align with DEEL's strategy development, the study's scope of work will be implemented over a five-month period in 2018.

# 2. Performance Schedule

## **Development, Presentation, and Execution of the Family Child Care Study**

The primary work for this contract will be from March 2018 through July 2018. The following is an anticipated schedule of deliverables, subject to change by DEEL.

### **Phase I: Strategy Review Approach**

1. April 14: Presentation of Evaluation Questions and Anticipated Approach to Family Child Care Advisory Council for input
2. April 20: Draft Research Plan submitted to DEEL
3. April 25: Final Research Plan, incorporating stakeholder comments, submitted to DEEL

### **Phase II: Family Child Care Landscape Analysis**

1. May 25, 2018: Landscape Analysis delivered to DEEL
2. June 2, 2018: Presentation and strategic discussion the Landscape Analysis with the Family Child Care Advisory Council

### **Phase III: Review of Current DEEL funded Family Child Care Initiatives**

1. July 10, 2018: Draft brief submitted to DEEL
2. July 14, 2018: Consultant presents brief and engages in strategic discussion with the Family Child Care Advisory Council
3. July 25, 2018: Consultant submits final brief to DEEL

### **Phase IV: Strategy Recommendations**

1. August 15, 2018: Draft Strategy brief submitted to DEEL
2. Date to be determined: Consultant presents draft brief and engages in strategic discussion with the Family Child Care Advisory Council
3. September 7, 2018: Consultant submits final brief to DEEL

DEEL structures agreements on deliverables, not time allotments. It is permissible to use effort to estimate cost, but the final payment will be made upon receipt and approval of deliverables.

## **3. Solicitation Objectives**

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

- The City seeks an experienced Consultant or team with a strong track record of applying a racial equity lens to produce recommendations toward the City's developing of a family child care support strategy.
- The City seeks to increase its understanding of the benefits and challenges of our current investments and activities with family child care providers.
- The City seeks to enrich its discussions with the Family Child Care Advisory Council by introducing data and findings from a strategic evaluation.
- The City seeks to develop a family child care strategy informed by data and evaluation and aligned with the needs of Seattle family child care community.

## **4. Minimum Qualifications**

The City has minimum qualifications for a Consultant to be eligible to submit an RFP response. The submittal response must show compliance with these minimum qualifications. Submittals that are not responsive to these qualifications shall be rejected by the City without further consideration:

1. Consultant (or sub-consultant) has conducted evaluations related to the early childhood field within the last three years.
2. Consultant (or sub-consultant) has demonstrated experience conducting evaluations that used both quantitative and qualitative methodologies.
3. Consultant (or sub-consultant) has knowledge and experience conducting evaluations with a racial equity lens, including demonstrated ability to conduct data collection approaches that deliver the perspectives of communities that have been historically marginalized in government policy, including: communities of color, linguistically diverse communities, immigrant communities, and other communities that experience barriers to participation in public programs.

## **5. Desired Qualifications**

1. Consultant (or sub-consultant) has expertise working on a project of similar size, scope, and budget.
2. Consultant (or sub-consultant) has knowledge and experience conducting evaluations with an early learning focus, particularly projects that have included family child care/home visiting or family,

friends and neighbor (FFN) care as a primary focus.

3. Consultant (or sub-consultant) can demonstrate competencies in executing evaluations that informed the development and/or refinement of publicly-funded programs or investment strategies.

## 6. Scope of Work

The consultant will utilize a mixed-methods approach to execute the evaluation, including both quantitative and qualitative approaches to understanding community experience and need. Methods may include key informant interviews, focus groups, surveys, secondary data analyses from the City of Seattle, DEEL, or other public and program sources.

A high-quality strategy review for this scope of work will have the following characteristics:

- Provide an understanding of the current makeup of the family child care community in Seattle, including both the unique assets providers bring to the larger early learning community and the current challenges they face, particularly in partnering with public programs.
- Highlight evidence-based, racial equity-enhancing adjustments, course corrections, or areas for deeper investment that the City can pursue as its family child care strategy evolves.
- Engage DEEL and the Family Child Care Advisory Council in strategic discussions on the findings throughout the scope of work.

**Deliverables:** The project is divided into four phases. DEEL anticipates **the first phase** in the contract will be an evaluation plan that outlines the approach and methods for completing this work. The evaluation plan should be finalized with the input of the City of Seattle Family Child Care Advisory Council. **The second** is a landscape analysis brief/short report or Power Point slide deck. For this document, DEEL highly encourage the use of maps or other data visualization tools. **The third** is a brief that summarizes findings from a review of current City efforts in family child care. **The final phase** is a brief/short report of recommendations for how the City can strengthen its investments and activities in the family child care space.

### **Phase 1: Evaluation Plan**

1. A description of the research approach to completing the scope of work

**Deliverable Format:** 2-4-page overview of the evaluation approach that includes research methods, evaluation questions and schedule for the project.

### **Phase 2: Landscape Analysis**

1. What are the characteristics of the family child care community in Seattle as they relate to race, ethnicity, geographic distribution and licensed capacity?
2. What can any historical data tell us about demographic changes/trends within the community over the past 10 to 20 years? What historical early learning policy changes have impacted the community?
3. What do we know about children currently attending family child care homes in Seattle? What demographic information is available on the children? How much are families typically paying for family child care? Are children connected to public subsidy programs attending family child care? If so, what subsidy programs and where are those families attending?

**Deliverable Format:** 4-6-page Brief (not including attachments) or a PowerPoint deck or other format negotiated by the consultant and DEEL.

### **Phase 3: Assessment of Current DEEL FCC Initiatives**

1. To what degree are current City-sponsored family child care initiatives effective in supporting FCCs in improving their practice?
2. To what degree are current Seattle-sponsored family child care initiatives effectively supporting the business operations of family child care programs participating in the programs?

**Deliverable Format:** 6–8 page brief or PowerPoint deck or another format negotiated by the consultant and DEEL.

### **Phase 4: Recommendations for City Supports**

1. What are 3–5 areas DEEL should focus on as it builds a formal family child care strategy?
2. In what areas are current City supports in alignment, or not in alignment with areas where FCCs could use additional support for their work?
3. What aspects of DEEL initiatives have the highest potential for building a long-term, sustainable family child care community that delivers high-quality programming?

**Deliverable Format:** 6–8 page brief or PowerPoint deck or another format negotiated by the consultant and DEEL.

## **7. Response Materials and Submittal**

**Prepare your response as follows. Use the following format and provide all attachments. Failure to provide all information below on proper forms and in order requested may cause the City to reject your response.**

1. **Letter of interest (optional).**

**The following items are mandatory:**

2. **Legal Name:** Submit a certificate, copy of web-page, or documentation from the Secretary of State in which you incorporated that shows your company’s legal name. Many companies use a “Doing Business As” name or nickname in daily business; the City requires the legal name for your company. When preparing all forms below, use the proper company legal name. Your company’s legal name can be verified through the State Corporation Commission in the state in which you were established; this is often located within the Secretary of State’s Office for each state. For the State of Washington, see <http://www.secstate.wa.gov/corps/>
3. **Minimum Qualifications:** Provide a response limited to 2 pages that lists each Minimum Qualification listed on Page 4, and exactly how you achieve each minimum qualification. Remember that the determination you have achieved all the minimum qualifications is made from list described on this page. The Project Manager is not obligated to check references or search other materials to make this decision.
4. **Consultant Questionnaire:** Submit the following with your response, even if you sent the questionnaire in to the City for previous solicitations.



Consultant  
Questionnaire 5-8-13

5. **Proposal Response:** In addition to the required Documents 2, 3, and 4 above, please provide the following information in your proposal response. Please limit your proposal response to 10 double-

sided pages and follow the Response Submission Instructions listed in [Item 9](#) below. Your proposal should be comprehensible to an educated non-expert.

- 5A: Team Composition and Competencies:** Include a document listing all team members, including proposed partners and subcontractors, and their experiences and expertise related to this project. Please detail specific team members relative to each of the minimum and desired qualifications listed in Section 4, Minimum Qualifications, and Section 5, Desired Qualifications. *(Maximum two double sided, single-spaced pages)*
- 5B: Anticipated Evaluation Approach:** Describe how you would approach the scope of work and answering the evaluation questions. Also list any other evaluation questions you feel would strengthen the work. In your description, please list team member roles as they pertain to the data collection, analysis and reporting. Lastly, please describe how you anticipate using a race and social justice lens in the work. *(Maximum six double-sided, single-spaced pages)*
- 5C: Proposed Communications and Reporting Protocols:** Include a description of how you would communicate the project status throughout the development of the deliverables to DEEL, and your presentation approach to the Family Child Care Advisory Council. *(Maximum two doubled sided, single spaced pages)*

- 6. Cost Proposal.** Please submit a detailed budget that include hours by task and hourly rates for team members participating on the project. The maximum cost for this work is \$80,000.
- 7. Prior Work Samples.** Provide at least three samples of work related to the scope of this project. If sub-consultants are used, provide additional relevant work samples for each. Links or hard-copies are acceptable. If links are used, please email them to the project manager.
- 8. List of Professional References.** *For each team member* and sub-consultant, provide contact information for at least two professional references who can speak to the individual's experience doing work similar to the tasks assigned to this person in this proposal's work plan.

## Package Checklist:

**Package your response with each of the following items. This list assists with quality control before submittal of your final package. Addenda may change this list; check any final instructions before submitting:**

1. Letter of Interest (optional)
  2. Proof of Legal Name
  3. Minimum Qualifications
  4. Consultant Questionnaire (see embedded form)
  5. Proposal Response (see Proposal Response Section, above)
  6. Cost Proposal
  7. Prior Work Samples
  8. List of Professional References (two for each team member and sub-consultant).
- 9. Response Submission.** Responses are due and ***must be received by*** 5:00 p.m. PST on February 16. Please mail or hand-deliver **eight (8) paper copies** of your RFP. **You must also send the files electronically** (see below for e-mail instructions).

Responses to each of the narrative sections above must follow the page limits identified, where applicable, in the instructions for each package item. All narrative responses must be on 8½" X 11"

paper, typed or word-processed, minimum size 11 font, with 1-inch margins, double-sided, page-numbered, and stapled with the other attachments.

Responses should not be sent with covers, binders, or computer disks.

**Send hard copies:**

By US mail: Department of Education and Early Learning  
RFP – Family Child Care Study  
PO Box 94665  
Seattle, WA 98124-6965

Hand-deliver [Map It](#)  
or FedEx/UPS: Department of Education and Early Learning  
RFP – Family Child Care Study  
Seattle Municipal Tower  
700 5<sup>th</sup> Avenue, Suite 1700  
Seattle, WA 98104

**Send Electronic copy to:** [cameron.clark@seattle.gov](mailto:cameron.clark@seattle.gov)

- Submit files only in MS Word or Adobe PDF or MS Excel. The 10-page maximum Proposal Response (items 5A-5D) should be submitted as one file.
- Please use the following naming convention for the electronic files:

**[ConsultantName]\_FCC\_RFP\_Item#\_Item**

For example: *StarConsulting\_FCC\_RFP\_1\_Letter of Interest*

- Use this format for your e-mail Subject Heading:  
**[ConsultantName]\_FCC\_RFP**

**Submittal Questions:** [cameron.clark@seattle.gov](mailto:cameron.clark@seattle.gov) or 206-684-5734

## 8. Selection Process

**8.1 Initial Screening:** The City will review the Proof of Legal Name, Minimum Qualification Sheet, and Consultant Questionnaire responses for completeness and eligibility. Submittals found responsive and responsible based on this initial screening shall proceed to Step 2: Evaluating the Proposal Response, Cost Proposal, Prior Work Samples, and List of Professional References.

**8.2 Proposal Evaluation:** The City will evaluate proposals using the criteria below. Responses will be evaluated, scored, and ranked.

**Evaluation Criteria:**

Proposal Section Number	Evaluation Criteria for Full Points	Scoring (Points)
5A. Team Composition and Competencies	<ul style="list-style-type: none"> <li>• The team meets or exceeds minimum qualifications</li> <li>• The team meets or exceeds desired qualifications</li> </ul>	20
5B. Project Work Plan	<ul style="list-style-type: none"> <li>• Work plan describes a thoughtful approach that is aligned with the evaluation questions in the Scope of Work section</li> <li>• Approach names team members responsible for each task/subtask.</li> </ul>	35



Proposal Section Number	Evaluation Criteria for Full Points	Scoring (Points)
	<ul style="list-style-type: none"> <li>Plan demonstrates use of a race and social justice lens in the work</li> </ul>	
5C. Proposed Communications and Timeline	<ul style="list-style-type: none"> <li>Proposed communications and timeline align with the deliverable schedule detailed in the Scope of Work.</li> </ul>	10
6. Cost Proposal	<ul style="list-style-type: none"> <li>Costs appear to be reasonable and within the Scope of Work.</li> </ul>	10
7. Prior Work Samples	<ul style="list-style-type: none"> <li>Work samples are high-quality and relevant to the Scope of Work.</li> </ul>	20
8. List of Professional References	<ul style="list-style-type: none"> <li>Proposal provides a list of at least two professional references for each team member and sub-consultant.</li> </ul>	5 (meets) 0 (does not meet)

- 8.3 Interviews:** If interviews are conducted, rankings of consultants shall be determined by the City, using the combined results of interviews and proposal submittals. Consultants invited to interview are to bring the assigned Project Manager named in their Proposal, and may bring other key personnel named in the Proposal.
- 8.4 References:** The City may contact one or more references. The City may use references named or not named by the Proposer.
- 8.5 Selection:** The City shall select for award the highest ranked Proposer(s) based on their interview (if applicable) and written proposal.
- 8.6 Contract Negotiations.** The City may negotiate elements of the proposal as required to best meet the needs of the City, with the apparent successful Proposer. The City may negotiate any aspect of the proposal or the solicitation. The City does not intend to negotiate the base contract, which has been attached (see [Attachments](#)).
- 8.7 Repeat of Evaluation:** If no Consultant is selected after the conclusion of all the steps, the City may return to any step in the process to repeat the evaluation with those proposals active at that step. The City shall then sequentially step through all remaining steps as if conducting a new evaluation process. The City reserves the right to terminate the process if no proposals meet its requirements.

## 9. Award and Contract Execution

The Project Manager will provide timely notice of an intent to award to all Consultants responding to the Solicitation.

### 9.1 Protests to Project Manager.

Interested parties that wish to protest any aspect of this RFP selection process must provide written notice to the City Project Manager for this solicitation. Note: the City shall notify the Federal Transit Administration (FTA) if a protest is received for a solicitation for contracts with FTA funds.

### 9.2 Protests – City Purchasing and Contracting Services.

The City has rules governing the rights and obligations of interested parties that desire to submit a complaint or protest to this process. Please see the City website at <http://www.seattle.gov/city-purchasing-and-contracting/consultant-contracting>. Interested parties have the obligation to know of and understand these rules, and to seek clarification from the City. Note there are time limits on protests, and submitters have final responsibility to learn of results in sufficient time for such protests to be filed in a timely manner.

### 9.3 Debriefs.

For a debrief, contact the City Project Manager.

### 9.4 Instructions to the Apparently Successful Consultant(s).

The Apparently Successful Consultant(s) will receive an Intent to Award Letter from the Project Manager after award decisions are made by the City. The Letter will include instructions for final submittals due prior to execution of the contract.

Once the City has finalized and issued the contract for signature, the Consultant must execute the contract and provide all requested documents within 10 business days. This includes attaining a Seattle Business License, payment of associated taxes due, and providing proof of insurance. If the Consultant fails to execute the contract with all documents within the 10-day time frame, the City may cancel the award and proceed to the next ranked Consultant, or cancel or reissue this solicitation. Cancellation of an award for failure to execute the Contract as attached may disqualify the firm from future solicitations for this same work.

### 9.5 Checklist of Final Submittals Prior to Award.

The Consultant(s) should anticipate the Intent to Award Letter will require at least the following documents. Consultants are encouraged to prepare these documents in advance, when possible, to eliminate risks of late compliance.

- Proof that Seattle Business License is current and all taxes due have been paid.
- State of Washington Business License.
- Certificate of Insurance
- Special Licenses (if any)

### 9.6 Taxpayer Identification Number and W-9.

Unless the Consultant has already submitted a Taxpayer Identification Number and Certification Request Form (W-9) to the City, the Consultant must execute and submit this form prior to the contract execution date.



W9 2013.pdf

## 10. Contract Modifications

The City consultant contract is attached (See Section 12: [Attachments](#)).

Consultants submit proposals understanding all Contract terms and conditions are mandatory. The submission of a Response is agreement to the Contract without exception. The City reserves the right to negotiate changes to submitted proposals and to change the City's otherwise mandatory Contract form during negotiations. If the Consultant is awarded a Contract and refuses to sign the attached Contract form, the City may reject the Consultant from this and future solicitations for the same work. Under no circumstances shall Consultant submit its own boilerplate of terms and conditions.

## 11. Procedures and Requirements

This section details City instructions and requirements for your submittal. The City reserves the right in its sole discretion to reject any Consultant response that fails to comply with the instructions.

### 11.1 Registration into City Registration System.

If you have not previously done so, register at: <http://www2.seattle.gov/ConsultantRegistration/>. The City expects all firms to register. Women- and minority- owned firms are asked to self-identify. For assistance, call 206-684-0444.

### **11.2 Pre-Submittal Conference.**

The City offers an optional pre-submittal conference at the time and date on Page 1. Proposers are highly encouraged to attend but it is not required. The conference answers questions about the solicitation and clarifies issues; it also allows Proposers to raise concerns. Failure to raise concerns over any issues during this opportunity will be a consideration if any protest is filed regarding such items known as of this pre-proposal conference. If you attend the conference, please bring a copy of this RFP with you. Proposers from out of the area who need to call in to this pre-proposal conference should notify the City by sending an e-mail to [cameron.clark@seattle.gov](mailto:cameron.clark@seattle.gov).

### **11.3 Questions.**

Proposers may submit written questions to [cameron.clark@seattle.gov](mailto:cameron.clark@seattle.gov) until the deadline stated on Page 1. The City prefers questions be through e-mail to the City Project Manager. Failure to request clarification of any inadequacy, omission, or conflict will not relieve the Consultant of responsibilities under in any subsequent contract. It is the responsibility of the interested Consultant to assure they receive issued responses to any questions.

### **11.4 Changes to the RFP/Addenda.**

A change may be made by the City if, in the sole judgment of the City, the change will not compromise the City's objectives in this acquisition. A change to this RFP will be made by formal written addendum issued by the City's Project Manager. Addenda shall become part of this RFP and included as part of the Contract.

### **11.5 Receiving Addenda and/or Question and Answers.**

It is the obligation and responsibility of the Consultant to learn of addenda, responses, or notices issued by the City. Some third-party services independently post City of Seattle solicitations on their websites. The City does not guarantee that such services have accurately provided all the information published by the City.

All submittals sent to the City may be considered compliant to all Addenda, with or without specific confirmation from the Consultant that an Addendum was received and incorporated, at the sole discretion of the Project Manager. The Project Manager may reject the submittal if it does not fully incorporate an Addendum.

### **11.6 Proposal Submittal.**

- a. Proposals must be received into the City no later than the date and time on Page 1 except as revised by Addenda. The Proposer has full responsibility to ensure the response arrives at the City within the deadline. A response delivered after the deadline may be rejected unless waived as immaterial by the City given specific fact-based circumstances.
- b. All pages are to be numbered sequentially, and closely follow the requested formats.
- c. The City has page limits specified in the submittal instructions section. Any pages that exceed the page limit will be excised from the document for evaluation purposes.

### **Hard Copy Submittal.**

- a. The City will not accept Fax or DVD/Flash Drives copies as an alternative to the paper or electronic e-mail copy submittals. If a CD or fax version is delivered to the City, the paper or electronic e-mail copy will be the only official version accepted by the City. Delivery is to the location specified on Page 1.
- b. Hard-copy responses should be in a sealed box or envelope marked and addressed with the format specified in Item 7.9. If submittals are not marked, the Proposer risks the response being misplaced and not properly delivered.
- c. The submittal may be hand-delivered or otherwise received by the Program Administrator at the address provided, by the submittal deadline. Delivery errors may result without careful attention to the proper address.
- d. Please do not use plastic or vinyl binders or folders. The City prefers simple, stapled paper copies.

### Electronic Submittal.

Please e-mail submittal documents to [cameron.clark@seattle.gov](mailto:cameron.clark@seattle.gov) by the deadline listed on Page 1 or as otherwise amended.

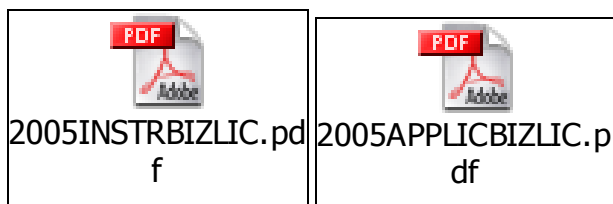
- a. Title the e-mail as indicated in Item 7.10 so it won't be lost in an e-mail stream.
- b. Any risks associated with electronic submittal are borne by the Proposer.
- c. The City e-mail system will allow documents up to 20 megabytes.

### 11.7 License and Business Tax Requirements.

The Consultant must meet all applicable licensing requirements immediately after contract award or the City may reject the Consultant. Companies must license, report and pay revenue taxes for the Washington State Business License (UBI#) and Seattle Business License, if required by law. Carefully consider those costs before submitting an offer, as the City will not separately pay or reimburse such costs.

#### Seattle Business Licensing and associated taxes.

- a. If you have a "physical nexus" in the city, you must obtain a Seattle Business license and pay all taxes due before the Contract can be signed.
- b. A "physical nexus" means you have physical presence, such as: a building/facility in Seattle, you make sales trips into Seattle, your own company drives into Seattle for product deliveries, and/or you conduct service work in Seattle (repair, installation, service, maintenance work, on-site consulting, etc.).
- c. We provide a Consultant Questionnaire Form in our RFP submittal package; it will ask you to specify if you have "physical nexus."
- d. All costs for any licenses, permits and Seattle Business License taxes owed shall be borne by the Consultant and not charged separately to the City.
- e. The apparent successful Consultant(s) must immediately obtain the Seattle Business License and ensure all City taxes are current, unless exempted by City Code due to reasons such as no physical nexus. Failure to do so will cause rejection of the submittal.
- f. Self-Filing: You can pay your license and taxes on-line using a credit card. <https://dea.seattle.gov/self/>
- g. For questions and assistance, call the Revenue and Consumer Protection (RCP) office which issues business licenses and enforces licensing requirements. The general e-mail is [rca@seattle.gov](mailto:rca@seattle.gov). The main phone is 206-684-8484.
- h. The City of Seattle licensing website is <http://www.seattle.gov/rca/taxes/taxmain.htm>.
- i. If a business has extraordinary balances due on their account such that paying them would cause undue hardship to the business, the business can contact the RCA office to request additional assistance. A cover-sheet providing further explanation with the application and instructions for a Seattle Business License is provided below.
- j. Those holding a City of Seattle Business license may be required to report and pay revenue taxes to the City. Such costs should be carefully considered by the Consultant prior to submitting your offer. When allowed by City ordinance, the City will have the right to retain amounts due at the conclusion of a contract by withholding from final invoice payments.



**State Business Licensing.** Before the contract is signed, you must have a State of Washington business license (a "Unified Business Identifier" known as a UBI#). If the State of Washington has exempted your business from State licensing (some foreign companies are exempt and sometimes the State waives licensing because the company has no physical presence in the State), then submit proof of that exemption to the City. All costs for any licenses, permits and associated tax payments due to the State because of licensing shall be borne by the

Consultant and not charged separately to the City. Instructions and applications are at <http://bls.dor.wa.gov/file.aspx> and the State of Washington Department of Revenue is available at 1-800-647-7706.

**Federal Excise Tax.** The City is exempt from Federal Excise Tax (Certificate of Registry #9173 0099K exempts the City).

### **11.8 Proposer Responsibility to Provide Full Response.**

It is the Proposer's responsibility to submit a proposal that does not require interpretation or clarification by the City. The Proposer is to provide all requested materials, forms and information. The Proposer is to ensure the materials submitted properly and accurately reflect the Proposer's offering. During scoring and evaluation (prior to interviews if any), the City will rely upon the submitted materials and shall not accept materials from the Proposer after the RFP deadline; this does not limit the City's right to consider additional information (such as references not provided by the Proposer but known to the City, or past City experience with the consultant), or to seek clarifications as needed.

### **11.9 No Guaranteed Utilization.**

The City does not guarantee utilization of this contract. The solicitation may provide estimates of utilization; such information is for Consultant convenience and not a usage guarantee. The City reserves the right to multiple or partial awards, and/or to order work based on City needs. The City may turn to other appropriate contract sources or supplemental contracts to obtain these same or similar services. The City may re-solicit for new additions to the Consultant pool. Use of such supplemental contracts does not limit the right of the City to terminate existing contracts for convenience or cause.

### **11.10 Expansion Clause.**

The contract limits expansion of scope and new work not expressly provided for within the RFP.

Expansion for New Work (work not specified within the original Scope of Work section of this Agreement, and/or not specified in the original RFP as intended work for the Agreement) must comply with the following: (a) New Work is not reasonable to solicit separately; (b) is for reasonable purposes; (c) was not reasonably known by the City or Consultant at time of solicitation, or was mentioned as a possibility in the solicitation (e.g., future phases of work, or a change in law); (d) is not significant enough to be regarded as an independent body of work; (e) would not attract a different field of competition; and (f) does not vary the identity or purpose of the Agreement. The City may make exceptions for immaterial changes, emergency or sole source conditions, or other situations required in City opinion. Certain changes are not subject to these limitations, such as additional phases of Work anticipated during solicitation, time extensions, and Work Orders issued on an On-Call contract. Expansion must be mutually agreed and issued by the City through written Addenda. New Work performed before an authorizing Amendment may not be eligible for payment.

### **11.11 Right to Award to next ranked Consultant.**

If a contract is executed resulting from this solicitation and is terminated within 90-days, the City may return to the solicitation process to award to the next highest ranked responsive Consultant, by mutual agreement with such Consultant. New awards thereafter are also extended this right.

### **11.12 Negotiations.**

The City may open discussions with the apparent successful Proposer, to negotiate costs and modifications to align the proposal or contract to meet City needs within the scope sought by the solicitation.

### **11.13 Effective Dates of Offer.**

Solicitation responses are valid until the City completes award. Should any Proposer object to this condition, the Proposer must object prior to the Questions deadline on page 1.

#### **11.14 Cost of Preparing Proposals.**

The City is not liable for costs incurred by the Proposer to prepare, submit or present proposals, interviews and/or demonstrations.

#### **11.15 Readability.**

The City's ability to evaluate proposals is influenced by the organization, detail, comprehensiveness of materials and readable format of the response.

#### **11.16 Changes or Corrections to Proposal Submittal.**

Prior to the submittal due date, a Consultant may change its proposal, if initialed and dated by the Consultant. No changes are allowed after the closing date and time.

#### **11.17 Errors in Proposals.**

Proposers are responsible for errors and omissions in their proposals. No error or omission shall diminish the Proposer's obligations to the City.

#### **11.18 Withdrawal of Proposal.**

A proposal may be withdrawn by written request of the Proposer.

#### **11.19 Rejection of Proposals.**

The City may reject any or all proposals with no penalty. The City may waive immaterial defects and minor irregularities in any submitted proposal.

#### **11.20 Incorporation of RFP and Proposal in Contract.**

This RFP and Proposer's response, including promises, warranties, commitments, and representations made in the successful proposal once accepted by the City, are binding and incorporated by reference in the City's contract with the Proposer.

#### **11.21 Independent Contractor.**

The Consultant works as an independent contractor. The City will provide appropriate contract management, but that does not constitute a supervisory relationship to the consultant. Consultant workers are prohibited from supervising City employees or from direct supervision by a City employee. Prohibited supervision tasks include conducting a City of Seattle Employee Performance Evaluation, preparing and/or approving a City of Seattle timesheet, administering employee discipline, and similar supervisory actions.

Contract workers shall not be given City office space unless expressly provided for below, and in no case shall such space be provided for over 36 months without specific authorization from the City Project Manager.

The City will not provide space in City offices for performance of this work. Consultants will perform most work from their own office space or the field.

#### **11.22 Equal Benefits.**

Seattle Municipal Code Chapter 20.45 (SMC 20.45) requires consideration of whether Proposers provide health and benefits that are the same or equivalent to the domestic partners of employees as to spouses of employees, and of their dependents and family members. The Consultant Questionnaire requested in the Submittal instructions includes materials to designate your equal benefits status.

#### **11.23 Women and Minority Subcontracting.**

The Mayor's Executive Order and City ordinance require the maximum practicable opportunity for successful participation of minority and women-owned subcontractors. All proposers must agree to SMC Chapter 20.42, and seek meaningful subcontracting opportunities with WMBE firms. The City requires a plan for including minority- and women-owned firms, which becomes a material part of the contract. The Plan must be responsive in the opinion of the City, which means a meaningful and successful search and commitments to include WMBE firms for subcontracting work. The City reserves the right to improve the Plan with the winning Consultant before contract execution. Consultants should use selection methods and strategies sufficiently effective for successful WMBE participation. At City request, Consultants must

furnish evidence such as copies of agreements with WMBE subcontractors either before contract execution or during contract performance. The winning Consultant must request written approval for changes to the Inclusion Plan once it is agreed upon. This includes changes to goals, subconsultant awards and efforts.

#### **11.24 Insurance Requirements.**

Any special insurance requirements are provided as an Attachment. If attached, provide proof of insurance to the City before Contract execution; the City will remind the apparent successful Proposer of this in the Intent to Award letter. The apparent successful Proposer must promptly provide proof of insurance to the City Project Manager.

Consultants are encouraged to immediately contact their Broker to begin preparation of the required insurance documents if the Consultant is selected as a finalist. Proposers may elect to provide the requested insurance documents within their Proposal.

#### **11.25 Proprietary and Confidential Material.**

Under Washington State Law (reference RCW Chapter 42.56, the *Public Records Act*) all materials received or created by the City of Seattle are **public records**. These records include but are not limited to bid or proposal submittals, agreement documents, contract work product, or other bid material. Some records or portions of records are legally *exempt from disclosure* and can be redacted or withheld. The Public Records Act (RCW 42.56 and RCW 19.108) describes those exemptions. Proposers must familiarize themselves with the Washington State Public Records Act (PRA) and the City of Seattle's process for managing records.

The City will try to redact anything that seems obvious in the City's opinion for redaction. For example, the City will black out (redact) Social Security Numbers, federal tax identifiers, and financial account numbers before records are made viewable by the public. However, this does not replace your own obligations to identify any materials you wish to have redacted or protected, and that you think are so under the Public Records Act (PRA).

#### **Protecting your Materials from Disclosure (Protected, Confidential, or Proprietary)**

You must determine and declare any materials you want exempted (redacted), and that you also believe are eligible for redaction. This includes, but is not limited to, your bid submissions, contract materials and work products. Proposers must familiarize themselves with the Washington State Public Records Act (PRA) and the City of Seattle's process for managing records.

#### **How to Identify Materials You Consider Exempt from Disclosure**

##### **Proposal Submittals**

If you wish to assert exemptions in the materials in your proposal related to its proprietary nature per RCW 42.56.270, you must clearly identify your exemption request in the Vendor Questionnaire in the Non-Disclosure Request Section.

##### **Contract Work Products**

If you wish to assert exemptions for your contract work products, you must clearly and specifically notify the City Project Manager at the time such records are generated.

Please note that the City cannot accept and will not honor a generic marking of materials, such as marking everything with a document header or footer, page stamp, or a generic statement that a document is non-disclosable, exempt, confidential, proprietary, or protected. You may not exempt an entire page unless each sentence is entitled to exemption; instead, identify paragraphs or sentences that meet the RCW exemption criteria you are relying upon.

#### **City's Response to a Public Records Act Requests**

The City will prepare two versions of your materials:

(Full Redaction) A public copy that redacts (blacks out) standard exemptions as required by the PRA and the materials or text that you identified as exempt.

(Limited Redaction) A copy that redacts (blacks out) only the standard exemptions required by the PRA, but does not redact (black out) the exemptions you identified.

The fully redacted version is made public upon contract execution and will be supplied without any notification to you.

The Limited Redaction will be released only after you have received “third party notice” that allows you the legal right under RCW 42.56.540 to bring a legal action to enjoin the release of any records you believe are not subject to disclosure.

If the original requestor wants to see the Limited Redacted or original versions, the City will provide you with “third party notice”. You will then have ten business days to obtain a temporary restraining order while you pursue a court injunction. A judge will determine the status of your exemptions and the Public Records Act.

### **Requesting Disclosure of Public Records**

The City asks proposers and their companies to refrain from requesting public disclosure of proposal records until an intention to award is announced. This shelters the solicitation process, particularly during evaluation and selection or if a cancellation occurs with re-solicitation. With this preference stated, the City will continue to respond to all requests for disclosure of public records as required by State Law.

### **11.26 Ethics Code.**

Please familiarize yourself with the City Ethics code: [http://www.seattle.gov/ethics/etpub/et\\_home.htm](http://www.seattle.gov/ethics/etpub/et_home.htm). Attached is a pamphlet for Consultants, Customers and Clients. Any questions should be addressed to Seattle Ethics and Elections Commission at 206-684-8500.



contractor-vendorbr  
ochure[1].pdf

### **No Gifts and Gratuities.**

Consultants shall not directly or indirectly offer anything (such as retainers, loans, entertainment, favors, gifts, tickets, trips, favors, bonuses, donations, special discounts, work, or meals) to any City employee, volunteer or official, if it is intended or may appear to a reasonable person to be intended to obtain or give special consideration to the Consultant. An example is giving a City employee sporting event tickets to a City employee on the evaluation team of a solicitation to which you submitted. The definition of what a “benefit” would be is broad and could include not only awarding a contract but also the administration of the contract or evaluating contract performance. The rule works both ways, as it also prohibits City employees from soliciting items from Consultants. Promotional items worth less than \$25 may be distributed by the Consultant to City employees if the Consultant uses the items as routine and standard promotions for the business.

### **No Conflict of Interest.**

Consultant (including officer, director, trustee, partner or employee) must not have a business interest or a close family or domestic relationship with any City official, officer or employee who was, is, or will be involved in selection, negotiation, drafting, signing, administration or evaluating Consultant performance. The City shall make sole determination as to compliance.





Gifts and Conflicts  
of Interest

**Involvement of Current and Former City Employees.**

The Consultant Questionnaire within your submittal documents prompts you to disclose any current or former City employees, official or volunteer that is working or assisting on solicitation of City business or on completion of an awarded contract. Update that information during the contract.

**Contract Workers with over 1,000 Hours.**

The Ethics Code applies to Consultant workers that perform over 1,000 cumulative hours on any City contract during any 12-month period. Any such employee must abide by the City Ethics Code. The Consultant is to be aware and familiar with the Ethics Code accordingly.

**11.27 Background Checks and Immigrant Status.**

The City has strict policies regarding the use of background checks, criminal checks and immigrant status for contract workers. The policies are incorporated into the contract and available for viewing on-line at <http://www.seattle.gov/business/WithSeattle.htm>

## 12. Attachments

For convenience, the following documents have been embedded in icon form within this document. To open, double click on the icons below.

**Attachment #1: Insurance Requirements**

- No proof of insurance is required.
- Proof of insurance is required, see the embedded requirements below.



Insurance  
Requirements

**Attachment #2: Consultant Contract**



Consultant  
Contract Boilerplate

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**Attachment #3: Overview of Seattle FCC Initiatives**

**Attachment #4: Summary of City of Seattle Family Child Care Advisory Committee**

## 13. Reference Links

- Seattle Preschool Program Action Plan:  
[http://www.seattle.gov/Documents/Departments/OFE/AboutTheLevy/EarlyLearning/SP\\_P\\_118114a.pdf](http://www.seattle.gov/Documents/Departments/OFE/AboutTheLevy/EarlyLearning/SP_P_118114a.pdf)
- Ordinance 124509:

<http://clerk.seattle.gov/~scripts/nph-brs.exe?s3=&s4=124509&s5=&s1=&s2=&S6=&Sect4=AND&l=0&Sect2=THESON&Sect3=PLURON&Sect5=CBORY&Sect6=HITOFF&d=ORDF&p=1&u=%2F%7Epublic%2Fcbor1.htm&r=1&f=G>

City of Seattle Race and Social Justice Initiative

<http://www.seattle.gov/rsji/>

- Department of Education and Early Learning Results and Reports  
<http://www.seattle.gov/education/about-us/about-the-levy/results-and-reports>
- Announcement of SPP Family Child Care Pilot  
<http://education.seattle.gov/city-of-seattle-announces-two-hubs-for-the-seattle-preschool-program-family-child-care-pilot/>
- Family Child Care Landscape Memorandum  
<http://www.seattle.gov/Documents/Departments/OFE/AboutTheLevy/EarlyLearning/FCCLandscapeMemo.pdf>
- Parent Child Home Program Family Child Care  
<http://www.parent-child.org/our-program/familychildcare/>