REQUEST FOR PROPOSALS

RFP NO. 19-01

DRS MAINFRAME REHOSTING SERVICES

April 16, 2019
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1. INTRODUCTION

1.1 PURPOSE

The Washington State Department of Retirement Systems (DRS) is issuing this Request for Proposals to migrate its applications off legacy mainframe technology into a new non-mainframe Linux environment. This mainframe rehosting is an interim step in the process of system modernization. This Project will move legacy applications to a cloud environment, without modifying the applications’ functionality.

See Exhibit B – Scope of Services and Exhibit J – Ongoing Support Fees Schedule for a complete description of the services being requested, and the goals for this project.

1.2 BACKGROUND

DRS’ Creating an Outstanding Retirement Experience (CORE) Program (“Program”) is a multi-year, multi-project effort to support technology enhancements and business process redesign. This Project is the second project within this Program. CORE will replace mission-critical DRS applications that are over 25 years old. These applications maintain information for approximately 750,000 current and former public employees and are DRS’ tools for calculating and distributing payments totaling more than $4 billion each year.

DRS administers Washington state’s eight public sector retirement systems with 15 separate plans that have a combined total value of approximately $114.6 billion. The retirement systems and plans are as follows:

- Judges’ Retirement Fund
- Judicial Retirement System
- Law Enforcement Officers’ and Fire Fighters’ Retirement System Plan 1 and Plan 2
- Public Employees’ Retirement System Plan 1, Plan 2 and Plan 3
- Public Safety Employees’ Retirement System Plan 2
- School Employees’ Retirement System Plan 2 and Plan 3
- Teachers’ Retirement System Plan 1, Plan 2 and Plan 3
- Washington State Patrol Retirement System Plan 1 and Plan 2

This combination of plans was rated the fifth most complex public pension system, relative to 44 other public pension systems across North America, in a 2018 benchmarking analysis.

More information about DRS, the retirement systems and plans is available at
1.3 **ADA**

DRS complies with the Americans with Disabilities Act (ADA). Bidders may contact the DRS RFP Coordinator to receive this RFP in an alternate format.

1.4 **DEFINITIONS**

Please refer to Exhibit A – Definitions for definitions of terms used in this RFP and related Exhibits.

1.5 **PERIOD OF PERFORMANCE**

It is DRS’ intent to execute up to a four year contract with the successful Bidder no later than September 10, 2019.

1.5.1 The initial project as defined in Exhibit B – Scope of Services will begin immediately following the date of execution, and must be completed no later than June 30, 2021.

1.5.2 At DRS’ discretion, ongoing contracted services, as described in Exhibit J – Ongoing Support Fee Schedule, may be required during the Term as contemplated below.

**Mainframe Rehosting Project: Project Execution** – Project Completion (no later than 6/30/2021)

**Ongoing Support** – 7/1/2021- 6/30/2023

**Optional Extentions** – 7/1/2023 – 6/30/2026

1.6 **MINIMUM QUALIFICATIONS**

The Bidder must have a minimum of five years’ experience migrating IBM legacy applications off mainframe technology into Linux server environments.

Bidder must have migrated Adabas/Natural within a minimum of three projects.

2. **PROCUREMENT PROCESS**

2.1 **DRS RFP COORDINATOR**

The RFP Coordinator is the sole point of contact at DRS for this procurement. Throughout the duration of the procurement process, all questions and other communications concerning the procurement are to be directed in writing to the contact listed below. Communications directed to other DRS employees or consultants under contract with DRS may result in disqualification of the Bidder.
Bidders should rely on written statements issued by the RFP Coordinator. Any other communication will be considered unofficial and non-binding on DRS.

<table>
<thead>
<tr>
<th>DRS RFP Coordinator</th>
<th>Jilene Siegel</th>
</tr>
</thead>
</table>
| Mailing Address     | P.O. Box 48380  
                     | Olympia, WA 98504-8380 |
| Street Address      | 6835 Capitol Blvd. SE  
                     | Tumwater, WA 98501 |
| Phone Number        | 360.664.7291 or 800.547.6657, option 1, ext. 47291 |
| TTY                 | 711 |
| E-Mail Address      | drs.rfp@drs.wa.gov |

2.2 PROCUREMENT SCHEDULE

The following Table 1 – Schedule of Procurement Activities shows key dates for activities for this procurement, unless explicitly amended by DRS in writing. DRS reserves the right to revise the below schedule. Bidders should pay special attention to activities in the schedule shown in bold, as failure to meet those deadlines will result in disqualification to submit a proposal. Bidders should allow for sufficient delivery time to ensure receipt of their Proposal prior to the deadline. Proposals received after the deadline will not be evaluated.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Due Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Official publication of RFP</td>
<td>4/16/2019</td>
</tr>
<tr>
<td><strong>Mandatory Letter of Intent to Propose due</strong></td>
<td><strong>4/30/2019</strong></td>
</tr>
<tr>
<td>Written questions due</td>
<td>4/30/2019</td>
</tr>
<tr>
<td>Answers to Written Questions posted</td>
<td>5/9/2019</td>
</tr>
<tr>
<td>Last day to submit a Complaint</td>
<td>5/20/2019</td>
</tr>
<tr>
<td><strong>Proposals due</strong></td>
<td><strong>5/28/2019, 4:00 PM</strong></td>
</tr>
<tr>
<td>Notify finalists</td>
<td>6/21/2019</td>
</tr>
<tr>
<td>Pre-Assessment, Presentation, Interview, Reference Checks (at DRS’ discretion)</td>
<td>7/8/2019 - 7/23/2019</td>
</tr>
<tr>
<td>Notice of Apparent Successful Bidder</td>
<td>No later than 7/23/2019</td>
</tr>
<tr>
<td>Last Day to request a debriefing conference</td>
<td>Three Business Days after Apparent Successful Bidder (ASB) announcement</td>
</tr>
<tr>
<td>Last Day to submit a protest</td>
<td>Five Business Days after debrief*</td>
</tr>
</tbody>
</table>

* Aggrieved foreign Bidders from WTO GPA signatory nations may file a protest up to 10 Calendar Days following the debriefing.

DRS reserves the right to revise the above schedule.
2.3 Pre-Proposal Process

2.3.1 RFP Revisions and Amendments

DRS reserves the right to amend the RFP and revise the RFP schedule at any time. If it becomes necessary to revise any part of this RFP, DRS will issue an amendment to the RFP to all Bidders who have submitted a Letter of Intent to Propose by the date and time specified in Table 1 in Section 2.2, Procurement Schedule through the contact information provided in the Letter of Intent to Propose.

If a conflict exists between amendments, or between an amendment and the RFP, the document issued last shall take precedence. It is the Bidder’s responsibility to keep apprised of any amendments or addenda to this RFP.

2.3.2 Letter of Intent to Propose

A letter indicating the Bidder’s intent to respond to this RFP must be emailed to the DRS RFP Coordinator at drs.rfp@drs.wa.gov, and must be received no later than the date and time listed in Table 1 in Section 2.2, Procurement Schedule. Bidders who properly submit a Letter of Intent to Propose will directly receive written answers to written Bidder questions, amendments, waivers and other information issued by DRS regarding this RFP; only those Bidders will be eligible to submit a proposal.

By submitting a Letter of Intent to Propose, the Bidder accepts the procedure, review criteria and the administrative instructions of this RFP subject to its right to file a complaint in accordance with Section 2.3.4, Complaint Procedure.

The Letter of Intent to Propose must include the following information:
- Company name and address
- Bidder RFP Coordinator’s name, title, address, telephone number and email address
- Statement of intent to propose.

2.3.3 Questions and Answers

It is incumbent upon each potential Bidder to carefully examine the RFP requirements, terms and conditions. Should any potential Bidder find discrepancies, omissions or ambiguities in this RFP, the Bidder may request, in writing, an interpretation or clarification from the DRS RFP Coordinator. DRS must receive all written inquiries and correspondence from Bidders by the date and time shown in Table 1 in Section 2.2 herein. DRS will provide written answers by the date shown in Table 1 in Section 2.2.
Any changes or clarifications to the information provided in this RFP will be provided in writing to each Bidder that has timely submitted a Letter of Intent to Propose through the contact provided in the Letter of Intent to Propose.

2.3.4 COMPLAINT PROCEDURE

(a) PRE-PROPOSAL COMPLAINT

A potential Bidder that believes this solicitation is inherently flawed may file a complaint up to five Business Days prior to the due date for proposals. Grounds for the complaint may include:

- The solicitation unnecessarily restricts competition;
- The solicitation evaluation or scoring process is unfair or flawed; or
- The solicitation requirements are inadequate or insufficient to prepare a response.

Bidders should note that, if they choose not to file a complaint, they waive their right to file a protest based on the proposal process that could have been raised as a pre-proposal complaint.

(b) COMPLAINT SUBMISSION

The complaint must be submitted in writing or by email to the RFP Coordinator shown in Section 2.1 of this RFP, no later than five Business Days before the bid response deadline.

(c) CONTENTS OF COMPLAINT

The complaint must contain:

- The complainant’s name, mailing address, telephone number and email address.
- A clear and specific statement articulating the basis for the complaint.
- A proposed remedy.

(d) DRS’ RESPONSE TO A COMPLAINT

DRS will send a written response to the complainant no later than three Business Days before the bid response deadline. The response will explain DRS’ decision and any steps it will take in response to the complaint. The complaint and the response, including any changes to the solicitation that may result, will be posted on DRS website and on WEBS.
2.4 PROPOSAL REQUIREMENTS

2.4.1 SUBMISSION REQUIREMENTS

Proposals must conform to the requirements described in this RFP and all exhibits, including any amendments to the RFP, DRS’ responses to questions, and other communications per Section 2, Procurement Process. Proposals should be concise, with emphasis placed on completeness and clarity of content. When preparing the proposal, Bidders must consider the minimum qualifications in Section 1.6, Minimum Qualifications, and the required services outlined in Exhibit B – Scope of Services and Exhibit J – Ongoing Support Fee Schedule. The proposal must comply with each of the following requirements to be considered responsive:

Bidders must submit 12 copies of the proposal. One copy must have original signatures and must be marked “Master Copy.” Additionally, Bidders are required to submit a complete copy of the proposal electronically to drs.rfp@drs.wa.gov. If there is a discrepancy between the hard copy and the electronic version, the master copy will be considered binding.

The digital submission must include:

<table>
<thead>
<tr>
<th>From RFP</th>
<th>Naming Convention</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cover</td>
<td>19-01&lt;bidder name&gt;.1.docx</td>
</tr>
<tr>
<td>Table of Contents</td>
<td></td>
</tr>
<tr>
<td>Cover Letter</td>
<td></td>
</tr>
<tr>
<td>Exhibit D – Bidder’s Information, Declarations and Certifications</td>
<td>19-01&lt;bidder name&gt;.2Info.docx</td>
</tr>
<tr>
<td>Exhibit E – Questionnaire</td>
<td>19-01&lt;bidder name&gt;.3Quest.docx</td>
</tr>
<tr>
<td>• Bidder Proposed Methodology and Scope of Services</td>
<td>19-01&lt;bidder name&gt;.4Methodology.docx</td>
</tr>
<tr>
<td>• Bidder Proposed Solution Architecture</td>
<td>19-01&lt;bidder name&gt;.5Arch.docx</td>
</tr>
<tr>
<td>• Tech Assessment Report Sample Work Product</td>
<td>19-01&lt;bidder name&gt;.6TechAss.docx</td>
</tr>
<tr>
<td>• Data Conversion / Migration Design Document Sample Work Product</td>
<td>19-01&lt;bidder name&gt;.7Data.docx</td>
</tr>
<tr>
<td>• Test Plan Sample Work Product</td>
<td>19-01&lt;bidder name&gt;.8TestPlan.docx</td>
</tr>
<tr>
<td>• Organization Chart</td>
<td>19-01&lt;bidder name&gt;.9OrgChart.pdf</td>
</tr>
<tr>
<td>• Joint Resource Plan</td>
<td>19-01&lt;bidder name&gt;.10JRP.xlsx</td>
</tr>
<tr>
<td>• Draft Schedule</td>
<td>19-01&lt;bidder name&gt;.11Sched.pdf</td>
</tr>
<tr>
<td>• Resumes and References for Key Personnel</td>
<td>19-01&lt;bidder name&gt;.12Ref.pdf</td>
</tr>
<tr>
<td>Exhibit F – Fee Proposal</td>
<td>19-01&lt;bidder name&gt;.13Fee.docx</td>
</tr>
<tr>
<td>Exhibit G – Technical Requirements</td>
<td>19-01&lt;bidder name&gt;.14TechReq.xls</td>
</tr>
</tbody>
</table>
The printed proposal, whether mailed or hand delivered, must arrive at DRS no later than 4:00 pm, Pacific Time, on the proposal due date shown in Section 2.2, Procurement Schedule. The proposal should be sent to the address noted in Section 2.1. The package should be clearly marked to the attention of the RFP Coordinator and indicate RFP number DRS-RFP 19-01.

Bidders should allow sufficient delivery time to ensure timely receipt of their proposals by the RFP Coordinator. The printed copies must be received by the deadline; receipt of an electronic copy by email prior to the deadline will not be considered official submission. Bidders assume the risk for the method of delivery chosen. DRS assumes no responsibility for delays caused by any delivery service. Notwithstanding RCW 1.12.070, postmarks will not be considered as date received for purposes of this RFP. Proposals received after the deadline will be considered non-responsive and will be disqualified from further consideration.

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

2.4.2 SUBMISSION FORMAT

Each major section must be separated by a tab, presented in the order shown and must include the following:

(a) COVER

The following elements must be shown on the front cover of the proposal:
- Company name: The proposal must be submitted in the name of the legal entity that will bear responsibility for fulfilling the terms of the contract
- Bidder’s RFP Contact information: Name, title, email and telephone number(s) for the purpose of communications related to this proposal
- RFP Number and Title: DRS RFP 19-01 Mainframe Rehosting Services
(b) TABLE OF CONTENTS
Include a table of contents showing the Proposal’s content and sequence. All pages should be numbered and each section must reference the corresponding requirement described in this RFP.

(c) COVER LETTER
Provide a brief introduction to your company and highlights of your qualifications.

(d) BIDDER’S INFORMATION, DECLARATIONS AND CERTIFICATIONS
Submit the following information using the forms provided in Exhibit D – Bidder’s Information, Declarations and Certifications:
- Bidder’s Information
- General Certifications and Assurances
- Company Declarations
- Wage Theft Certification
- Executive Order 18-03 – Workers’ Rights Certification

(e) QUESTIONNAIRE
Provide your responses to all questions included in Exhibit E – Questionnaire.
Provide all items requested within the questionnaire including:
- Bidder Proposed Methodology and Scope of Services
- Bidder Proposed Solution Architecture
- Tech Assessment Report Sample Work Product
- Data Conversion / Migration Design Document Sample Work Product
- Test Plan Sample Work Product
- Organization Chart
- Joint Resource Plan
- Draft Schedule
- Resumes and References for Key Personnel

(f) FEE PROPOSAL
Provide your Fee proposal using the format provided in Exhibit F – Fee Proposal, including all fees proposed to be charged to DRS for mainframe rehosting and ongoing support services.
Note: All charges must be detailed in your Fee Proposal. Charges not listed in this section of the Bidder’s Proposal will not be allowed during the course of the contract unless the scope of the contract
is expanded to include additional services not requested herein, and is otherwise negotiated and agreed to in a written amendment.

(g) TECHNICAL REQUIREMENTS

Provide your proposed responses using the format provided in Exhibit G – Technical Requirements.

(h) OTHER ATTACHMENTS

Provide all additional information and attachments as described below.

1. Contract exceptions: List any and all exceptions to the terms of the Sample Contract provided in this RFP as Exhibit C – Sample Contract. Also see Section 3.5, Contractual Requirements in this RFP.

2. Financial statements: Provide a copy of, or a link to, two years of your most recent independently audited company financial statements.

3. Referenced documents: Provide examples and other documents referenced in previous sections of your proposal.

4. Additional materials: Provide any additional information or materials the Bidder deems relevant to this RFP. Such supplementary information must be directly related to the services described in this RFP. Do not include general marketing materials.

2.4.3 PROPRIETARY INFORMATION/PUBLIC DISCLOSURE

Materials submitted in response to this competitive procurement shall become the property of DRS. Following announcement of the ASB, the proposals shall be deemed public records as defined in Chapter 42.56 RCW, “Public Records Act.”

Any information in the proposal that the Bidder desires to claim as proprietary and exempt from disclosure under the provisions of Chapter 42.56 RCW must be clearly designated. The page must be identified as well as the particular exemption from disclosure upon which the Bidder is making the claim. Each page claimed to be exempt from disclosure must be clearly identified by the word “Confidential” printed on the bottom right corner of the page.

DRS will consider a Bidder’s request for exemption from disclosure; however, DRS will make its determination predicated upon Chapter 42.56 RCW. Marking the entire proposal exempt from disclosure will not be honored. The Fee Proposal will not be exempt from disclosure, even if it is
marked as such. The Bidder must be reasonable in designating information as confidential. If any information is marked as proprietary in the proposal and DRS determines that there is a good faith legal basis to conclude that the information is exempt of disclosure under Chapter 42.56 RCW, such information will not be made available until the affected Bidder has been given an opportunity to seek a court injunction to prevent the requested disclosure.

2.5 EVALUATION PROCESS

2.5.1 AWARD BASED ON MULTIPLE FACTORS INCLUDING BEST VALUE

The evaluation process is designed to award the contract to the Bidder whose proposal best meets the requirements of this RFP. The final selection, if any, will be based on the evaluation committee's recommendation after analysis of the proposal, including responses to the Questionnaire and the Fee Proposal, oral presentations and site visits.

In accordance with RCW 39.26.160, DRS will select the lowest responsive and responsible Bidder. In determining whether a Bidder is responsible, DRS will assess:

- The ability, capacity and skill of the Bidder to perform the contract or provide the services required;
- The proposed Solution;
- The character, integrity, reputation, judgment, experience and efficiency of the Bidder;
- Whether the Bidder can perform the contract within the time specified;
- The quality of performance of previous contracts or services that are of similar scope and scale to this procurement;
- The previous and existing compliance by the Bidder with laws relating to the contract or services described in this RFP;
- Whether, within the three-year period immediately preceding the date of the bid solicitation, the Bidder has been determined by a final and binding citation and notice of assessment issued by the Department of Labor & Industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in RCW 49.48.082, any provision of Chapters 49.46 (Minimum wage requirements and labor standards), 49.48 (Wages-Payment-Collection), or 49.52 RCW (Wages-Deductions-Contributions-Rebates); and
- Such other information as may be secured having a bearing on the decision to award the contract.

In determining the lowest responsive and responsible Bidder, DRS may consider best value criteria. The evaluation process is designed to award
this procurement not necessarily to the Bidder presenting the lowest cost, but rather to the Bidder whose proposal best meets the requirements of this RFP.

2.5.2 PROCUREMENT EVALUATION FOR EXECUTIVE ORDER 18-03 - SUPPORTING WORKERS’ RIGHTS

Pursuant to RCW 39.26.160 (best value criteria) and consistent with Executive Order 18-03 – Supporting Workers’ Rights to Effectively Address Workplace Violations (dated June 12, 2018), DRS will evaluate bids for best value and provide a bid preference in the amount of two (2) evaluation points to any bidder who certifies, pursuant to the certification provided in Exhibit D – Bidder’s Information, Declarations and Certifications, 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.

2.5.3 SINGLE PROPOSAL

If DRS receives only one Proposal in response to this RFP, DRS may, at its sole option, cancel this RFP or award the contract to the single Bidder.

2.5.4 ADMINISTRATIVE REVIEW

All proposals will be reviewed by the RFP Coordinator to determine compliance with administrative requirements and instructions specified in this RFP. Any Bidder’s proposal that fails to comply with any part of the RFP may be rejected as non-responsive.

DRS reserves the right, at its sole discretion, to waive minor administrative irregularities. DRS also reserves the right, at its sole discretion, to reject all proposals received without penalty and not to issue a contract as a result of this RFP.

2.5.5 CLARIFICATION OF PROPOSAL

The RFP Coordinator may contact the Bidder for clarification of any portion of the Bidder’s proposal at any time throughout the evaluation process.

2.5.6 EVALUATION TEAM

The written proposals will be reviewed by an evaluation team, to be designated by DRS, which will determine the proposal most responsive to the requirements stated in this RFP. Proposals will be evaluated strictly in accordance with the requirements set forth in this RFP and any addenda that are issued.
2.5.7 EVALUATION WEIGHTING CRITERIA

Written proposals will be reviewed by a DRS evaluation team.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bidder Proposed Methodology and Scope of Services Response</td>
<td>20%</td>
</tr>
<tr>
<td>Bidder Proposed Solution Architecture</td>
<td>20%</td>
</tr>
<tr>
<td>Sample Work Products</td>
<td>8%</td>
</tr>
<tr>
<td>Bidder Experience</td>
<td>10%</td>
</tr>
<tr>
<td>Bidder Engagements</td>
<td>10%</td>
</tr>
<tr>
<td>Proposed Bidder Team</td>
<td>15%</td>
</tr>
<tr>
<td>Overall Cost</td>
<td>15%</td>
</tr>
<tr>
<td>Executive Order 18-03 – Supporting Workers’ Rights</td>
<td>2%</td>
</tr>
<tr>
<td>Total</td>
<td>100%</td>
</tr>
</tbody>
</table>

2.5.8 PRE-ASSESSMENT, PRESENTATION, INTERVIEWS

After evaluation of the written proposals, DRS, at its sole discretion, may invite the highest ranked Bidders for a Pre-Assessment, Presentation, Interview. The Bidder must be available during the dates shown in Section 2.2, Procurement Schedule, or may be eliminated from further consideration. Commitments made by the Bidder during this phase of the process will be considered binding. Bidders will be asked to elaborate on the elements of their proposal; however, no substantive changes can be made to a Fee Proposal unless requested by DRS.

(a) PRE-ASSESSMENT AND PRESENTATION

Following assessment of the written proposals, the highest scoring Bidder(s) will be invited to send a team to DRS to perform an initial analysis and inventory of existing DRS mainframe components. Bidders will have three Business Days to perform the assessment and compile results, and two hours to present findings on the fourth Business Day.

Resources available to the Bidder team(s) will include:
• A dedicated workspace at DRS for Bidder team(s)
• Reasonable access to DRS personnel, including:
  - Information Services Architect
  - DRS Mainframe Rehosting Project Manager
  - Business Systems Analyst
  - Information Technology Services Manager
- Database Administrator  
- Systems Development Manager  
- Mainframe Programmers

- Meeting room, with smart board and projector (for presenting findings to evaluators)

Key members of Bidder’s proposed team must be onsite to conduct the Pre-Assessment and participate in the Presentation.

More information will be provided to Bidders who are invited to participate in this stage of the process.

(b) INTERVIEW

A two-hour interview of proposed key personnel will be conducted on the fourth Business Day, after the Bidder Presentation. Evaluators may ask specific questions regarding the Bidder’s Pre-Assessment Presentation, in addition to clarification of responses in the Bidder’s written proposal.

2.5.9 REFERENCE CHECKS

Reference checks will be conducted prior to final announcement of the ASB. DRS will make reasonable efforts to contact the references provided as logistics and time allow, but DRS will have no obligation to actively pursue such contacts. At DRS’ discretion, reference checks may only be conducted for the top ranked Bidder(s). DRS reserves the right to request and consider information from sources other than those provided in the Bidder’s proposal. Information obtained from references will not be scored, but will be considered when making the final ASB selection.

2.5.10 ASB SELECTION AND NOTIFICATION TO BIDDERS

The final selection of the ASB will be based on an assessment of the entire procurement process including:

- Written proposal
- Fee Proposal
- Pre-Assessment
- Presentation
- Interview
- References, as applicable

DRS also reserves the right, at its sole discretion, to conduct a Best and Final Offer process.

DRS will notify the ASB of its selection prior to posting the notice on the
DRS website. If telephone contact is unsuccessful, an email sent to the ASB’s RFP Coordinator will satisfy this notification requirement. Bidders whose proposals have not been selected for further negotiation or award will also be notified by telephone or email.

2.5.11 DEBRIEFING CONFERENCE

After DRS has notified Bidders of the ASB, an unsuccessful Bidder may request a debriefing conference. The RFP Coordinator must receive the request no later than three Business Days after notification of the ASB.

DRS will hold the debriefing conference within three Business Days of the request, unless it extends that time period and explains to the requester the reason(s) for the time extension. The debriefing conference will be conducted by telephone, and will be scheduled for a maximum of one hour.

The purpose of the debriefing conference is to give the Bidder insight into how its proposal might have better met the RFP requirements. The scope of the debriefing conference will be limited to the Bidder’s proposal. The debriefing conference will not include a comparison to other Bidders’ proposals, scores or evaluations.

Bidders should note that the protest provisions allowed under this RFP are available only to those bidders that have timely requested and participated in a debriefing conference. A Bidder that fails to do so waives its right to protest.

2.5.12 PROTEST PROCEDURE

No protest may be submitted until after DRS has announced the ASB. After that announcement, an unsuccessful Bidder who timely requested and participated in a debriefing conference may file a protest.

DRS reserves the right to reject, without consideration, any protest that does not comply with any requirement in this section.

The protest must be emailed to the RFP Coordinator within five Business Days after the completion of the protester’s debriefing conference, as referenced in Table 1, Section 2.2, Procurement Schedule.

DRS will only consider a protest that is factually and unambiguously based on one or more of the following grounds:

- Errors in the scoring of the protester’s bid.
- Failure to follow RFP procedures.
- Failure to follow applicable law or rule.
- Bias, discrimination or conflict of interest negatively affecting the protester’s evaluation or interests.
The protest must be signed by a person authorized to bind the protester to a contractual relationship.

The protest must contain:

- The name, mailing address, telephone number and email address of the person responsible for submitting the protest.
- A clear and factually specific statement of the ground(s) for the protest.
- A complete and specific statement of the relief or corrective action requested.

Upon receipt of a protest, DRS will conduct a protest review. An individual who was not involved in the solicitation process and who is appointed by the DRS Director will objectively review the information submitted by the protester, as well as other relevant facts known to DRS.

If a protest directly affects another Bidder’s interests, DRS will give that Bidder an opportunity to submit its views and any relevant information to the RFP Coordinator.

DRS will resolve the protest by making appropriate findings and deciding on an appropriate course of action. DRS may find, for example, that:

- The protest lacks merit, and the procurement process will be upheld.
- Only technical or harmless errors occurred, which had no significant effect on the fairness or legality of the procurement process, and the procurement will be upheld.
- The protest has merit, and DRS will take corrective action such as (but not limited to) reevaluating all proposals, cancelling the RFP or reissuing the RFP.

DRS will send its written response to the protester within 10 Business Days after receiving the protest, unless it extends that time.

3. **IMPORTANT INFORMATION FOR BIDDERS**

3.1 **ACCEPTANCE PERIOD**

Proposals must provide one hundred eighty (180) Calendar Days for acceptance by DRS from the due date for receipt of proposals.

3.2 **BIDDER’S UNDERSTANDING OF THE RFP**

In responding to this RFP, the Bidder fully accepts responsibility for understanding the RFP in its entirety and in detail, including submitting questions necessary to gain such understanding. DRS reserves the right to disqualify any Bidder who
demonstrates less than such understanding. Further, DRS reserves the right to determine, at its sole discretion, whether the Bidder has demonstrated such understanding. That right extends to cancellation of award if award has been made. Such disqualification and/or cancellation shall be at no fault, cost or liability whatsoever to DRS.

3.3 COMMITMENT OF FUNDS

The DRS Director is the only individual who may legally commit DRS to the expenditures of funds for a contract resulting from this RFP. No cost chargeable to the proposed contract may be incurred before receipt of a fully executed contract.

3.4 CONTRACT AWARD

DRS will notify the selected Bidder of its acceptance of the Bidder’s Proposal and of DRS’ intent to enter into the contract in substantially the same form as Exhibit C – Sample Contract, attached. If said Bidder does not execute the contract within 60 Calendar Days of notification of ASB announcement, DRS may withdraw the award from that Bidder and award the contract to the Bidder ranked second in the Proposal evaluation process.

3.5 CONTRACTUAL REQUIREMENTS

Exhibit C – Sample Contract contains terms DRS requires in the contract. Bidders may propose revisions to the contract for clarification and procedural purposes. Any proposed revisions to the contract by the Bidder must be submitted as an attachment, as described in Section 2.4.2.7, Attachments, herein. If the Bidder proposes any revisions to the contract, including those providing clarification, the Bidder must set forth those proposed revisions in its response. If the Bidder and DRS cannot come to agreement on the Bidder’s proposed revisions, DRS’ language will control. DRS retains the right to waive any provision, as it deems appropriate.

In no event may the Bidder provide its own standard contract. Significant modifications to the attached Sample Contract may result in a determination that the Bidder is non-responsive and may be excluded from further consideration.

3.6 COSTS TO PROPOSE

DRS is not liable for any costs incurred by the Bidder in preparation of a proposal submitted in response to this RFP, in conduct of a presentation or for any other activities related to responding to this RFP.

3.7 CONFLICT OF INTEREST

It is the expectation of DRS that the award of a contract for the Project and the conduct of business under the contract will comply with the State’s conflict of

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interest laws. Any act by the Bidder or any of its employees or representatives which would constitute a violation of the Ethics in Public Service Act, Chapter 42.52 RCW, or any similar statute in relation to the submittal of its Proposal, will result in the Bidder being disqualified for further consideration.

3.8 MINORITY AND WOMEN-OWNED BUSINESS PARTICIPATION

In accordance with the legislative findings and policies set forth in RCW Chapter 39.19 RCW, the state of Washington encourages participation in all of its contracts by firms certified by the Office of Minority and Women’s Business Enterprises (OMWBE). Participation may be either on a direct basis in response to this solicitation or on a subcontractor basis. However, no preference will be included in the evaluation of proposals, no minimum level of OMWBE participation will be required as a condition for receiving an award, and proposals will not be rejected or considered non-responsive on that basis.

3.9 MOST FAVORABLE TERMS

DRS reserves the right to make an award without further discussion of the proposal submitted. Therefore, the proposal should be submitted initially on the most favorable terms that the Bidder can propose. After the deadline for submitting proposals has passed, the Bidder may not amend a submitted proposal and may not submit supplemental material or information, unless specifically requested by DRS. DRS does reserve the right to contact a Bidder for clarification of its proposal.

The Bidder should be prepared to accept this RFP for incorporation into a contract resulting from this RFP. Contract negotiations may incorporate some or all of the Bidder’s proposal. It is understood that the proposal will become a part of the official procurement file on this matter without obligation to DRS.

The “Best and Final Offer” is an option available to DRS under the RFP process allowing one or more Bidders to submit a best and final offer. Bidders may be contacted asking that they submit their best and final offer. Bidders should not submit a best and final offer unless contacted by DRS. DRS reserves the right to negotiate with the ASB for any type or combination of fee structures.

3.10 NO OBLIGATION TO CONTRACT

This RFP does not obligate the state of Washington or DRS to contract for services specified herein. The ASB is advised that the contract is valid and enforceable only if sufficient funds have been appropriated by the State Legislature. Additionally, the contract is subject to any additional restrictions, limitations, or conditions enacted, which may affect its provisions, terms, or funding.
3.11 **PUBLICITY**

No informational pamphlets, notices, press releases, research reports and/or similar public notices concerning this procurement may be released by the ASB without obtaining prior written approval from DRS.

3.12 **RECORDS RETENTION**

DRS will retain one master copy of each unsuccessful proposal for a period of three years following the date of contract execution. DRS will retain the proposal from the successful Bidder for a period of six years following expiration of the contract resulting from this procurement.

3.13 **SITE SECURITY**

Any contractors onsite must comply in all respects with physical, fire and other DRS security regulations as well as complying with all agency practices, standards and policies. For example, contractors must use all State resources appropriately as identified in DRS and State policies.

Data security is described in Exhibit B – Scope of Services.

3.14 **WITHDRAWAL OF PROPOSALS**

Bidders may withdraw a Proposal that has been submitted at any time up to the Proposal due date and time set forth in the Table 1 in Section 2.2, Procurement Schedule. A written request to withdraw, signed by the Bidder Contracting Officer, must be submitted to the RFP Coordinator by postal mail or other method of physical delivery, and by email pursuant to Section 2.1. After withdrawing a previously submitted Proposal, the Bidder may submit another Proposal at any time up to the Proposal due date and time set forth in the Table 1 in Section 2.2.

3.15 **WORLD TRADE ORGANIZATION (WTO) GOVERNMENT PROCUREMENT AGREEMENT (GPA)**

Washington is one of 37 states that adhere to the WTO GPA. The WTO GPA is an international treaty to which the United States is a signatory. This procurement will be conducted in accordance with the terms of the WTO GPA. Bidders from other WTO GPA signatory nations, that meet the qualifications required in this RFP, are encouraged to submit proposals and will be given full consideration.
4. **EXHIBITS**

   A. Definitions  
   B. Scope of Services  
   C. Sample Contract  
   D. Bidder’s Information, Declarations and Certifications  
   E. Questionnaire  
   F. Fee Proposal  
   G. Technical Requirements  
   H. Joint Resource Plan  
   I. Current Agency Technical Profile  
   J. Ongoing Support Fee Schedule  
   K. Weekly Status Report Sample  
   L. Deliverable Expectation Document