



**STATE OF WASHINGTON  
OFFICE OF THE ATTORNEY GENERAL  
OLYMPIA, WASHINGTON**

**REQUEST FOR QUOTATIONS AND QUALIFICATIONS**

**FORENSIC GENEALOGY  
AND  
DNA ANALYSIS OF EVIDENCE COLLECTION KITS**

**RFQQ NO. 21-01**

**PROPOSAL DUE DATE: February 12<sup>th</sup>, 2021 by 4:00 p.m. PST**

**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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<b>Anticipated Procurement Schedule</b> AGO reserves the right to revise the schedule Times are at Pacific Standard Time	
Post Request for Qualifications and Quotations.	<b>January 21, 2021</b>
Bidder may submit written questions by 4:00 PM.	<b>January 29, 2021</b>
AGO will post responses to questions and amendments to RFQQ (if any).	<b>February 3, 2021</b>
Bidder may submit complaint via email by 4:00 PM.	<b>February 5, 2021</b>
Bidder Conference Held (if any).	<b>Tbd</b>
Bidder must submit Proposals by 4:00 PM.	<b>February 12, 2021</b>
Oral Interviews (if any).	<b>Tbd</b>
AGO Evaluation of Proposals	<b>Beginning the week of February 15, 2021 and through the week of February 22, 2021</b>
Announce "Apparently Successful Bidder(s)" (ASB) and send notification via WEBS to unsuccessful Bidders. Evaluations may take up to several weeks.	<b>After evaluations are finished</b>
DEBRIEFING CONFERENCE: Unsuccessful Bidders may request Debriefing until 4:00 PM three business days from the ASB Announcement.	
PROTEST: Bidder may submit protest until 4:00 PM no later than five business days from the Bidder's Debrief Conference.	
Protest Period Ends: 4:00 PM five business days from the last Debrief Conference.	

<b>Contract Terms</b>	
Maximum Amount	Multiple Contracts Awarded - Up to \$250,000 each
Performance Period	Date of execution through through the end of Grant Period, including any extensions thereof.
Optional Extensions	AGO reserves the right for optional extensions

RFQQ Coordinators	RFQQ Coordinators' Email Addresses
Sydney M. Wright, Assistant Contracts Administrator	Contracts@atg.wa.gov
Cherié Norris, Grant & Contract Coordinator Lead	FISGrants@atg.wa.gov

**BIDDER ELIGIBILITY:** This procurement is open to those Bidders that satisfy the minimum qualifications as outlined in [Section 3.1](#) herein.

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## 1. INTRODUCTION

### 1.1 Background.

The Washington State Attorney General's Office (AGO) is an independent constitutional office and legal counsel to the State of Washington. Its mission is to provide excellent, independent, and ethical legal services to the State of Washington and protect the rights of its people. The AGO is comprised of more than 1300 attorneys and professional staff who work in 27 separate legal divisions located in twelve different cities across the State, and who provide legal services to more than 230 state agencies, boards and commissions.

The State of Washington has a large number of unsolved sexually motivated violent cold cases. The Washington State Attorney General's Office has obtained permission to use funds received as a part of the Sexual Assault Initiative Grant to assist local law enforcement with DNA testing and forensic genetic genealogy testing on sexually motivated violent crimes. To assist local law enforcement with their cold case investigations, the AGO intends to contract with private labs to test the sexual assault kits and perform forensic genealogy services. The AGO has been awarded federal grant funds to implement this effort.

This Request for Qualifications and Quotations (RFQQ) is to solicit proposals to provide laboratory and analytical services for forensic genealogy services and DNA analysis of sexual assault evidence collection kits (SAKs).

The work is to be performed pursuant to the specifications set forth in [Attachment 1](#), *Statement of Work*, and the minimum qualifications and any other requirements set forth in this RFQQ.

### 1.2 Period of Performance.

The period of performance of any contract(s) resulting from this RFQQ is tentatively scheduled to begin on or about the date indicated within the [Anticipated Procurement Schedule](#) on page one of this RFQQ. Amendments extending the period of performance, if any, shall be at the sole discretion of the AGO.

### 1.3 Funding.

The estimated funding for this project shall not exceed the amount indicated within the [Contract Terms](#) on page one of this procurement. Any contract(s) awarded as a result of this procurement is contingent upon the availability of funding.

## 2. GENERAL INFORMATION

### 2.1 RFQQ Coordinators.

The RFQQ Coordinators are the sole point of contact in the AGO for this procurement. All communication between the Bidder and AGO upon receipt of this RFQQ shall be with the RFQQ Coordinators, listed below and on [page one](#) of this RFQQ.

Any other communication will be considered unofficial and non-binding on the AGO. 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.

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## **2.2 Purpose.**

The purpose of this RFQQ is to establish a pool of prequalified contractors that meet the minimum qualifications to perform some or all of the services set out in the Statement of Work.

## **2.3 Bidders' Questions and Answers.**

Specific questions concerning this RFQQ should be submitted in writing via e-mail to the RFQQ Coordinators at the email address listed on page one of this RFQQ. Questions must be received by the RFQQ Coordinators no later than the date and time listed within the Anticipated Procurement Schedule on page one of this RFQQ. Answers to Bidder's questions will be posted on WEBS and may result in an amendment to the RFQQ.

## **2.4 Bidders' Conference.**

A Bidder Conference is not anticipated. In the event that the AGO determines a Bidder Conference is necessary, the AGO will delineate the reason for the conference and communicate the details with all responsive Bidders. A Bidder conference, if called by the AGO shall be mandatory. Any Bidder that does not attend the conference shall be considered nonresponsive and shall not be given further consideration.

## **2.5 Amendments to the RFQQ.**

If Bidder questions result in changes to the RFQQ, written amendments to the RFQQ will be issued and posted on WEBS. For this purpose, the published questions and answers and any other pertinent information shall be provided as an amendment to the RFQQ. The AGO also reserves the right to cancel or to reissue the RFQQ in whole or in part, prior to execution of a contract.

## **2.6 Refresh Opportunities.**

The AGO reserves the right, at its sole discretion, to expand and or refresh the Vendor Pool or to include the addition of subcategories, or to add to the Vendor Pool if it is deemed to be in the State's best interest. The AGO will review and assess the need to refresh the Vendor Pools at least annually.

## **2.7 Proprietary Information/Public Disclosure.**

Materials submitted in response to this competitive procurement shall become the property of the AGO. All proposals received shall remain confidential until the announcement of an Apparently Successful Bidder (ASB) by the AGO; thereafter, the proposals shall be deemed public records as defined in [RCW 42.56](#) (the Public Records Act) and [RCW 39.26.030](#) (State Procurement Records - Disclosure).

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 exception 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 page.

The AGO will consider a Bidder's request for exemption from disclosure; however, the AGO will make a decision predicated upon Chapter 42.56 RCW. Marking the entire proposal exempt from disclosure will not be honored. The Bidder must be reasonable in designating information as confidential. If any information is marked as proprietary in the proposal, such information will not be made available until the affected Bidder has been given an opportunity to seek a court injunction against the requested disclosure.

## **2.8 Minority and Women-Owned Businesses Participation.**

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). However, no preference will be included in the evaluation of proposals, no minimum level of OMWBE participation shall be required as a condition for receiving an award and proposals will not be rejected or considered non-responsive on that basis. Bidders may contact OMWBE at (866) 208-1064 or <http://omwbe.wa.gov> to obtain information on certified firms and the certification process.

## **2.9 Acceptance Period.**

Proposals must provide 60 days for acceptance by the AGO from the due date for receipt of proposals.

## **2.10 Initial Determination of Responsiveness.**

All proposals will be reviewed by the RFQQ Coordinators to determine compliance with administrative requirements and instructions specified in this RFQQ. The Bidder is specifically notified that failure to comply with any part of the RFQQ may result in rejection of the proposal as non-responsive. The AGO also reserves the right, however, at its sole discretion to waive minor administrative irregularities.

## **2.11 Most Favorable Terms.**

The AGO reserves the right to make an award(s) without further discussion of the proposal submitted. Therefore, the proposal should be submitted initially on the most favorable terms which the Bidder can propose. There will be no best and final offer procedure. The AGO reserves the right to contact a Bidder for clarification on their proposal.

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

Issues, concerns, exceptions or objections to any of the terms or conditions contained in the Sample Contract shall be set out in writing by the Bidder in Bidder's Proposal as exceptions to the Sample Contract. The exceptions shall be listed by section or paragraph with a description of each issue, concern, exception and/or objection, not as a red-lined copy of the model contract. The AGO reserves the right to reject any and all revision requests. If the Bidder does not notify the AGO of any exceptions to the contract, the Bidder will be deemed to have accepted the terms of the Sample Contract.

## **2.12 Contract.**

An Apparent Successful Bidder will be expected to enter into a contract which is substantially the same as [Attachment 7](#) hereto. In no event is a Bidder to submit its own standard contract terms and conditions in response to this solicitation.

Successful Bidders are expected to sign the final contract within 30 days of receipt. Contracts not signed within designated time may be voided and the offer to contract may be rescinded.

Contracts resulting from this RFQQ are intended to support the as-needed services as more fully described in the Statement of Work.

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

### **2.13 Cost to Propose.**

The AGO 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 to responding to this RFQQ.

### **2.14 No Obligation to Contract.**

This RFQQ does not obligate the State of Washington or the AGO to contract for services specified herein.

### **2.15 Rejection of Proposals.**

The AGO reserves the right in its sole discretion to reject all proposals received without penalty and not to issue a contract as a result of this RFQQ.

### **2.16 Commitment of Funds.**

The Chief Financial Officer of the AGO or those with authority delegated by the Chief Financial Officer of the AGO are the only individuals who may legally commit the AGO 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.

### **2.17 Background Checks.**

The Attorney General's Office, in its sole discretion, may require fingerprint background checks on any proposed Contractor team member who will have unaccompanied access to WSP facilities, electronic equipment, computers, data bases, or other sensitive or restricted information. Before such contractor may begin such work, that team member must pass a criminal history background check. Contractor must complete Fingerprint Background Checks forms and submit a Waiver and Authorization to Release Information form as determined necessary by the Attorney General's Office in accordance with this provision.

In addition, Contractor and all team members and subcontractors requiring a background check shall undergo security awareness training online every two years. A link to the security awareness training will be provided by WSP upon completion of the fingerprint background check.

Failure of Contractor, Contractor team members or subcontractors to cooperate with WSP during the background check process or to complete security awareness training may result in termination of the contract.

### **2.18 Oral Interviews May Be Required.**

Oral Interviews are not anticipated. Should oral interviews become necessary, the AGO may contact Bidders and any proposed Bidder team members to schedule a date, time and location. Commitments made by the Bidder at the oral interview, if any, will be considered binding.

### **2.19 Rejection Due to Unsatisfactory Performance.**

Pursuant to the provisions of [RCW 39.26.160](#), the AGO may reject proposals of any Bidder who has failed to perform satisfactorily under any previous contract. The AGO shall notify the Bidder of such a rejection.

### **2.20 Wage Laws Certification.**

Prior to awarding a contract, agencies are required to determine that a Bidder is a 'Responsible Bidder,' per [RCW 39.26.160\(2\) & \(4\)](#). Pursuant to legislative enactment in 2017, the Bidder shall certify that the Bidder has not willfully violated Washington's wage laws (See Appendix G).

### **2.21 Workers' Rights, Executive Order 18-03 Certification.**

Pursuant to [RCW 39.26.160\(3\)](#) (best value criteria) and consistent with Executive Order 18-03-Supporting Workers' Rights to Effectively Address Workplace Violations (dated June 12, 2018), the



AGO will evaluate bids for best value and provide a bid preference to any Bidder who certifies, pursuant to the certification attached as [Appendix H – Contractor Certification for Executive Order 18-03 – Workers’ Rights](#), that their firm does NOT require its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waiver.

## **2.22 Washington Electronic Business Solution (WEBS).**

Notification of amendments and results of the solicitation will only be provided to those Bidders who have registered with WEBS and have downloaded the RFQQ from WEBS. Bidders accept full responsibility and liability for failing to receive any amendments resulting from their failure to register with WEBS and download the RFQQ from WEBS, and hold the State of Washington harmless from all claims of injury or loss resulting from such failure. Bidders are solely responsible for:

- Properly registering with the Department of Enterprise Services WEBS at: <https://des.wa.gov/services/contracting-purchasing/doing-business-state/webs-registration-search-tips>
- Maintaining an accurate Bidder profile in WEBS
- Downloading the solicitation consisting of the RFQQ with all attachments, appendices, and all current and subsequent amendments to the solicitation

## **2.23 Federal Restrictions on Lobbying.**

The Bidder certifies, by submittal of a Response to this RFQQ, that under the requirements of Lobbying Disclosure Act, 2 U.S.C., Section 1601 et seq., no Federal appropriated funds have been paid or will be paid, by or on behalf of the Contractor, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement. See the Federal Restrictions on Lobbying subsection of the proposed Contract.

## **2.24 Debarment.**

The Bidder certifies, by submittal of a Response to this RFQQ, that neither it nor its “principals” (as defined in [2 CFR 200.213](#) or [RCW 39.26.010 \(8\)](#)) is presently debarred by any Federal or state department or agency.

## **2.25 Use of Subcontractors.**

AGO will accept Responses that include third party involvement only if the Bidder submitting the Response agrees to take complete responsibility for all actions of such subcontractors.

Specific restrictions apply to Contracting with current or former state employees pursuant to chapter [42.52 RCW](#). Bidders should familiarize themselves with the requirements prior to submitting a Response.

## **2.26 Taxes.**

Contractor must collect and report all applicable taxes. Taxes are not assessed against the management fee.

## **2.27 Definitions.**

Any terms not defined within this RFQQ, or the attached Sample Contract, can be found defined within [Attachment 6 – Definitions](#), attached to this RFQQ.



### 3. BIDDER QUALIFICATIONS

#### 3.1 Minimum Qualifications.

Bidders who do not meet these minimum qualifications will be rejected as non-responsive and will not receive further consideration. Any proposal that is rejected as non-responsive will not be evaluated. Bidders will be notified by the RFQQ Coordinators via email if their Proposal is considered non-responsive because the Bidder does not meet these minimum qualifications.

Each proposal must show how the Bidder meets the following mandatory minimum qualifications:

- 3.1.2 The Bidder must be registered and in compliance with the Federal System for Award Management (SAM) <https://www.sam.gov/SAM/>. Bidder must produce verification that its SAM registration is current and/or is in the process of being registered and the Bidder does not have any outstanding federal delinquent debt or is a federally or state debarred contractor before a contract can be signed.
- 3.1.4 The Bidder must meet insurance requirements as set forth in [Section 4](#).
- 3.1.5 Bidders responding for the DNA Testing cases must meet the technical specifications required in [Attachment 1](#).

Bidder must maintain compliance with these requirements throughout the life of any resulting contract.

### 4. INSURANCE COVERAGE

If a Bidder is chosen as an ASB, Bidder is required to carry commercial insurance in accordance with the instructions in [Attachment 5, Insurance Requirements](#) to this RFQQ.

### 5. PROPOSAL SUBMISSION.

Proposals must be submitted in accordance with the instructions in [Attachment 2, Proposal Submission Instructions](#) to this RFQQ.

### 6. EVALUATION AND AWARD

#### 6.1 Award Criteria.

AGO intends to execute multiple Contracts as a result of this RFQQ. Awards will be awarded based on the Apparent Successful Bidders' abilities to meet all of the mandatory minimum requirements and any other requirement of this RFQQ. These Contracts will be grouped into a prequalified and unranked Bidder pool.

Bidders whose Responses are determined to be non-responsive will be rejected and will be notified of the reasons for such rejection.

Contract Award will be based on the evaluation and Award criteria established herein and will be in accordance with provisions identified in [RCW 39.26.160](#) and other criteria identified in the RFQQ.

While rate quotes are included as a component of a required submittal, pricing is not an Award consideration.

AGO reserves the right to use references to confirm satisfactory customer service, performance, satisfaction with service/product, knowledge of products/service/industry and timeliness; any negative or unsatisfactory response may be an adequate reason for rejecting a Bidder as non-responsive and unable to suit the needs of the state. AGO reserves the right to waive a reference check. Bidders deemed non-responsive may be rejected.

## **6.2 Evaluation.**

Responses meeting the Initial Determination of Responsiveness will then be reviewed on a pass/fail basis to determine if the Response meets the mandatory requirements specified in Section 3 above. After the Response due date and time, AGO may require individual Bidders to appear at a date, time and place determined by the AGO for the purpose of conducting discussions to determine whether both parties have a full and complete understanding of the nature and scope of contractual requirements. In no manner shall such action be construed as negotiations or an indication of AGO's intention to award. Only Responses meeting all mandatory requirements will be further evaluated.

AGO reserves the right to determine at its sole discretion whether a Bidder's response to a mandatory requirement is sufficient to pass. However, if all responding Bidders fail to meet any single mandatory item, AGO reserves the right, at its option, to either: (1) cancel the procurement, or (2) revise or delete the mandatory item.

## **6.3 Responsibility.**

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

## **6.4 Selection of Apparent Successful Bidders.**

The Bidders who meet all of the RFQQ requirements and the mandatory requirements specified in Section 3 will be declared Apparent Successful Bidders and may enter into Contract negotiations with the AGO.

## **6.5 Notification of Apparent Successful Bidders.**

All Bidders responding to this RFQQ will be notified when the AGO has determined the Apparent Successful Bidders who will constitute a prequalified and unranked Bidder pool. The date of announcement of the Apparent Successful Bidders will be the date of the notification from the AGO.

## **7. COMPLAINT, DEBRIEF, & PROTEST REQUIREMENTS**









Complaints, requests for Debrief and Protest Requirements must be submitted in accordance with the instructions in [Attachment 4](#), *Complaint, Debrief & Protest Requirements* to this RFQQ.

## **8. DOING BUSINESS WITH THE STATE OF WASHINGTON**

Doing Business with the State of Washington must be reviewed and adhered to as described within [Attachment 3](#), *Doing Business with the State of Washington* to this RFQQ.



## **9. RFQQ APPENDICES AND ATTACHMENTS**






**The following Appendices are required and must be completed or Answered and returned along with the Bidder's Proposal**

Appendix A – Checklist for Responsiveness (MANDATORY)	 APPENDIX A_Checklist for Resp
Appendix B – Offer, Certifications and Assurances (MANDATORY)	 APPENDIX B _Offer, Certifications and A:
Appendix C – Bidder Questionnaire (MANDATORY)	 APPENDIX C_Bidder Questionnaire.docx
Appendix D – Services Offered/Rate Sheet (MANDATORY)	 Appendix D_Price Sheet.docx
Appendix E – Bidder's Profile (MANDATORY)	 APPENDIX E_Bidders Profile.do
Appendix F – Business Reference Form (MANDATORY)	 APPENDIX F_Business Referenc
Appendix G – Wage Theft Prevention Certification (MANDATORY)	 APPENDIX G_Wage Theft Prevention Cer
Appendix H – Executive Order 18-03 Certification (MANDATORY)	 APPENDIX H-Employee Rights.c

The following Attachments are informational and contain critical instructions for submission of a Proposal.

**Do not return the Attachments to the AGO.**

<i>Attachment 1 – Statement of Work</i>	 ATTACHMENT 1_Statement of Wor
<i>Attachment 2 – Proposal Submission Instructions</i>	 ATTACHMENT 2_Proposal Submissi

<i>Attachment 3 – Doing Business with the State of Washington</i>	 ATTACHMENT 3_Doing Business W
<i>Attachment 4 - Complaint, Debrief &amp; Protest Requirements</i>	 ATTACHMENT 4_Complaint, Debrief
<i>Attachment 5 – Insurance Requirements</i>	 ATTACHMENT 5_Insurance Requirements
<i>Attachment 6 – Definitions</i>	 ATTACHMENT 6_Definitions-FINAL
<i>Attachment 7 – Sample Contract</i>	 ATTACHMENT 7_Sample Contract-f