



State Of Washington
Washington State Patrol, Supply Section
8543 Armstrong Road SW, Tumwater, WA 98512

INTRODUCTION

The Washington State Patrol (WSP) is issuing this Competitive Solicitation pursuant to RCW 39.26. Pursuant to this Competitive Solicitation, WSP intends to conduct a competitive procurement to select a winning bidder(s), by defined category, to allow the agency to purchase a new patrol rifle weapon system. For purposes of this Competitive Solicitation and the resulting Contracts, patrol rifle weapon system is divided into the following two (2) Procurement Categories (Category(ies)):

1. Patrol SBR
2. Green dot sighting system

Bidders may bid on one, multiple, or all Categories. Bidder must supply all requested products in a Procurement Category to be considered a complete and responsive bid (See ***Exhibit C – Bid Price*** to place bid).

To reduce barriers to participation in state procurement and contracting and encourage state agency purchases of goods from Washington small businesses or Certified Veteran-owned businesses, WSP intends to award additional points per the scoring criteria, up to a total of an additional 10 points, to responsive and responsible bidders who certify and qualify as a 'Washington Small Business' or 'Certified Veteran-owned Business' as set forth in ***Exhibit A***, unless otherwise not awarded.

In summary, there will be one awarded vendor per Procurement Category.

This Competitive Solicitation is divided into six (6) sections:

- [Section 1](#) provides a summary table of relevant deadlines for responding to the Competitive Solicitation and identifies contact information for WSP's Procurement Coordinator.
- [Section 2](#) provides important information about the procurement that is designed to help interested bidders evaluate the potential opportunity, including the purpose of the procurement, the form of the resulting solicitation, and potential sales.
- [Section 3](#) identifies how WSP will evaluate the bids.
- [Section 4](#) identifies how to prepare and submit a bid for this Competitive Solicitation, including detailed instructions regarding what to submit and how to submit your bid.
- [Section 5](#) details the applicable requirements to file a complaint, request a debrief conference, or file a protest regarding this Competitive Solicitation.

- [Section 6](#) provides information pertaining to doing business with the State of Washington.

In addition, this Competitive Solicitation includes the following Exhibits:

- [Exhibit A – Required Bidder Information](#): These exhibits identify information that bidders must provide to WSP to constitute a responsive bid. See Section 4, below.
- [Exhibit B – Performance Requirements/Scoring](#): This exhibit outlines the Competitive Solicitation's required specifications/qualifications. As appropriate, specifications/qualifications are identified by Procurement Category. Exhibit B-1 Rifle Scoring Rubrics; Exhibit B-2 Optic Scoring Rubrics.
- [Exhibit C – Bid Price](#): This exhibit provides the pricing information that bidders will complete as part of their which WSP will use to evaluate and compare bids.
- [Exhibit D](#)- Bidder references
- [Exhibit E – Diverse Business Inclusion Plan](#): This exhibit is required IF bidder intends to include diverse business partners.
- [Exhibit F – Example of Purchase Order](#):
- [Exhibit G - Technical Specification of Rifle and Optic](#).
- [Exhibit H – Alternate Rifle combat Course](#)

SECTION 1 – DEADLINES, QUESTIONS, PROCUREMENT COORDINATOR, AND MODIFICATION

This section identifies important deadlines for this Competitive Solicitation, where to direct questions regarding the Competitive Solicitation, and the process for potential amendments or modifications to the Competitive Solicitation.

- 1.1. **COMPETITIVE SOLICITATION DEADLINES.** The following table identifies important dates for this Competitive Solicitation:

COMPETITIVE SOLICITATION DEADLINES	
ITEM	DATE
Competitive Solicitation Posting Date:	November 14 th , 2023

COMPETITIVE SOLICITATION DEADLINES	
ITEM	DATE
Pre-Bid Conference:	<p>November 29th, 2023 (10:30 AM Pacific Time) <i>Virtual Pre-Bid Conference</i> <i>Attend via Zoom</i></p> <p>Weblink: Click here to join the meeting Meeting ID: 991 3654 5527</p> <p>Passcode: 545389 <i>Telephone Pre-Bid Conference</i> <i>Attend via Conference Call</i> +12532050468,,99136545527#,,,,*545389# US</p>
Question & Answer Period:	December 4 th -11 th , 2023
Deadline for Submitting Bids:	December 22 nd , 2023
Paper Evaluation:	January 10 th -17 th , 2024. Posted January 18 th , 2024
Physical Inspection of top 6 Bids:	January 31 st , 2024
Testing of top 4 Bids:	February 1 st -2 nd , 2024
Anticipated Announcement of Apparent Successful Bidders:	February 7 th , 2024
Anticipated Contract Awards:	February 14 th , 2024

- 1.2. **COMPETITIVE SOLICITATION QUESTIONS.** Questions or concerns regarding this Competitive Solicitation must be directed to the following Procurement Coordinator:

Procurement Coordinators	
Name:	Andrew Westerfield Stephen Tran
Telephone:	360-704-5452 360-704-5458
Email:	Andrew.westerfield@wsp.wa.gov Stephen.tran@wsp.wa.gov

Questions raised at the pre-bid conference and during the Q&A period will be answered and responses posted to Washington's Electronic Business Solution (WEBS).

- 1.3. **COMPLAINTS, DEBRIEFS, & PROTESTS.** The Competitive Solicitation (and award of any Contract) is subject to complaints, debriefs, and protests as explained in Section 5, which may impact the dates set forth above.
- 1.4. **COMPETITIVE SOLICITATION – AMENDMENT & MODIFICATION.** WSP reserves the right to amend and modify this Competitive Solicitation. Only bidders who have properly registered and downloaded the original Competitive Solicitation directly via the Washington Electronic Business Solution (WEBS) will receive notifications of amendments and other correspondence pertinent to this Competitive Solicitation. Bidders must be registered in WEBS to be awarded a Contract. Visit [WEBS](#) to register.

SECTION 2 – INFORMATION ABOUT THE PROCUREMENT

This section describes the purpose of the Competitive Solicitation and provides information about this procurement, including the potential scope of the opportunity.

- 2.1. **PURPOSE OF THE PROCUREMENT – Purchase 1000 Patrol Rifle Weapon Systems.** The purpose of this Competitive Solicitation is to receive competitive bids to evaluate and, as appropriate, award purchase orders, by Category, for a Patrol Rifle Weapon System. WSP intends to issue one (1) award by Category, for each of the two (2) specified Patrol Rifle Weapon System Categories
- 2.2. **PURCHASE ORDER -** The form of the purchase order that will be awarded as a result of this Competitive Solicitation is attached as ***Exhibit F Purchase Order***.
- 2.3. **CONTRACT TERM -** As set forth in the attached contract for this competitive solicitation, the length of time to fulfill the full order will be determined by the WSP and awarded bidder. It shall not exceed 150 days. WSP also retains the right to purchase additional units at the awarded price (plus inflation per CPI) within the subsequent 5 years. The purchase order is subject to earlier termination.
- 2.4. **ESTIMATED BUDGET -** WSP estimates the final procurement to be between \$1.2 million and \$1.4 million (rifle and optic inclusive).
- 2.5. **WASHINGTON STATE PROCUREMENT PRIORITIES & PREFERENCES.** WSP will apply the following Washington State procurement priorities and preferences to this Competitive Solicitation which, as set forth in Section 3.6, will impact the evaluation of bids for this Competitive Solicitation:
 - Executive Order 18-03: Ten (10) points
 - Certified Washington Small Business: Ten (10) points
 - Certified Washington Veteran-Owned Business: Ten (10) points

SECTION 3 – BID EVALUATION

This section identifies how WSP will evaluate bids for this Competitive Solicitation.

- 3.1. **OVERVIEW.** WSP will evaluate bids for this Competitive Solicitation as described below.

- Phase 1 – Narrowing to select bids for Testing & Evaluation: scoring on paper and visual inspection of weapon sample or sighting system sample.
 - a) Bidder responsiveness, performance requirements, price factors, and responsibility, will be evaluated based on the process described herein.
 - b) Any bidder whose bid is determined to be non-responsive will be rejected and will be notified of the reason(s) for this rejection.
 - c) WSP reserves the right to: (1) Request clarification regarding any bid; (2) Waive any informality; (3) Reject any or all bids, or portions thereof; (4) Accept any portion of the bid unless the bidder stipulates all or nothing in their bid; (5) Cancel the Competitive Solicitation and, if desired, re-solicit bids; and/or (6) Negotiate with the lowest responsive and responsible bidder(s) to determine if such bid can be improved.
- Phase 2 – Physical Inspection of the top 6 bids from Phase 1 will take place to ensure they meet the quality levels promised in the paper submissions.
- Phase 3 – Testing and Evaluation of the top 4 bids from Phase 2 will be done at the WSP Training Academy. The testing outlined below will take place. The final awarding of the bid will be the combined scores of Phases 2 and 3. In the event the awarded bidders for both categories exceed the budgetary allotment, priority will be given to the Patrol Rifle. The highest scoring Red Dot Sighting System that allows the WSP to stay within the budgetary allotment will be selected in this instance.
- WSP will use the following process and evaluation criteria to determine Contract award eligibility:

Step	Patrol Rifle Criteria	Score
A1.1	Bidder Responsiveness	Pass/Fail
A1.2	Build Criteria (Scored – Exhibit B-1 – Tabs 1-2)	X/200
A1.3	Build Cost (Exhibit C)	X/100
A1.4	Bidder Responsibility (Exhibit D)	X/200
A1.5	Executive Order 18-03	X/10
A1.6	Certified Washington Small Business	X/10
A1.7	Certified Washington Veteran-Owned Business	X/10
Subtotal		X/530

A2.1	Top 6 Applicants Physical Product Inspection (Exhibit B-1 – Tabs 1-2)	X/200
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A3.1	Top 4 Applicants Accuracy Test (Exhibit B-1 - Tab 3)	X/100
A3.2	Top 4 Applicants Durability Test (Exhibit B-1 – Tab 3)	Pass/Fail
A3.3	Top 4 Applicants Ergonomic/Practical Test (Exhibit B-1 – Tab 4)	X/50
Final Score		X/350

Step	Sighting System Criteria	Score
B1.1	Bidder Responsiveness	Pass/Fail
B1.2	Build Criteria (Scored – Exhibit B-2)	X/200
B1.3	Build Cost (Exhibit C)	X/100
B1.4	Bidder Responsibility (Exhibit D)	X/200
B1.5	Executive Order 18-03	X/10
B1.6	Certified Washington Small Business	X/10
B1.7	Certified Washington Veteran-Owned Business	X/10
Subtotal		X/530

B2.1	Top 6 Applicants Physical Product Inspection (Exhibit B-2)	X/200
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B3.1	Top 4 Applicants Box Test (Exhibit B-2)	X/50
B3.2	Top 4 Applicants Heat Test (Exhibit B-2)	X/50
B3.3	Top 4 Applicants Cold Test (Exhibit B-2)	X/50
B3.4	Top 4 Applicants Drop Test (Exhibit B-2)	X/50
B3.5	Top 4 Applicants Mount/un-mount Test (Exhibit B-2)	X/50
Final Score		X/450

- 3.2. **BID RESPONSIVENESS (STEP A/B1.1).** WSP will review bids – on a pass/fail basis – to determine whether the bid is ‘responsive’ to this Competitive Solicitation. This means that WSP will review each bid to determine whether the bid is complete – i.e., does the bid include each of the required bid submittals, are the submittals complete, signed, legible. WSP reserves the right – in its sole discretion – to determine whether a bid is responsive – i.e., to determine a bidder’s compliance with the requirements specified in this Competitive Solicitation and to waive informalities in a bid. An informality is an immaterial variation from the exact requirements of the Competitive Solicitation, having no effect or merely a minor or negligible effect on quality, quantity, or delivery of the goods or the quality, capability, or performance of the services being procured, and the correction or waiver of which would not affect the relative standing of, or be otherwise prejudicial, to bidders. Responsive bids will be evaluated as set forth herein.

Bidders must respond to all requirements of the defined Category to be considered for an award in such Category. A bidder must complete and provide **Exhibit C – Bid Price** for each and every Category that bidder wishes to be considered for a bid award.

- 3.3. **BUILD SPECIFICATIONS (STEP A/B1.2).** WSP will evaluate each bid to ensure that each bidder’s goods and/or services meet the specifications and/or performance requirements set forth in **Exhibit B-1/B-2 – Rifle/Optic Scoring Rubrics**. WSP will evaluate scored performance requirements by reviewing and comparing the submitted response to each scored requirement. After submission, Step 1 responses are scored, bidders will be further evaluated and the 6 highest scoring bids in each category advance to Step 2. After physical inspection of Step 2, the top 4 responses will proceed to testing and evaluation (Step 3).

WSP reserves the right to request additional information or perform tests and measurements before selecting the Apparent Successful Bidder. A bidder’s failure to provide requested information to WSP within ten (10) business days may result in disqualification.

- 3.4. **BID PRICING EVALUATION (STEP A/B1.3).** WSP will evaluate bid pricing by reviewing and comparing the submitted bid prices as provided in **Exhibit C – Bid Price**.

- Every Category will be evaluated individually.
- Each Category includes a line-item list of products with specifications. Bidders must provide the requested information for each line item in the respective Category that bidder wishes to bid. Failing to provide information for each line item may be cause for bid rejection.
- Each product’s final cost per individual item will be summed to determine the cumulative bid price. The Bidder with the lowest cumulative bid price in a Category will receive the maximum available one hundred (100) points for that Category. Other bidders who bid the same Category and who do not have the lowest cumulative bid price will have their score determined with the following formula:

$$\frac{(\text{Lowest cumulative bid price}/\text{Bidder's cumulative bid price}) \times 100}{100} = \text{Bidder's Cost Factor points for that respective Category.}$$

- 3.5. **BIDDER RESPONSIBILITY ANALYSIS (STEP A/B1.4).** Use Exhibit D for responsive bids, WSP must determine whether the bidder is a ‘responsible bidder.’ Accordingly, WSP will make reasonable

inquiry to determine bidder responsibility on a pass/fail basis. In determining bidder responsibility, WSP will consider the following statutory elements:

- Bidder's ability, capacity, and skill to perform the contract or provide the service required;
- Bidder's character, integrity, reputation, judgment, experience, and efficiency;
- Bidder's ability to perform the contract within the time specified;
- Bidder's performance quality pertaining to previous contracts or services;
- Bidder's compliance with laws relating to the contract or services;
- Whether, within the three-year period immediately preceding the date of the Competitive Solicitation, bidder has been determined by a final and binding citation and notice of assessment issued by the Washington State Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in RCW 49.48.082, any provision of chapter 49.46, 49.48, or 49.52 RCW; and
- Such other information as may be secured having a bearing on the decision to award the Contract.

See RCW 39.26.160(2)(a)-(g). In addition, WSP may consider the following:

- Financial Information: WSP may request financial statements, credit ratings, references, record of past performance, clarification of bidder's bid, on-site inspection of bidder's or subcontractor's facilities, or other information as necessary to determine bidder's capacity to perform and the enforceability of bidder's contractual commitments. Failure to respond to these requests may result in a bid being rejected as non-responsive.
- References: WSP 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 reference can be reason for rejecting a bidder as non-responsible.
- Responsive bidder must have two government agencies/departments who have awarded the bidder a solicitation and/or contract to fill out the form and send directly back to the point of contact at the bottom of the form within 10 business days of submission of the bid.

3.6. WASHINGTON STATE PROCUREMENT PRIORITIES & PREFERENCES (STEP A/B1.5). WSP will apply the following Washington State procurement priorities and preferences, as set forth below, to this Competitive Solicitation:

- PROCUREMENT PREFERENCE FOR EXECUTIVE ORDER 18-03 (Firms without Mandatory Individual Arbitration for Employees). Pursuant to RCW 39.26.160(3) (best value criteria) and consistent with [Executive Order 18-03 – Supporting Workers' Rights to Effectively Address Workplace Violations](#) (dated June 12, 2018), WSP will evaluate bids for best value and will provide a bid preference in the amount of

ten (10) points to any bidder who certifies, pursuant to **Exhibit A – Bidder's Profile**, 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 waivers.

- PROCUREMENT PREFERENCE FOR CERTIFIED WASHINGTON SMALL BUSINESSES Pursuant to RCW 39.26.160(3) (best value criteria) and consistent with [Executive Order 22-01 – Equity in Public Contracting](#) (dated January 7, 2022) WSP will evaluate bids for best value and will provide a bid preference in the amount of ten (10) points to any bidder who certifies, pursuant to **Exhibit A – Bidder's Profile**, that their firm is a Certified Washington Small Business.
- PROCUREMENT PREFERENCE FOR CERTIFIED WASHINGTON VETERAN-OWNED BUSINESS Pursuant to RCW 39.26.160(3) (best value criteria) and consistent with [Executive Order 22-01 – Equity in Public Contracting](#) (dated January 7, 2022) WSP will evaluate bids for best value and will provide a bid preference in the amount of ten (10) points to any bidder who certifies, pursuant to **Exhibit A – Bidder's Profile**, that their firm is a Certified Washington Veteran-Owned Business.

- 3.7. **PRODUCT INSPECTION (STEP A/B2.1).** Once the six (6) highest-scored responsive bidders per Category (Top Bidders) are determined, WSP will perform physical inspections to ensure products meet listed requirements regarding specifications/measurements. Should any question or issue arise surrounding verification, Top Bidders will have up to five (5) business days to provide supporting documentation.

Pending this verification, Top Bidders may then be asked to submit a sampling of up to five (5) products per Category from their bid list as chosen by WSP for review to ensure products meet specifications/qualifications, has appropriate documentation demonstrating relevant certifications, and performs as advertised and as expected. The Top Bidders will receive notice of the requested items and must then timely submit the same to WSP as instructed.

- **PRODUCT SUBMITTAL PROCESS.** For each Category that a Top Bidder qualifies in, such bidder will receive notice of the sampling of products requested and where to send them. Such bidder must submit the following within seven (7) calendar days of notice:
 - i. Product Sample and Packaging.
 - 1. For each requested product in category one (1), bidder must submit 2 complete rifles, and one additional of the following: fire control group and complete bolt carrier group.
 - 2. For Category 1 submissions, examples of prior engravings are requested in lieu of "Washington State Patrol" markings on the T&E rifles.
 - 3. For each requested product in category two (2), bidder must submit 2 Rifle Sighting Optic Systems.
 - ii. Product Return or Payment Instructions. For each requested product, bidder must include product return label or payment instructions pertaining to the product samples. WSP does not accept gifts from vendors. Accordingly, bidders may not instruct WSP to keep the submitted product samples. WSP will either return the product samples or pay bidder for such product samples; pricing must be in line with bid prices. Products returned by the WSP may be in used condition or damaged due to testing methods described in this solicitation.

- 3.8. **CATEGORY SAMPLE TESTING PROCESS (STEP A3.1-3.3 AND/OR B3.1-3.5).** Product samples will be handled, tested, evaluated, and analyzed. Documentation will be reviewed and analyzed. WSP, in consultation with any subject matter experts involved, will determine whether Top Bidder's submitted product samples meet the Competitive Solicitation specifications/qualifications in Exhibit B-1 and/or Exhibit B-2 as well as score the samples in accordance with the scoring rubric.
- 3.9. **ANNOUNCEMENT OF APPARENT SUCCESSFUL BIDDERS.** WSP will determine the Apparent Successful Bidders ("ASBs"). ASBs will be responsive and responsible bidders that best meet the Competitive Solicitation requirements, including price, as calculated consistent with the instructions set forth in **Exhibit C – Bid Price**, total value, and other factors as set forth in this Competitive Solicitation including any applicable state procurement priority or preference.
- Designation as an ASB does not imply that WSP will issue an award for a Contract. Rather, this designation allows WSP to perform further analysis and ask for additional documentation. Bidders must not construe ASB designation as an award, impending award, attempt to negotiate, etc. If a bidder acts or fails to act as a result of such notification or designation, it does so at its own risk and expense.
 - Upon ASB announcement, bidders may request a debrief conference as specified in Section 5.
- 3.10. **AWARD OF CONTRACTS.** Subject to protests, if any, WSP and the ASBs will enter into Contracts as set forth in **Exhibit F –Purchase Order**. An award is made and a contract formed by signature of WSP and awarded bidder on the Solicitation. Following the solicitation awards, all bidders registered in WEBS will receive a Notice of Award delivered to the bidder's email address provided in the bidder's profile in WEBS.
- 3.11. **BID INFORMATION AVAILABILITY.** Upon WSP's announcement of ASBs, all bid submissions and all bid evaluations are subject to public disclosure pursuant to Washington's Public Records Act. See RCW 39.26.030(2).

SECTION 4 – HOW TO PREPARE AND SUBMIT A BID FOR THIS COMPETITIVE SOLICITATION

This section identifies how to prepare and submit your bid to WSP for this Competitive Solicitation. In addition, bidders will need to review and follow the Competitive Solicitation requirements including those set forth in the exhibits, which identifies the information that bidders must provide to WSP to constitute a responsive bid. By responding to this Competitive Solicitation and submitting a bid, bidders acknowledge having read and understood the entire Competitive Solicitation and accept all information contained within this Competitive Solicitation.

- 4.1. **PRE-BID CONFERENCE.** WSP will host a Competitive Solicitation pre-bid conference at the time set forth in Section 1.1 of this Competitive Solicitation. Attendance is not mandatory. Bidders, however, are encouraged to attend and participate. The purpose of the pre-bid conference is to clarify the Competitive Solicitation as needed and raise any issues or concerns that bidders may have. If changes to the Competitive Solicitation are required as a result of the pre-bid conference, the Procurement Coordinator will post an amendment to this Competitive Solicitation to WEBS.

Assistance for disabled, blind, or hearing-impaired persons who wish to attend the pre-bid conference is available with prior arrangement by contacting the Procurement Coordinator.

- 4.2. **BIDDER COMMUNICATIONS REGARDING THIS COMPETITIVE SOLICITATION.** During the Competitive Solicitation process, all bidder communications regarding this Competitive Solicitation must be directed to the Procurement Coordinator specified in Section 1.2 of this Competitive Solicitation. Bidders should rely only on this Competitive Solicitation and written amendments to this Competitive Solicitation issued by the Procurement Coordinator. In no event will oral communications regarding this Competitive Solicitation be binding.

- Bidders are encouraged to make any inquiry regarding the Competitive Solicitation as early in the process as possible to allow WSP to consider and, if warranted, respond to the inquiry. If a bidder does not notify WSP of an issue, exception, addition, or omission, WSP may consider the matter waived by the bidder for protest purposes.
- If bidder inquiries result in changes to the Competitive Solicitation, written amendments will be issued and posted on WEBS.
- Unauthorized contact regarding this Competitive Solicitation with other state employees involved with the Competitive Solicitation may result in bidder disqualification.

- 4.3. **PRICING.** Bid prices must include all cost components needed for the delivery of the goods and/or services as described in this Competitive Solicitation. See **Exhibit C – Bid Price**. A bidder's failure to identify all costs in a manner consistent with the instructions in this Competitive Solicitation is sufficient grounds for disqualification.

- 4.4. **Inclusive Pricing:** Bidders must identify and include all cost elements in their pricing. In the event that bidder is awarded the solicitation, the total price for the goods and/or services shall be bidder's price as submitted. Except as provided in the purchase order, there shall be no additional costs of any kind. **Please note:** When determining pricing, it is expected that pricing includes the cost of shipping within seven (7) calendar days after receipt of purchase order. If shipping will be done in installments by agreement between the awarded bidder and the WSP, shipping costs will be updated within 7 days of each shipping date.

- 4.5. **BID SUBMITTAL CHECKLIST – REQUIRED BID SUBMITTALS.** This section identifies the bid submittals that must be provided to WSP to constitute a responsive bid. The submittals must be delivered as set forth below. Bids that do not include the submittals identified below may be rejected as nonresponsive. In addition, a bidder's failure to complete any submittal as instructed may result in the bid being rejected. Bidders may not provide unsolicited materials. For any supplemental materials expressly required by WSP in writing, bidders must identify such supplemental materials with the bidder's name.

☐ **EXHIBIT A – BIDDER'S PROFILE**

This document is required bidder information for WSP's contract administration purposes.

Complete as instructed and submit it with the bid to WSP.

☐ **EXHIBIT B-1/B-2 – SCORING RUBRICS**

Bidder will need to confirm that bidder's goods and/or bidder's performance meet or exceeds the detailed specifications/qualifications set forth in **Exhibit B-1/B-2 – Rifle/Optic Scoring Rubrics** and submit it with the bid to WSP. *Note:* the Certification must be complete. Where there are choices, bidder **must** check a box.

☐ **EXHIBIT C – BID PRICE**

Submit **Exhibit C** with the bid to WSP. Bidders may bid on one, multiple, or all Categories of the Patrol Rifle Weapon System. Bidder must supply all requested products in a Category to be considered a complete and responsive bid.

☐ **EXHIBIT D – BIDDER RESPONSIBILITIES**

Submit Exhibit D will be complete by Government agencies that had previous work with the bidder. Must be return directly to WSP by the Government agencies.

☐ **EXHIBIT E – BIDDER'S DIVERSE BUSINESS INCLUSION PLAN – SUBCONTRACTORS**

This document is a required bid submittal **IF** bidder intends to utilize subcontractors if awarded a Contract. If so, bidder must complete as instructed and submit it with the bid to WSP.

☐ **EXHIBIT F – EXAMPLE OF PURCHASE ORDER**

This document is an example of the purchase order will be send to the awarded bidder(s).

☐ **EXHIBIT G – TECHNICAL SPECIFICATION OF RIFLE AND OPTIC**

This document is a long form of descriptions of the requirements set forth from WSP for categories 1 and 2 of this procurement.

☐ **EXHIBIT H – ALTERNATE RIFLE COMBAT COURSE**

This document lay out of the testing will be done on **STEP A3.3**

- 4.6. **BID FORMAT.** Bids must be complete, legible, signed, and follow all instructions stated in the Competitive Solicitation (including the exhibits and amendment). Unless otherwise specified in writing by WSP, documents included with an electronic bid must be prepared in MS Word, MS Excel, or Adobe PDF. Where required to do so, bidders may sign using either a physical or electronic signature.
- 4.7. **SUBMITTING BIDS.** Bidder's electronic bid must be emailed to Andrew.westerfield@wsp.wa.gov and Stephen.tran@wsp.wa.gov . WSP's email only can accept emails (including attachments) that total less than 30MB in size. Bidders are cautioned to keep email sizes to less than 25MB to ease delivery. Zipped files cannot be accepted.

SECTION 5 – COMPLAINT, DEBRIEF, & PROTEST REQUIREMENTS

This section details the applicable requirements for complaints, debriefs, and protests.

- 5.1. **COMPLAINTS.** This Competitive Solicitation offers a complaint period for bidders wishing to voice objections to this Competitive Solicitation. The complaint period ends five (5) business days before the bid due date. The complaint period is an opportunity to voice objections, raise concerns, or suggest changes that were not addressed during the Question & Answer Period or, if applicable, at the Pre-Bid Conference. Failure by the bidder to raise a complaint at this stage may waive its right for later consideration. WSP will consider all complaints, but is not required to adopt a complaint, in part or in full. If bidder complaints result in changes to the Competitive Solicitation, written amendments will be issued and posted on WEBS.
- a. **CRITERIA FOR COMPLAINT.** A complaint may be based only on one or more of the following grounds: (a) The Competitive Solicitation unnecessarily restricts competition; (b) The Competitive Solicitation evaluation or scoring process is unfair or flawed; or (c) The Competitive Solicitation requirements are inadequate or insufficient to prepare a response.
 - b. **INITIATING A COMPLAINT.** A complaint must: (a) Be submitted to and received by the Procurement Coordinator no less than five (5) business days prior to the deadline for bid submittal; and (b) Be in writing (see Form and Substance, and Other below). A complaint should clearly articulate the basis of the complaint and include a proposed remedy.
 - c. **RESPONSE.** When a complaint is received, the Procurement Coordinator (or designee) will consider all the facts available and respond in writing prior to the deadline for bid submittals, unless more time is needed. WSP is required to promptly post the response to a complaint on WEBS.
 - d. **RESPONSE IS FINAL.** The Procurement Coordinator's response to the complaint is final and not subject to administrative appeal. Issues raised in a complaint may not be raised again during the protest period. Furthermore, any issue, exception, addition, or omission not brought to the attention of the Procurement Coordinator prior to bid submittal may be deemed to be waived for protest purposes.
- 5.2. **DEBRIEF CONFERENCES.** A Debrief Conference is an opportunity for a bidder and WSP, through its Procurement Coordinator, to meet and discuss the bidder's bid (and, as further explained below, is a necessary prerequisite to filing a protest). Following bid evaluation, WSP will issue an ASB announcement. The ASB announcement may be made by any means, but WSP likely will use email to the bidder's email address provided in the Bidder's Profile. Bidders will have five (5) business days to request a Debrief Conference, if desired. If a Debrief Conference is timely requested, WSP will offer the requesting bidder one meeting opportunity and notify the bidder of the Debrief Conference place, date, and time. Please note, because the debrief process must occur before making an award, WSP likely will schedule the Debrief Conference shortly after the ASB announcement and the bidder's request for a Debrief Conference. WSP will not allow the debrief process to delay the Contract award. Accordingly, bidders should plan for contingencies and alternate representatives. **Bidders who wish to protest must first participate in a Debrief Conference. Bidders who are unwilling or unable to attend the Debrief Conference will lose the opportunity to protest. A Debrief Conference is a required prerequisite for a bidder to file a protest.**

- a. **TIMING.** A Debrief Conference may be requested by a bidder following the Apparent Successful Bidder (ASB) announcement.
- b. **PURPOSE OF DEBRIEF CONFERENCE.** Any bidder who has submitted a timely bid may request a Debrief Conference (*see also* Section 5.4, below). A Debrief Conference provides an opportunity for the bidder to meet with WSP to discuss bidder's bid and evaluation. It does not provide an opportunity to discuss other bids and evaluations.
- c. **REQUESTING A DEBRIEF CONFERENCE.** The request for a Debrief Conference must be made in writing via email to the Procurement Coordinator and received within five (5) business days after ASB announcement. Debrief conferences may be conducted either in person at the WSP offices in Tumwater, Washington, or virtually (e.g., by telephone or web-based virtual meeting such as Zoom, Skype, MS Teams), as determined by WSP, and may be limited by WSP to a specified period of time. A bidder's failure to request a Debrief Conference within the specified time and attend the Debrief Conference constitutes a waiver of the right to submit a protest. Any issue, exception, addition, or omission not brought to the attention of the Procurement Coordinator before or during the Debrief Conference may be deemed waived for protest purposes.

5.3. PROTESTS. Following a Debrief Conference, a bidder may protest the award of a Contract.

- a. **CRITERIA FOR A PROTEST.** A protest may be based only on one or more of the following: (a) Bias, discrimination, or conflict of interest on the part of an evaluator; (b) Error in computing evaluation scores; or (c) Non-compliance with any procedures described in the Competitive Solicitation
- b. **INITIATING A PROTEST.** Any bidder may protest an award to the ASB. A protest must: (a) Be submitted to and received by the Protest Officer specified below, within five (5) business days after the protesting bidder's Debrief Conference (*see also* Section 5.4, below); (b) Be in writing; (c) Include a specific and complete statement of facts forming the basis of the protest; and (d) Include a description of the relief or corrective action requested.
- c. **PROTEST RESPONSE.** After reviewing the protest and available facts, WSP's Procurement Coordinator will issue a written response within ten (10) business days from receipt of the protest, unless additional time is needed.
- d. **DECISION IS FINAL.** The protest decision is final and not subject to administrative appeal. If the protesting bidder does not accept WSP's protest response, the bidder may seek relief in Thurston County Superior Court.

5.4. COMMUNICATION DURING COMPLAINTS, DEBRIEFS, AND PROTESTS. With the exception of protests, all communications about this Competitive Solicitation, including complaints and debriefs, must be addressed to the Procurement Coordinator unless otherwise directed. Protests must be addressed to the Procurement Coordinator.

- a. **FORM, SUBSTANCE, & OTHER.** All complaints, debrief conference requests, and protests must:
 - i. Be in writing;
 - ii. Be signed by the complaining, requesting, or protesting bidder or an authorized agent;
 - iii. Be delivered within the time frame(s) outlined herein;

- iv. Identify the Competitive Solicitation number;
 - v. Conspicuously state “Complaint,” “Debrief,” or “Protest” in any subject line of any correspondence or email; and
 - vi. Be sent to the address identified below.
- b. COMPLAINTS & PROTESTS. All complaints and protests must (a) State all facts and arguments on which the complaining or protesting bidder is relying as the basis for its action; and (b) Include any relevant documentation or other supporting evidence.

5.5. HOW TO CONTACT WASHINGTON STATE PATROL.

- a. TO SUBMIT A COMPLAINT. Send an email message to the Procurement Coordinator listed in this Competitive Solicitation (see Section 1.2, above). The email message must include “Complaint” in the subject line of the email message. Alternatively, mail the complaint to the Procurement Coordinator listed in this Competitive Solicitation at the following address:

Attn: Procurement Coordinator – Complaint
Supply Section
Washington State Patrol
P.O. Box 42625
Olympia, WA 98504-2625

- b. TO REQUEST A DEBRIEF CONFERENCE. Send an email message to the Procurement Coordinator listed in this Competitive Solicitation (see Section 1.2, above). The email message must include “Debrief” in the subject line of the email message.
- c. TO SUBMIT A PROTEST. Send an email message to the Procurement Coordinator at the following email address: andrew.westerfield@wsp.wa.gov and Stephen.tran@wsp.wa.gov. The email message must include “Protest” in the subject line of the email message. Alternatively, mail the protest to the Procurement Coordinator at the following address:

Attn: Procurement Coordinator
Supply Section
Washington Patrol
P.O. Box 42625
Olympia, WA 98504-2625

SECTION 6 – DOING BUSINESS WITH THE STATE OF WASHINGTON

This section provides additional information regarding Washington's Public Records Act and doing business with the State of Washington, including WSP's efforts to enable Washington's small, diverse, and veteran-owned businesses to compete for and participate in state procurements for goods/services.

6.1. WASHINGTON'S PUBLIC RECORDS ACT – PUBLIC RECORDS DISCLOSURE REQUESTS.

- All documents (written and electronic) submitted to WSP as part of this procurement are public records. Unless statutorily exempt from disclosure, such records are subject to disclosure *if* requested. See RCW 42.56, Public Records Act. WSP strongly discourages bidders from unnecessarily submitting sensitive information (e.g., information that you might categorize as 'confidential,' 'proprietary,' 'sensitive,' 'trade secret,' etc.).
 - If, in bidder's judgment, Washington's Public Records Act provides an applicable statutory exemption from disclosure for certain portions of bidder's bid, please mark the precise portion(s) of the relevant page(s) of the bid that bidder believes are statutorily exempt from disclosure and identify the precise statutory basis for exemption from disclosure.
 - In addition, if, in bidder's judgment, certain portions of bidder's bid are not statutorily exempt from disclosure but are sensitive because these particular portions of bidder's bid (NOT including pricing) include highly confidential, proprietary, or trade secret information (or the equivalent) that bidder protects through the regular use of confidentiality or similar agreements and routine enforcements through court enforcement actions, please mark the precise portion(s) of the relevant page(s) of bidder's bid that include such sensitive information.
- In the event that WSP receives a public records disclosure request pertaining to information that bidder has submitted and marked either as (a) statutorily exempt from disclosure; or (b) sensitive, WSP, prior to disclosure, will do the following:
 - WSP's Public Records Officer will review any records marked by bidder as statutorily exempt from disclosure. In those situations, where the designation comports with the stated statutory exemption from disclosure, WSP will redact or withhold the document(s) as appropriate.
 - For documents marked 'sensitive' or for documents where WSP either determines that no statutory exemption to disclosure applies or is unable to determine whether the stated statutory exemption to disclosure properly applies, WSP will notify the bidder, at the address provided in the bid submittal, of the public records disclosure request and identify the date that WSP intends to release the document(s) (including documents marked 'sensitive' or exempt from disclosure) to the requester unless the bidder, at bidder's sole expense, timely obtains a court order enjoining WSP from such disclosure. In the event bidder fails to timely file a motion for a court order enjoining such disclosure, WSP will release the requested document(s) on the date specified. Bidder's failure properly to identify exempted or sensitive information or timely respond after notice of request for public disclosure has been given shall be deemed a

waiver by bidder of any claim that such materials are exempt or protected from disclosure.

6.2. **SMALL & DIVERSE BUSINESSES.** WSP, in accordance with Washington law, encourages small and diverse businesses to compete for and participate in state procurements as contractors and as subcontractors to awarded bidders. See, e.g., [RCW 39.19](#) (OMWBE certified businesses); [RCW 43.60A.200](#) (WDVA Certified Veteran-Owned Businesses); and [RCW 39.26.005](#) (Washington Small Businesses). In support of the state's economic goals and to support a diverse supplier pool, Enterprise Services has established the following voluntary numerical goals for WSP's Competitive Solicitations:














- Six point six percent (6.6%) Minority-Owned Businesses certified by the Washington State Office of Minority and Women's Business Enterprises (OMWBE);
- One point forty-seven percent (1.47%) Veteran-Owned Businesses certified by the Washington State Department of Veterans Affairs (WDVA)

Achievement of these goals is encouraged whether directly or through subcontractors.

- **OMWBE CERTIFICATION.** Bidders may contact the Washington State [Office of Minority and Women's Business Enterprises](#) (OMWBE) regarding information on Minority-Owned and Women-Owned certified firms, state and federal certification programs, or to become certified. OMWBE can be reached by telephone, 866-208-1064, or through their website at [OMWBE](#). OMWBE-Certified firms may provide their certification information to Enterprise Serviced through **Exhibit A – Bidder's Profile**.
- **WDVA CERTIFICATION.** Bidders may contact the [Washington State Department of Veterans' Affairs](#) (WDVA) for information regarding Certified Veteran-Owned Businesses or to become a Certified Veteran-Owned Business. The WDVA can be reached by telephone, (800) 562-2308, or through their website at [WDVA](#).
- **WASHINGTON SMALL BUSINESSES.** Bidders may contact Enterprise Services about small and diverse business inclusion and qualification as a Washington Small Business. If bidder qualifies as a Washington Small Business, identify bidder as such in WEBS. Call WEBS Customer Service at 360-902-7400.

6.3. **WEBS REGISTRATION.** Individuals and firms interested in state contracting opportunities with WSP or any Washington state agency should register for competitive solicitation notices at the Washington Electronic Business Solution (WEBS) [WEBS Registration](#). *Note:* There is no cost to register in WEBS.

6.4. **POLYCHLORINATED BIPHENYLS (PCBs) NOTICE.** Polychlorinated biphenyls, commonly known as PCBs, have adverse effects on human health and the environment. Accordingly, the State of Washington, through its procurements of goods/services, is trying to minimize the purchase of products with PCBs and to incentivize its contractual vendors to sell products and products-in-packaging without PCBs.

<p>APPENDIX A STANDARD TERMS & CONDITIONS, INSTRUCTION TO BIDDERS, DEFINITIONS, PROTEST PROCEDURES</p>  <p>Appendix A WSP Competitive Terms &</p>	<p>APPENDIX B BIDDERS CERTIFICATION</p>  <p>Appendix B.docx</p>	<p>APPENDIX C PCB-FREE PRODUCTS</p>  <p>Appendix C.docx</p>
<p>EXHIBIT A BIDDER'S PROFILE</p>  <p>Exhibit A Bidder's Profile.docx</p>	<p>EXHIBIT B-1 RIFLE SCORING RUBRICS</p>  <p>Exhibit B-1 Rifle Scoring Rubrics.xlsx</p>	<p>EXHIBIT B-2 OPTIC SCORING RUBRICS</p>  <p>Exhibit B-2 Optic Scoring Rubrics.xlsx</p>
<p>EXHIBIT C BID PRICE</p>  <p>Exhibit C - Bid Price.xlsx</p>	<p>EXHIBIT D BIDDER RESPONSIBILITIES</p>  <p>Exhibit D- Bidder References.xlsx</p>	<p>EXHIBIT E DIVERSE BUSINESS INCLUSION PLAN</p>  <p>Exhibit E Diverse Business Inclusion P</p>
<p>EXHIBIT F EXAMPLE OF PURCHASE ORDER</p>  <p>PO#227595.pdf</p>	<p>EXHIBIT G STANDARDIZED PATROL RIFLE</p>  <p>Exhibit G- Standardized Patrol</p>	<p>EXHIBIT H ALTERNATE RIFLE COMBAT COURSE</p>  <p>Exhibit H - Alternate Rifle Combat Course.c</p>
<p>EXHIBIT I BID EVALUATION</p>  <p>Bid Evaluation.xlsx</p>		

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