Dear Applicant:

The Washington State Department of Agriculture (WSDA) is soliciting a deliverables based agreement for goods with the following project scope:

**Background:**
WSDA works with cattle producers, accredited veterinarians, businesses/locations where cattle collect/gather for commerce, and the United States Department of Agriculture (USDA) to maintain animal traceability to allow timely and accurate animal trace backs in the event of an animal disease outbreak. Radio Frequency Identification (RFID) also known as Electronic Identification (EID) aids in the speed and accuracy of identifying individual animals and their movements within the country.

**Project Description:**
Washington State is implementing RFID application and RFID device data capture for the XRS2 EID Stick Reader.

Our expectation is to receive quotes from established business accustomed to working with and supplying equipment to the cattle industry.

The primary purpose of this Letter to Request Bids is to enter into a convenience contract with one or more vendors, at the sole discretion of WSDA, to obtain XRS2 EID Stick Readers on an as-needed basis. It’s undetermined the total number stick readers required over the timeframe of this contract; however, in 2019, the total stick readers ordered was 40 ea.

- **Required:**
  - XRS2 EID Stick Reader, Tru-Test PN 829956.
  - Warranty policy(s).

The period of performance of any contract awarded as a result of this Letter to Request Bids is tentatively scheduled to begin on or about April 1, 2020 and be in force through March 31, 2023 with possible amendments extending the period of performance.

WSDA does not anticipate the selected contractor’s involvement beyond March 31, 2023. However, if WSDA determines it is necessary to increase the contractor’s involvement, WSDA may amend any awarded contract to increase the contractor’s involvement. Such an amendment, if any, to increase or decrease the dollar value and extend the period of performance shall be at the sole discretion of WSDA.

**Contractor Qualifications:**
The bidding is open to individuals or organizations that meet the following minimum criteria:

- Bidder must be licensed to perform work in Washington State.
- Bidder must have a current Statewide Vendor number for the State of Washington with 30-day payment terms, or be willing to sign up as a Statewide Vendor within 30 days of being awarded a contract. Statewide Vendor number must be assigned prior to request for payment related to any contract. https://ofm.wa.gov/it-systems/statewide-vendorpayee-services/receiving-payment-state
- Bidder must have a minimum of five years of experience providing and supporting RFID products for cattle in North America. Product experience should include, but not be limited to RFID stick readers.

Bidders who do not meet these minimum qualifications shall be deemed to be non-responsive and will not be evaluated and no score will be assigned.

Proposal Content:
The proposal is to be brief but should include:

1. Names, addresses and telephone numbers of three (3) non-Bidder owned customer references for whom the Bidder has provided similar services during the past thirty-six (36) months.
2. Ability to provide XRS2 EID Stick Reader, Tru-Test PN 829956 (include any warranty policies, if applicable).
3. Costs or fees.

Proposals will be evaluated by WSDA based on the response to the information requested above. All items must be addressed for the proposal to be considered responsive.

Project Deliverables:
It is WSDA’s desire to enter into a fixed price, deliverable-based contract with a Proposer to provide the goods requested in this Letter to Request Bids. The proposed fee must be an all-inclusive fee based on the total costs for providing the equipment.

All deliverables will be considered “completed” when the approving authority for WSDA has received the deliverable from the Vendor, thoroughly tested it with the assistance of the WSDA project team, and has signed-off on the deliverable in writing.

Proprietary Information & Public Disclosure:
Any information contained 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. Please cite the statute and briefly explain how it applies to the proprietary information supplied in the proposal. The page and the particular exception/s from disclosure upon which the bidder is making the claim must be identified. Each page claimed to be exempt from disclosure must be clearly identified by the word “confidential” printed on the lower right hand corner of the page. Marking the entire proposal as confidential will be neither accepted nor honored and may result in disclosure of the entire proposal. The bidder must be reasonable in designating information as confidential.

After the contract is signed, the proposal shall be deemed public records as defined in RCW 42.56. Confidentiality is available only to the limited extent allowed in state law. To the extent consistent with chapter 42.56 RCW, the Agency will maintain the confidentiality of all such information marked confidential or proprietary. If the scope of a request made pursuant to RCW 42.56 includes the
Contractor’s proprietary or confidential information and the Agency intends to release the information, the Agency will notify the Contractor of the request and the date the records will be released to the requester. If Contractor desires to prevent disclosure, Contractor must obtain a court order enjoining disclosure. If the Contractor fails to obtain such court order, the Agency will release the requested information.

Proposal Submission:
All bids shall be submitted electronically to ablowers@agr.wa.gov. Please reference LRB No. K3013 in the subject line of your response. The deadline for submission of responses is March 18, 2020 at 3:00 PM, local time, in Olympia Washington or to e-mail address listed in this document. Late bids will not be accepted and will automatically be disqualified from consideration.

Proposals are to be e-mailed to:
Washington State Department of Agriculture
Contracts and Procurement Program
Attn: Ashley Blowers
Phone: (360) 902-2002
Email: ablowers@agr.wa.gov

Bidders assume the risk for the method of delivery chosen. WSDA assumes no responsibility for delays caused by any delivery service or for problems with Bidder’s email.

The following weights will be assigned for bid evaluation purposes:

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<td>References</td>
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<td>Equipment</td>
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<td>Cost</td>
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<td>Executive Order 18-03 Certification</td>
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<td><strong>TOTAL</strong></td>
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Procurement Evaluation for Executive Order 18-03 (Firms without Mandatory Individual Arbitration Clauses):
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), WSDA will evaluate bids for best value and provide a bid preference in the amount of five (5)% to any bidder who certifies, pursuant to the certification attached as Exhibit A – Certifications, Assurances, and Executive Order 18-03, 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.

Socially and Economically Disadvantaged Business Participation:
In accordance with 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 participation shall be required as a condition for receiving an award, and proposals will not be rejected or considered non-responsive on that basis.

For information on certified firms, contractors may contact OMWBE at 360/664-9750 or http://www.omwbe.wa.gov.

WSDA reserves the right at its sole discretion to reject any or all bids prior to the execution of a contract. This Letter to Request Bids does not obligate WSDA to contract for the services specified herein. The final selection, if any, will be the bid that in the opinion of WSDA best meets the requirements set forth in the Letter to Request Bids and is in the best interest of the state of
Washington. The WSDA is not obligated to select the lowest price bid. WSDA shall not be responsible for any costs associated with a bidder’s preparation of a bid in response to this Letter to Request Bids.

WSDA, at its sole discretion, may after evaluating the written proposals elect to select the top-scoring firms as finalists for an oral presentation or demonstration. Should oral presentations or a demonstration become necessary, WSDA will contact the top-scoring firm(s) from the written evaluation to schedule a date, time and location. Any commitments made by the Proposer at the oral interview will be considered binding. The oral presentation will determine the apparent successful Contractor.

Any Contractor who has submitted a proposal and been notified that they were not selected for contract award may request a debriefing. Complaints and protests may be made only by Contractor who submitted a response to this solicitation document and who have participated in a debriefing conference. This procedure constitutes the sole administrative remedy available to Contractors under this procurement.

In submitting a bid in response to this Letter to Request Bids, the bidder agrees to accept the terms set forth in this Letter to Request Bids.

Any requests for information about this project are to be directed to the Program Manager named above.

Thank you for considering this solicitation.

Sincerely,

Ashley Blowers
Contracts and Procurement Manager
Washington State Department of Agriculture
Office: (360) 902-2002
ablowers@agr.wa.gov
Contractor Certification
Executive Order 18-03 – Workers’ Rights, Bidder Responsibility

I/we make the following certifications and assurances as a required element of the proposal to which it is attached, K2988, understanding that the truthfulness of the facts affirmed here and the continuing compliance with these requirements are conditions precedent to the award or continuation of the related contract:

1. Bidder Responsibility Criteria; Bidder certifies that Bidder has not, within the three-year period immediately preceding the date of release of this competitive solicitation, been determined by a final and binding citation and notice of assessment issued by the state of Washington Department of Labor and Industries or through a civil judgment to have willfully violated state minimum wage laws (RCW 49.38.082; Chapters 49.46 RCW, 49.48 RCW, or 49.52 RCW). Bidder attests under penalty of perjury that the foregoing statement is true and correct.

2. Pursuant to the Washington State Governor’s Executive Order 18-03 (dated June 12, 2018), the Washington State Department of Agriculture is seeking to contract with qualified entities and business owners who certify that their employees are not, as a condition of employment, subject to mandatory individual arbitration clauses and class or collective action waivers.

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

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

☐ MANDATORY INDIVIDUAL ARBITRATION CLAUSES AND CLASS OR COLLECTIVE ACTION WAIVERS FOR EMPLOYEES. Bidder requires its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waivers.

I hereby certify, under penalty of perjury under the laws of the State of Washington, that the certifications herein are true and correct and that I am authorized to make these certifications on behalf of the firm listed herein.

If electronic, also include: We are submitting a scanned signature of this form with our proposal.

BIDDER NAME: _____________________________________________________
Print Name of Bidder – Print full legal entity name of the firm submitting the Bid

By: ________________________________________________________________
Signature of Bidder’s authorized person

Print Name of person making certifications for Bidder

Title: ______________________________________________________________
Title of person signing certificate

Place: ____________________________________________________________
Print city and state where signed

Date: ______________________________