Award memo

04215 Mediation Services

**Solicitation coordinator:** Rachelle Rehse / Kris Gorgas

**Contract overview**

The Department of Enterprise Services, with this solicitation and resulting contract, seeks to meet its customers’ need for Mediation Services

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| **Contract period** | The initial contract term for the state 04215 Mediation Services contract will be for two years from a date to be determined upon award. Maximum term is six years. |
| **Estimated term worth** | $200,000 |
| **Contract type** | New Rebid 06313  NASPO/ValuePointGeneral use  Restricted to:       \* Replaces: |
| **WEBS commodity codes** | 961-05, 918-74, 961-49 |
| **Bidders notified via WEBS** | 443 |
| **Bid received** | 21 Bids received |
| **Bids rejected** | 3 Bids rejected |
| **MWBE goals** | Veteran-owned       Minority/woman-owned       Small business |
| **Management fee** | 0.74 percent |
| **Supplier diversity outreach** | 17 vendors were awarded under the old contract #06313. 4 were WBE, 1 was MBE. An email was sent out to all 17 vendors on contract #06313 encouraging them to submit a bid for the new contract #04215.  319 vendors were notified, VIA webs, of the opportunity to bid on contract #04215; 105 were SBE, 2 were WBE, 4 were MWBE, and 8 were VBE.  Additionally, emails were sent to 16 vendors, not currently contracted with the state, encouraging bid submissions on the new contract #04215. 3 were WBE, 6 were MBE and 1 was VBE. |

**Bid development**

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| **Stakeholder work** | On May 1, 2015 a broadcast was posted to the bi-weekly bulletin asking for stakeholder feedback on whether contract #06313 should be rebid or extended: The bulletin stated: Stakeholder feedback requested for mediation-services contractThe Mediation Services contract (#[06313](https://fortress.wa.gov/ga/apps/ContractSearch/ContractSummary.aspx?c=06313)) will terminate Sept. 30. Enterprise Services is seeking stakeholder input on whether the current contract should be extended or rebid. If your agency uses the contract and you have thoughts about it, contact [Rachelle Rehse](mailto:rachelle.rehse@des.wa.gov), (360) 407-8122. Additionally, on May 4, 2015 an email was sent to all users of contract #06313 to solicit feedback on whether a rebid or an extension of contract #06313 was appropriate. The language of the email is stated below:  All,  Master Contract #06313 Mediation Services is coming up for termination in September. We have the option of extending the current contract or re-bidding it. Thus far, I have not received any complaints about the contract or its vendors. Please let me know what you would like to do by the end of this week. Thank you.  No feedback was received from either the bulletin or the email. DES CPRM Team F – Professional Services determined that due to some errors and inconsistencies in contract #06313, the contract would be rebid as contract #04215. Upon determining that this contract would be rebid, DES reached out to the following individuals in an attempt to develop a stakeholder team:   * William Brooks (DFW) * Barbara Neff (Joint Leg. Audit & Review) * Lance Young (L&I) * Shannon Kinsley (DOL) * Jeffrey Hugdahl (DFW) * Sheryl Turner (K12) * Kyla Ballentine (K12) * Brenda Merritt (K12) * Wally Kopel (K12) * COM Foreclosure Mediation Program   On June 12, 2015 a bi-weekly broadcast was posted encouraging interested customers to participate in a stakeholder team for bid development. The language of the broadcast is stated below:  **Master Contract #06313 – Mediation Services Will be Rebid; Stakeholder Input Needed**  Department of Enterprise Services is in the process of drafting a new Master Contract for Mediation Services. Master Contract [#06313 Mediation Services](https://fortress.wa.gov/ga/apps/ContractSearch/ContractSummary.aspx?c=06313) will reach its term on September 30, 2015 and will not be extended. It will be replaced with Contract #04215 – Mediation Services. DES is seeking input from current and new stakeholders for this contract. Customers who have questions on the new contract are encouraged to contact Rachelle Rehse directly via email at [rachelle.rehse@des.wa.gov](mailto:rachelle.rehse@des.wa.gov), or by calling (360) 407-8122.  Colin Helsley (DES/EAP) was the only customer interested in participating in a stakeholder team for bid development. |
| Market research: | In developing this solicitation, and it’s corresponding service requirements and hourly rates and minimum qualifications, Procurement Coordinator, Rachelle Rehse, utilized several resources, including:   * Master Contract #06313 – Mediation Services      * [National Mediator Accreditation Standards](http://www.msb.org.au/sites/default/files/documents/Practice%20Standards.pdf) * [Model Standards of Conduct for Mediators](http://www.americanbar.org/content/dam/aba/migrated/dispute/documents/model_standards_conduct_april2007.authcheckdam.pdf)   Additionally, a vendor survey was sent to all vendors on contract #06313 with the following questions:   1. On the current contract, vendors were to submit a NTE hourly rate for a single mediator and a co-mediator and this NTE hourly rate was to apply statewide. In determining hourly rates, would it be more appropriate to break it down by county, or leave it as one state-wide rate? 2. Other than the 40-hour basic mediation training, what types of training do mediators typically complete in order to be successful?   5 vendors responded, their responses are embedded below: |
| EPP strategy:  (See [EPP Guidance](file:///\\profiles.eclient.wa.lcl\..\..\DESHome$\bpotter\OSP%20Desk%20Manual\04%20-%20Office%20of%20State%20Procurement\4-3%20Useful%20Information\EPP%20Guidence.docx)) | N/A |
| **Peer review by:** | Connie Stacy, Kris Gorgas |

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| **Date** | **Project developments and milestones** |
|  | Rachelle Rehse was assigned the rebid of State Contract 06313 Mediation Services. …. |
|  | **Sourcing team meeting**.  Because there was only one stakeholder for this contract, a sourcing team meeting was not held. However, Colin Helsley did review the solicitation and returned it to DES with the following corrections: |
|  | **Executive Summary**. |
| **August 7, 2015** | **Solicitation 04215** posted on WEBS. Bids are due August 20, 2015 |
|  | **Solicitation Amendment 1**.  Q&A, Part 1: |
|  | **Solicitation Amendment** **2**.  Q&A, Part 2: |
|  | **Solicitation Amendment 3**. |
|  | **Solicitation Amendment 4**. |
| **August 20, 2015** | **Bids received**. Four bid packets were received by the bid-due deadline.   * All bids were received * Bids were received from … * Four bids were rejected in the initial determination of responsiveness. |
| **Evaluation and award** | |
| **Bid tabs/Evaluation considerations**  Bid tabs | **Pricing**  **References** |
| **Intent to Award recommendation** | Based on the guidelines for award detailed in Section x.x of the main solicitation document, solicitation coordinator recommends naming the following as Apparent Successful Bidders:  Section 1: **XYZ and ABC** section-wide; **JKL** Lewis and Clark counties only.  Section 2: **XYZ and ABC**. |
| **Notice of Intent to Award**  July 31, 2013 | XYZ, ABC and JKL were notified by email that they were Apparent Successful Bidders. |
| **Correspondence with vendors** | GHI had questions following the Intent to Award announcement. Solicitation coordinator responded by email: |
| **Debrief**  date | GHI requested by email a debrief for the following reasons:  It is the opinion of GHI that there was a clear error in computing evaluation scores …  The debrief was done by conference call at 10 a.m. Aug. 2 with … of GHI. |
| **Protest** | Vendor did/did not enter a protest |
| **Protest outcome** |  |
| **Award considerations** | After the naming of Apparent Successful Bidders, …  Also, as of the date of award, neither xxx and xxx have a code-compliant program (MCP) in place. The award letter to these firms (sample attached) will offer award contingent on completion of an MCP and acceptance by the Department of Labor and Industries by Oct. 1, 2013. |
| **Award recommendation** | Based on the guidelines for award detailed in Section 4.7 of the main solicitation document, solicitation coordinator recommends official award to the following bidders:  Section 1: **XYZ and ABC** section-wide; **JKL** Lewis and Clark counties only.  Section 2: **XYZ and ABC**.. |

**Signatures**

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| **Contract administrator** | **Date:** |
| **Supervisor** | **Date:** |