



**Whatcom County Health Department
Request for Proposals (RFP #22-52)**

Program Title: Funding for Childcare/Early Learning Facilities – Capital Program

Estimated Contract Period: Dependent on project timing; all funds must be under contract by December 31, 2024

Proposal Due Date: All applications must be received by 2:30 PM, Tuesday, March 7, 2023

Submit Proposal To: Attn: Sara Winger, Senior Purchasing Coordinator
Whatcom County Courthouse
311 Grand Ave., Suite 503
Bellingham, WA 98225

Faxed and e-mailed applications will not be considered.

Program Contacts/Questions on RFP: Chelsea Johnson, Early Learning & Care Program Specialist
CJohnson@co.whatcom.wa.us

Ann Beck, Community Health and Human Services Manager
ABeck@co.whatcom.wa.us

Jessie Thomson, Contract Coordinator
JThomson@co.whatcom.wa.us

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Attachments – see separate file *22-52 Application Attachments.docx* for the attachments noted below:

- Attachment A: Application
- Attachment B: Workplan Form
- Attachment C: Project Capital Budget
- Attachment D: Operations Budget

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1.0 Program Summary

1.1 Purpose of Request for Proposals (RFP)

The Whatcom County Health Department, in partnership with the Whatcom County Executive's Office, will accept applications to expand the accessibility and affordability of childcare and early learning for Whatcom County families. Awards will be made using American Rescue Plan Act (ARPA) funds and other sources of funding as appropriate and determined by Whatcom County.

1.2 Background

The COVID-19 pandemic further disrupted an already strained childcare and early learning system in Whatcom County - affecting families' ability to care for their children and continue employment, childcare providers' ability to keep their doors open, and employers' ability to recruit and retain workers. Further, the pandemic and resulting crises in the childcare system exacerbated growing social, racial, and economic disparities.

The funds available through this application have been set aside to mitigate the impacts of the pandemic and expand capacity within the childcare and early learning system to improve outcomes and positively impact children and families across Whatcom County.

Specific goals of this application include:

- Mitigating the impact of the COVID-19 pandemic on children, families, childcare providers, and employers, including restoring access to the workforce for parents and caregivers, especially those most impacted by the COVID-19 pandemic.
- Supporting the expansion of childcare to meet the demand of parents and children, including the community target of adding 5,000 additional childcare slots across the County, with a focus on equity and meeting the most severe system gaps.
- Supporting the healthy development of young children as measured by Kindergarten readiness and access to culturally-relevant early learning opportunities.

The County will initially make available up to \$4,000,000 in funding under this RFP. Additional funding may be added to this funding opportunity at a later date at the County's sole discretion.

1.3 Scope of Work and Eligible Projects

The County will contract with childcare and early learning providers for capital investments to expand childcare and early learning services across Whatcom County and increase the affordability for families. The County is particularly interested in proposals that provide additional public benefits along with additional childcare/early learning slots such as: affordability; service for infants and toddlers; service for children with special needs; service in North Whatcom and East Whatcom County, as well as other rural areas outside of the City of Bellingham; non-traditional or flexible hours of operation; or enhanced wrap-around services.

Eligible projects include:

- Capital projects (construction or acquisition) that expand licensed capacity for childcare or early learning services in Whatcom County.
- Projects that expand licensed capacity guaranteed to serve low-income children. For these projects, providers can contract with the County to dedicate slots to low-income children for a period of ten years.

All projects must:

- Have a plan to ensure access for low-income and/or ALICE (Asset Limited, Income Constrained, Employed) children
- Be located in Whatcom County

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- Be able to meet County contracting and insurance requirements

1.4 Coordination with the Opportunity Council's Funding Opportunity for Childcare Stabilization Funds

On behalf of the City of Bellingham and Whatcom County, the Opportunity Council is administering a separate funding opportunity for childcare providers impacted by the COVID-19 pandemic through the Northwest Center for Retention & Expansion of Child Care. If you are a small provider or a provider impacted by the COVID-19 pandemic, the County encourages you to email childcarebiz@oppco.org to inquire about the Opportunity Council grant pool. The Opportunity Council funding will include fewer contracting and compliance requirements than the funding administered by the County.

Providers may submit applications under the Opportunity Council program and the Whatcom County program. In certain circumstances, providers may be able to receive funding from both programs.

1.5 Period of Performance

The initial contract period for services solicited under this RFP may begin as early as July 1, 2023, though most contracts will begin at a later date. Contract end dates will be negotiated through the County but will typically end no later than December 31, 2024, unless otherwise negotiated. Under no circumstances will contracts end later than December 31, 2026.

1.6 Maximum Award Amounts and Eligible Costs

Awards may range from \$25,000 (min) to \$2,000,000 (max).

The following types of costs are generally eligible:

- Construction, renovation, or rehabilitation of existing facilities that increases the licensed capacity for childcare or early learning services.
- Construction of new facilities that expands licensed capacity to serve children, either from the ground up or by substantially remodeling existing buildings.
- Design, construction, renovation, or rehabilitation of outdoor play space in accordance with state licensing regulations and best practice that expands licensed capacity to serve children.
- "Soft costs" or any project costs that are not construction but directly related to the development of an eligible facility (which may include design, project management, and permitting costs).
- Improvements that provide accessibility to persons with disabilities that are related to expanding licensed capacity to serve children.
- Acquisition costs if a provider can demonstrate they have fully secured enough funding to complete any rehabilitation work necessary to obtain their license from Washington State Department of Children, Youth, and Families (DCYF) and become operational.

Funding may not be used as non-federal match for a federal program.

1.7 Eligible Applicants and Program Requirements

Responses to this RFP will be accepted from any legally-constituted entity that meets at least one of the following criteria:

- Current childcare and early learning operators including nonprofit, for-profit, private, public, higher education system, and center-based providers carrying a license through the DCYF and registered with the Washington State Department of Revenue. These providers may also apply for site expansion/new sites, so long as they can demonstrate a plan to achieve licensure for additional slots.
- Institution or business partnering with licensed childcare providers, specifically identified in the application for funding.

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- License-exempt providers who are certified by DCYF.

Home-based providers are not eligible under this funding round; the County expects to release a funding round for home-based providers in the 2nd Quarter of 2023.

Generally, providers seeking licensure for the first time will not be awarded funding. However, if a provider is able to demonstrate they have the institutional capacity or partnerships in place to succeed in the licensure process, they may be considered under limited circumstances. Additional contracting requirements may be required for these projects, and providers will be required to payback County funds if licensure is not achieved.

Recipients must adhere to a number of contracting requirements, including but not limited to:

- Ongoing monitoring and annual reporting to the Whatcom County Health Department
- Reimbursement-based contract structure
- County insurance requirements
- Federal procurement requirements
- Site control of the facility, either in the form of ownership or a long-term lease (at least ten years from County contracting date). If an agency does not own the facility, then the lease agreement must allow for facilities improvements. All required landlord approvals for the improvements to the leased or rented facility must be obtained prior to the execution of the final funding agreement between the County and Recipient.
- Commitment to operate for at least ten years to provide a negotiated number of slots (based on project proposal) and dedicate 20% of those slots to low-income children during that period. Low-Income children are children from households earning 80% or less of the area median income or children eligible for the Working Connections Child Care Program.
- For projects over \$75,000, the applicant and/or property owner will commit to additional protections for the County, which will include a recorded restrictive covenant and/or deed of trust, and any other legal instruments as needed.
- Registration with [Sam.gov](https://www.sam.gov) and ability to meet all suspension and debarment requirements
- Federal award requirements under the American Rescue Plan Act of 2021 (ARPA) and 2 CFR 200, as applicable, including Single Audit requirements for awards over \$750,000. ARPA requirements can be found [here](#).
- Adherence to strict child protection and anti-discrimination laws

Applicants seeking funds for repair or construction work are encouraged to consult with the Washington State Department of Labor and Industries and/or private legal counsel *prior to contracting* regarding any applicable commercial or residential prevailing wage rates. Any applicable prevailing wage rates should be built into the project budget.

Additionally, applicants should consult with a tax professional regarding the taxability of funds received under this RFP. Some or all of these awards may fall under taxable income.

All contracts will be in the form of reimbursement-based grants or in the form of a forgivable loan, unless arranged otherwise with the County during the contracting process. Acquisition funds may be brought in at the time of project closing.

Funding will be subject to claw back provisions upon failure to meet deliverables based on the parameters of each respective accepted proposal.

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2.0 Procurement Process

2.1 Procurement Timeline

The Procurement Timeline outlines the tentative schedule for the RFP process. All dates are approximate and may be adjusted as necessary, without amending this document.

Applications will be accepted until 2:30 PM, Tuesday, March 7, 2023.

Applications will be reviewed by a committee of County staff and community partners from the field of childcare, early learning, and family wellbeing. The County will make every attempt to provide notification of the result of your application within 45 days after the submission deadline. After notification of intent to contract, the County will initiate the contracting process with successful applicants, which is estimated to take up to 90 days. The contracting process may include additional negotiations and conditions as deemed appropriate by the County. All contracts greater than \$40,000 are contingent upon approval of the Whatcom County Council.

Applicants may apply in the early stages of project development to secure a letter from the County indicating its intent to contract, with the understanding that no funds are committed until Council and Executive approval of a final contract.

All grant funds must be under contract by December 31, 2024 and expended by December 31, 2026. Licensure and project completion must also be achieved by December 31, 2026.

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|--|--|
| Request for Proposals Issued | Wednesday, December 14, 2022 |
| Written Questions Submitted by | On a rolling basis to (include all emails) : Chelsea Johnson, CJohnson@co.whatcom.wa.us Ann Beck, ABeck@co.whatcom.wa.us Jessie Thomson, JThomson@co.whatcom.wa.us The County will hold two, one-hour informational webinars (see section 2.2) to answer previously submitted as well as live questions regarding the RFP: 11:00 AM, Thursday, January 5, 2023 2:00 PM, Friday, February 24, 2023 |
| Proposals Due | Tuesday, March 7, 2023 by 2:30 PM |
| Review Process by Application Evaluation Committee | Within 30 days of applicable submission deadline |
| Award Notification | Within 45 days of applicable submission deadline |
| Estimated Contract Start Date | Within 90 days of applicable submission deadline |

2.2 RFP Application Questions

Questions related to the RFP may be submitted in writing to CJohnson@co.whatcom.wa.us, ABeck@co.whatcom.wa.us, and JThomson@co.whatcom.wa.us **(please include all emails)** on a rolling basis.

The County will hold two, one-hour informational webinars via Zoom to answer previously submitted as well as live questions regarding the RFP. The first webinar will be held on Thursday, January 5, 2023 at 11:00 AM. The second webinar will be held on Friday, February 24, 2023, at 2:00 PM. The Zoom link for these webinars is shown on the following page.

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Join Zoom Meeting:
<https://us06web.zoom.us/j/84400004981?pwd=U1g1Y3Z5TDFVWEVncTh1OU1CRmd4dz09>
Meeting ID: 844 0000 4981
Passcode: 776331
One tap mobile
+12532158782,,84400004981#,,,,*776331# US (Tacoma)
+12532050468,,84400004981#,,,,*776331# US

In between informational webinars, responses to emailed questions will be published as an informational addendum approximately once per month on the Purchasing Bid Postings webpage. In addition, at any time during the solicitation process, Whatcom County may issue a formal addendum to the RFP including the responses to emailed questions, if applicable.

2.3 Deadline for Submittal

To be considered, applications must be received **no later than 2:30 PM on Tuesday, March 7, 2023** at the following location:

Attn: Sara Winger, Senior Purchasing Coordinator
Whatcom County AS-Finance
311 Grand Avenue, Suite 503
Bellingham, WA 98225

Late applications will be deemed ineligible and will not be considered for funding. Responses transmitted directly to Whatcom County Government electronically or by fax will not be considered.

All responses, received on time, will be opened in a public format via GoToMeeting at the immediately following collection of all submittals received by the deadline timeline. All interested people are invited to attend the live solicitation opening at 2:30PM on Tuesday, March 7, 2023, via GoToMeeting as shown below:

Please join my meeting from your computer, tablet, or smartphone.
<https://meet.goto.com/273232365>
You can also dial in using your phone.
(For supported devices, tap a one-touch number below to join instantly.)
United States: +1 (571) 317-3129
- One-touch: <tel:+15713173129,273232365>
Access Code: 273-232-365
Get the app now and be ready when your first meeting starts:
<https://meet.goto.com/install>

2.4 Application Costs

The County is not liable for any costs incurred by the applicant before the issuance of a contract. All costs incurred in responding to this RFP, including, but not limited to, travel costs, any consultant fees, and any costs associated with contract negotiation sessions, are solely the responsibility of the applicant. Consultant fees may be included in the project budget but must be incurred after the start of the contract.

2.5 Ownership of Application Materials

Applications and other materials submitted in response to this request become the property of the County, are public record, and will not be returned. It is understood and agreed that applicants claim no proprietary rights to the ideas or approaches contained in its application.

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2.6 Notice of Solicitation

Failure of the County to notify any party or parties directly regarding the availability of this RFP shall not void the process.

3.0 Proposal Preparation

3.1 Proposal Format

Please respond to each section in the same order in which it is asked. Any deviation from these specifications must be clearly addressed in writing. Failure to supply materials required will result in a rejection of the entire submittal.

- A. Applications must be complete and submitted in substantially the same form as Attachment A (application). Applications submitted on recycled paper and printed double-sided are encouraged. Applications submitted with binders or covers will be rejected. Do not include any materials not requested in this RFP and its attachments.
- B. Applicants must submit one (1) unbound original of the application in a sealed envelope, plainly marked on the outside with the applicant's name and address and the words "RFP #22-52 Funding for Childcare & Early Learning Facilities".
- C. The original printed packet must have original signatures. Applications that do not contain an original signature will be deemed unacceptable and will not be considered.

3.2 Proposal Contents

All applications must include a completed Application (Attachment A) and relevant attachments as indicated on the Application Checklist.

4.0 Proposal Evaluation and Selection

4.1 Evaluation Committee

An Application Evaluation Committee (AEC) appointed by the Whatcom County Health Department Director will review and rank applications. The AEC will consist of at least seven individuals including three representatives from the Health Department, one representative from the County Executive's office, and three individuals other than County staff who are knowledgeable about the childcare industry but whose organizations are not applying for funds under the RFP.

4.2 Role of the Application Evaluation Committee

Unacceptable Applications: The Whatcom County Health Department will first determine which applications are not responsive to the RFP and must be deemed unacceptable. Unacceptable applications are those which meet at least one of the following criteria:

- Incomplete application
- Submission of a proposal that proposes services that deviate from the technical requirements set forth in this document
- Applicant does not meet the administrative requirements of this RFP
- Failure to comply with any part of this RFP or any exhibit to this RFP, including, but not limited to, deadline for submittal and application format
- Submission of incorrect, misleading, or false information

Rating: AEC members will independently evaluate and rate each application according to a standardized rubric, awarding points based on the level of public benefit for the amount of funds requested and County funding priorities, as indicated in Exhibit A.

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Additional Information by Request: Applicants may be asked to provide clarification or additional information at the discretion of the AEC and the Health Department.

Final Recommendation to the County: The AEC will discuss the applications and perform any necessary review or verification of content. Based on the evaluation of the application materials and any additional inquiry, the AEC will determine a cumulative score for the application. The AEC will then present its recommendations to the Whatcom County Health Department Director.

The Whatcom County Health Department Director will submit award requests to the County Executive. The County Executive will review the Committee's proposed list of awards prior to the Health Department issuing any award notifications.

Whatcom County reserves the right to consider past County contract performance and any other data or information that the County deems indicative of performance in making its funding decisions.

4.3 Evaluation Criteria

The maximum number of evaluation points available is 115 points. The following provides a brief outline of factors considered as well as maximum points that can assigned to the proposals for evaluation purposes:

- **Project Proposal (30 points)**
Evaluating whether or not the project increases or expands licensed capacity for childcare or early learning services, guarantees service to low-income children, and serves communities most disproportionately impacted by COVID-19.
- **Additional Public Benefit (30 points)**
Evaluating how the proposed project will provide additional public benefit(s) as described above in Section 1.3.
- **Project Budget (20 points)**
Evaluating the Project Budget Worksheet for thorough completion, reasonability of costs in relation to the services and outcomes provided to the public, secured and diverse financial supplementation and alignment with the Workplan Form.
- **Provider Capacity/Project Feasibility (35 points)**
Evaluating prior experience with similar projects, qualification level of project team, licensure status and permission and timeliness to initiate the project.

4.4 Contract Award/Notification to Selected Applicant(s)

The authority to enter into a contract rests with the Whatcom County Executive and Whatcom County Council, except as designated. Decisions regarding contract awards for services solicited by this RFP will be made in accordance with the "Procurement Timeline" as outlined above.

Any contract resulting from this RFP will be between Whatcom County and the applicant organization. Contractors will be required to comply with the terms and conditions of the Whatcom County Subrecipient Agreement.

The successful applicant who enters into a contract with Whatcom County subsequent to the RFP process will not be reimbursed for services provided prior to the final execution and signature of the contract by all parties, unless specifically negotiated otherwise with the County.

Recipients will be required to maintain books, records, documents, and other evidence directly related to performance of the work in accordance with Generally Acceptable Accounting Principles. Whatcom County, or any of its duly authorized representatives, shall have access to such books, records, and documents for inspection and audit for a period of three years after completion of work. Contractors will document the use of County funds and will complete all required reports and billing documentation in a timely manner. Additional

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data may be required for audit or evaluation purposes. Contractors will additionally provide a certificate of general liability and property damage insurance naming Whatcom County as co-insured.

4.5 Right to Appeal

Non-selected applicants have the right to appeal the decision of the County, limited to procedural or legal errors in the selection process. In the event that no such procedural or legal errors are found to have occurred, the decision of the County shall be final.

An aggrieved applicant may, within five (5) working days after the award of a contract, appeal in writing to the Ann Beck, Community Health and Human Services Manager of the Whatcom County Health Department. The appeal must state all facts and arguments upon which the appeal is based. The Community Health and Human Services Manager will review the RFP and the facts alleged as grounds for the appeal. The Community Health and Human Services Manager will render a written decision within thirty (30) working days of the receipt of the appeal. The decision of the Community Health and Human Services Manager will be final.

4.6 Debriefing of Unsuccessful Proposals

Upon request, a debriefing conference will be scheduled with an unsuccessful applicant. The request for a debriefing conference must be received by the Whatcom County Health Department within three (3) business days after the notification is provided to the applicant. The debriefing must be held within five (5) business days of the request. Discussions will be limited to a critique of the applicant's proposal. Comparisons between proposals or evaluations of other proposals will not be allowed. Debriefing conferences may be conducted in person, virtually, or on the telephone and will be scheduled for a maximum of one hour.

4.7 Right to Reject or Negotiate

The County reserves the right to reject any or all applications if such rejection is in the County's best interest. This Request for Proposals is a solicitation for offers and is not to be construed as an offer, a guarantee, or a promise that the solicited services will be purchased by the County. The County may withdraw this Request for Proposals at any time and for any reason without liability to applicants for damages, including, but not limited to, application preparation costs.

Additionally, the County reserves the right to negotiate with the potentially selected applicants and may request additional information or modification from an applicant. When deemed advisable, and before any contract is let, the County reserves the right to arrange an onsite, pre-award review to determine the applicant's ability to meet the terms and conditions of the RFP.

4.8 Acceptance of Terms

By submitting an application in response to this RFP, the applicant accepts all terms and conditions of this RFP, as well as all County, State, and Federal regulations and requirements pertaining to the operation of the solicited services. If awarded a contract, the applicant's response will become part of the contract agreement. The applicant will be bound by the terms of the RFP, unless the County agrees otherwise. The County reserves the right to introduce additional terms and/or conditions during contract negotiations.

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5.0 Application Checklist

Please ensure that your completed application includes the following:

- ✓ Attachment A: Application
- ✓ Attachment B: Workplan Form
- ✓ Attachment C: Project Capital Budget
- ✓ Attachment D: Project Operations Budget
- ✓ Copy of DCYF License/Certificate (if licensed)
- ✓ Copy of your most recent compliance report from DCYF (if licensed)

Evidence of site control or lease agreement allowing improvements