

Request for Qualifications No. 2025-04

Addendum 01 – Q&A

This document is posted to capture the questions received, and agency answers provided, during the question and answer period and during the pre-bid conference for RFQ No. 2025-04, which occurred on October 10, 2024.

All amendments, addenda, and notifications related to this procurement will be posted on the [OSPI website](#) (if this was an open procurement) and on the Washington Electronic Business Solution ([WEBS](#)) website. Additional questions concerning this procurement must be submitted to contracts@K12.wa.us. Communication directed to other parties will be considered unofficial and non-binding on OSPI, and may result in disqualification of the Consultant.

Pre-Bid Conference Q&A:

- Question:** What is the typical timeline to conduct the investigation and turn in around?

Answer: We do not have a specific timeframe for conducting discrimination complaints, unlike OSPI's process for investigation of special education community complaints (SECC). The timeline will depend on the nature of the investigation and on the facts alleged in the complaint. In general, we see variation, from a month to a year, in the length of time it takes for our investigators to complete an investigation, or to get to a place where we believe voluntary resolution may be possible. However, the year timeline is due to the impact of the caseload in our office and other work in our office. We are hoping that, in this process, that timeline will be a lot quicker.
- Question:** Are most the investigations resolved by the Equity and Civil Rights Office? Or are the complaints resolved via ADR or trial?

Answer: Most complaints that we receive reach a resolution through our process. We do not offer mediation in house, but school districts may offer mediation, and that may impact the resolution of the case. Generally, we do not see complaints brought to our office go to trial as a result of our process. However, a complainant may choose to file a private lawsuit outside of our process at anytime.
- Question:** What kind of structure already exists, such as forms and templates?

Answer: We do have a fairly established process for how complaints move through our office as well as developed internal processes. As for templates, we do have templates for letters and a practice of using status memos for investigators to update the managing attorney and chief legal and civil rights officer. We are also open to processes that an investigator already uses to the extent they work with our process and expectations.



There is room for investigators to use their professional judgment in how to document their work, but we do expect there to be a written record of the investigation.

4. **Question:** How many investigators are on your team? Do the attorneys oversee or conduct the investigations?

Answer: We have one Program Attorney who serves as the lead for the whole caseload and also does investigations. We have three program supervisors, some of which are also attorneys, who also serve as investigators as part of their workload.

5. **Question:** Given that this is structured as an hourly rate, how long on average do cases take? I understand every complaint is different, but is there a cap on cases?

Answer: In the RFQ, we envision 1–4 complaints a month. Within that, we are flexible with the capacity an investigator may have. We understand that an investigator may not have 40 hours per week to work on this contract.

6. **Question:** As a lawyer, would you put us in different sections as lawyers or would we all be in the same place as investigators?

Answer: Being a lawyer is a preferred qualification, but not a required qualification. We understand that there may be very skilled investigators who are not attorneys and we are open to that. Whether an attorney or not, we are seeking individuals who have highly advanced understanding of state law and rules, and experience with investigations.

7. **Question:** Can this work be done if someone is outside of the state of Washington?

Answer: Yes, investigators do not need to be in the state of Washington. However, having advanced understanding of Washington laws and OSPI rules and guidelines is a preferred qualification.

8. **Question:** Understanding the idea is to have 1–4 complaints, do you have a estimate of about how long investigation takes.

Answer: The amount of hours a complaint will vary by complaint. In an attempt to provide some parameters, I can share that the first step in our process is sending the letter to the school district to request information. In response, sometimes the school district provides 60 pages of documents and sometimes we receive 6,000 pages. At that stage, once we have the document request back, we can get a better idea of how long it will take before we need to come back together to determine next steps. So, while we can't provide an estimate on amount of time in general, for any one specific complaint there are multiple checkpoints in the process where we have more of a grasp.

9. **Question:** How do you anticipate an investigator to capturing billing?

Answer: Contractor(s) will be compensated at an hourly rate of sixty-eight dollars (\$68). Invoices should include the following:

- OSPI Contract number

- Contractor name, address, telephone number, and email address for billing issues if someone other than the Contractor's Contract Manager
- Contractor's Federal Tax Identification Number
- Contractor's Statewide Vendor Number
- Description of Services and Deliverables provided
- Date(s) of Service, if applicable
- Invoice amount for each Service or Deliverable, including applicable taxes

10. **Question:** If there was a compliance issue identified, does the investigator suggest the remedy or does that come later?

Answer: The Managing Attorney will make the final determination on any remedies or corrective action. That said, generally, the investigator will suggest corrective action based on the evidence reviewed and the investigation findings.

11. **Question:** Does the OSPI Equity & Civil Rights office have a complaint investigation manual posted online?

Answer: Our procedures are an internal document that are not posted online. The following is an overview of our process.

- **Evaluation stage:** Our office reviews the information provided by the complainant, the school district investigation response, and appeal response. From there, we determine allegations and set the scope of the investigation by making determinations on which specific allegations we are opening for investigation.
- **Data Request:** The opening letter our office sends to school districts includes a request for information that we need in order to investigate the complaint.
- **Review Data Request:** Once we receive the batch of documents from the school district, we review the documentation, summarize it, and determine where (or if) we need more information and what that information may be.
- **Analysis:** Applying legal standards, we analyze the evidence, including any additional evidence collected, to determine if there is evidence of compliance, of noncompliance, or an absence of information we would expect to see. As part of this process, we also consider, based on what we know in the file, what remedies would be appropriate to address any noncompliance.
- **Status Memo:** Prepare a summary investigation thus far, legal standards applied, and options for next steps.
- **Determination:** Prepare a closing letter or resolution agreement.

12. **Question:** Does the evaluation happen before the complaint is assigned to an investigator?

Answer: Generally, yes. However, there is space in the Scope of Work that we may ask a contractor to assist with the evaluation of a complaint.

13. **Question:** Where are proposals being submitted through?

Answer: Proposals must be submitted as an attachment to an email to the RFQ Coordinator at contracts@k12.wa.us.

General Questions:

14. **Question:** For RFQ 2025-04 can you please confirm if the work can be done virtually or if there is an in-person requirement?

Answer: The work can be done virtually/remotely.

15. **Question:** Where would you like price to be provided in the RFP response?

Answer: No. Since this is a Request for Qualifications, OSPI is only seeking Management Proposals proving bidders meet the minimum qualifications, not Cost Proposals proposing payment rates. The resulting Contractor will be compensated at an hourly rate of sixty-eight dollars (\$68).