

# Request for Proposals

Title:

Electronic Archiving RFP

Due:

01/12/24

No later than 11:00 a.m. PST

Contact:

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## 01. SCHEDULE

12/18/2023	Public announcement of Request for Proposals
<u>01/05/2023</u>	<u>Last date to submit written questions</u>
01/12/2024	Proposals Due no later than 11:00 a.m. PST
01/19/2023	Selection of Consultant and Negotiation of Specific Terms

\*NOTE: Dates as indicated are best estimates for informational purposes only.

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### 03. SUBMITTAL INSTRUCTIONS

Electronic submittal: Submit one (1) electronic proposal and any required attachments, the Submittal Packet first page shall be digitally signed by an authorized representative of the proposer's firm. For easy identification, please list "Electronic Archiving RFP" in the subject line of the email. Electronic submittals shall be sent to [scollins@portofbenton.com](mailto:scollins@portofbenton.com) and must be received by proposals due date referenced above.

Proposals shall contain all required information as defined herein and be submitted to the Port of Benton electronically no later than the date, time, and place as stated on the cover page of this RFP or as amended. Proposals will not be accepted in any format other than as required above. Late proposals will not be accepted and will be returned to the proposers unopened.

Proposers shall be fully responsible for any and all costs incurred in the preparation and submittal of their proposals.

### 04. PROJECT OVERVIEW

The Port of Benton ("Port") is soliciting proposals from experienced firms ("Proposer" or "Proposers") interested in providing Social Media Archiving services, SMS/Text Messaging Archiving services, and/or Website Archiving services. Proposers will be permitted to submit a proposal for individual or multiple separable components of the operation as further detailed under **Section 06. Desired Proposal**.

### 05. BACKGROUND

The Port of Benton (hereafter referred to as "Port") fosters economic development and trade by providing quality infrastructure and multimodal transportation at a variety of sites in Benton County of Washington State. The Port, as a local government agency, must adhere to RCW 42.56, the Public Records Act, which requires the Port to properly archive "documents" and their metadata for statutorily provided retention periods. This includes, but is not limited to, emails, text messages, social media posts (Meta, Instagram, Twitter), and various websites under its control ([www.portofbenton.com](http://www.portofbenton.com), [www.crowbutte.com](http://www.crowbutte.com), etc).

The Port currently has solutions for email archiving and voicemail archiving services and has no immediate plans to change providers for those services.

### 06. DESIRED PROPOSAL

The Port desires a proposal that provides the Port with a user-friendly cloud-based solution to archiving certain electronic communications. While the Port has a vision for this RFP, the Port finds it of the utmost importance that proposer(s) provide what they themselves deem a workable, flexible, and successful plan in their own professional opinion. While the Port is primarily interested in a full-service proposal, proposers will be permitted to submit a proposal for all components below, select components below, or may even submit a proposal for a separate vision that the Port should review and consider.

The Port is looking for a solution that provides archiving solutions compliant with Washington State requires for the following areas:

- Web archiving
  - Archive web content from designated websites or webpages.
  - Regularly capture and store website data in a searchable format.
  - Ensure the archived content remains accessible and unaltered.
  - Comply with legal and regulatory requirements for web archiving.
- Social Media
  - Capture and archive social media content from specified platforms (currently Meta/Facebook, Instagram, and Twitter/X).
  - Ensure compliance with relevant regulations and standards.
  - Provide searchable and retrievable archives of captured content.
  - Maintain the integrity and authenticity of archived data.
- SMS/Text Message
  - Capture and retain SMS/text message communications securely. Current provider is Verizon. Would be preferable to allow for iMessage use.
  - Establish a system to manage, search, and retrieve archived messages.
  - Ensure compliance with data retention policies and privacy regulations.
  - Maintain the confidentiality and integrity of archived messages.

## 07. CONTRACT LENGTH

The Port desires a contract length of three years. At the Port's discretion, and subject to relevant statutes, rules, and regulations, terms may be renewed upon mutual written consent but may be with vastly different terms, conditions, and rates.

## 08. PROPOSAL SUBMITTAL REQUIREMENTS

To ensure that all information provided is properly evaluated, please organize and label proposals in the structure provided below. Submittals shall not exceed twenty (20) pages total including all required components; proposer(s) will not be graded upon the length of their proposal or effort to reach the 20-page maximum. Proposer(s) are encouraged to focus on quality and brevity in their proposal.

Proposals (submittals) shall include, at a minimum, the following:

- 1) **Transmittal Letter with Original Signature:** A cover letter generally outlining the proposer's ability to perform the services outlined in this RFP; signed by an authorized individual representing the Proposer's firm in contractual obligations.
- 2) **Proposed Rate:** Proposer shall provide their proposed cost structure.

- 3) **Proposed Scope of Work:** Proposer shall provide a more detailed overview of the method and strategy they intend to employ in fulfilling **Section 06. Desired Proposal**. Proposer shall also document how their commitment to the Project schedule and their plan to stick to that committed schedule.
- 4) **Licensing:** Provide a current business license or copy of a complete application to do business in Washington State and the City of Richland.
- 5) **Ability to Contract:** Proposer shall have the ability to negotiate a contract with the Port based on the exceptions/changes requested. Proposer may not be debarred, suspended or otherwise ineligible to contract with the Port. DUNS or Unique Entity IDs (UEI) are not necessary for this project.
- 6) **Experience:** Company identification and typical business statistics – years in operation, locations, business volume, number of employees, services provided, etc. List the Proposer’s top three (3) business references for the type of work most relevant to the content of this RFP. Listing for each reference should provide the references business name or d.b.a., lead staff contact, staff contact phone, staff contact email, and a short description of the services rendered.
- 7) **Legal Action:** Disclose any current or recent (within past five years) legal action in progress or taken against the firm or individuals.

## 09. EVALUATION CRITERIA

Criteria	Value
<b>Transmittal Letter with Original Signature</b>	5%
<b>Proposed Rate</b>	10%
<b>Proposed Scope of Work</b>	35%
<b>Licensing (Does the business have applicable licenses?)</b>	Y or N
<b>Ability to Contract (Is the proposer and their business able to contract?)</b>	Y or N
<b>Experience</b>	35%
<b>Legal Action (Does a legal action exist?)</b>	Y or N

## 10. PROPOSAL EVALUATION

- 1) The Port may choose to invite one or more of the proposers to demonstrate their solutions or interview with the Port.
- 2) The Port reserves the right to award a contract with the single highest rated proposer without preceding interviews or demonstrations.
- 3) Ownership of Material - Ownership of all data, materials, and documentation originated and prepared for the Port pursuant to the RFP shall belong exclusively to the Port and be subject to public inspection after award by the Commission in accordance with the Washington State Public Records Act (RCW

42.56). Trade secrets or proprietary information submitted by the Respondent shall not be subject to public disclosure under the Public Records Act, unless otherwise required by law or a court. However, the Proposer must invoke the protection of the Public Records Act, in writing, either before or at the time the data or other material is submitted. The written notice must SPECIFICALLY identify the data or materials to be protected and state the reason why protection is necessary. The proprietary or trade secret material submitted must be identified by some distinct method such as highlighting or underlining and must indicate only the specific words, figures, or paragraphs that constitute trade secret or proprietary information. The classification of an entire proposal document, line-item prices, and/or total proposal prices as proprietary, or trade secrets, is NOT ACCEPTABLE and may result in REJECTION of the proposal.

- 4) With regard to submittal of a proposal (individually and collectively referred to as “response”), the proposer agrees to and hereby waive any and all claims it has or may have against the Port, and its director’s, persons, officers, commissioner’s, committee’s, employees, or agents arising out of or in connection with (1) the administration, evaluation, or recommendation of any response; (2) any requirements under the solicitation, the RFP, or related documents; (3) the rejection of any response or any part of any response; (4) waiver by the port of any technicalities in the RFP package or any response; (5) waiver or change in any non-material provision of the RFP solicitation package or materials that do not adversely and specifically affect the previously submitted response; and/or (6) the award of a contract, if any.
- 5) The Port reserves the right to reject any or all responses, to waive any irregularities and/or technicalities in response received or not award. The Port, in its sole discretion, will determine whether any or all the responses are responsive and reserves the right to make a determination as to whether any one or more Proposals are qualified. The submission of a response to this RFP is an offer by the Proposer to contract only and does not constitute a contract. There will be no contractual obligations on the part of the Port to any Proposer, nor will any Proposer have any property interest or other right in the contract unless and until all terms of the contract have been agreed upon by the Port, including, without limitation, all provisions of the contract have been negotiated to the satisfaction of the Port; the contract is unconditionally signed by the Port and the selected Proposer the contract is delivered by all parties; and all conditions to be fulfilled by the Proposer prior to contracting have either been fulfilled by the Proposer or waived in the writing by the Port.

## 11. RFP QUESTIONS AND CLARIFICATIONS

Questions shall be submitted to the Port of Benton by email to: [scollins@portofbenton.com](mailto:scollins@portofbenton.com), not later than the date and time referenced in the Schedule on the title page. Please reference the “Electronic Archiving RFP” in the subject line when submitting questions via email.

Oral questions will not be answered. Questions must be in written form, by email. To the extent any oral questions are answered, those answers will be considered non-binding. An addendum to this RFP may be issued by the Port as a result of the questions generated under this competitive solicitation to all plan holders.

## 12. ADDENDA

If at any time, the Port changes, revises, deletes, clarifies, increases, or otherwise modifies the RFP, the Port will issue a written addendum to the RFP. Proposer must register for this RFP to be notified of addendum and new documents on this RFP. It is the Proposer's responsibility to check for addenda and other new documents online.

## 13. SUBMITTAL EFFECTIVE DATE

The submittals shall remain in effect for 180 days after the RFP due date, unless extended by mutual agreement between the Port and the applicable proposers.

## 14. DEBRIEF PROCEDURES

After award, submitters may contact the Port to request a phone or in person debrief conference.

## 15. INSURANCE REQUIREMENTS AND INDEMNIFICATION

Evidence of financial stability and credit worthiness; ability to meet port's insurance requirements is mandatory. Insurance and contract terms will be covered during contract negotiations.

## 16. TITLE VI (FEDERAL) NON-DISCRIMINATION

The Port of Benton assures that no person shall on the grounds of race, color, national origin, or sex as provided by Title VI of the Civil Rights Act of 1964, as amended, and the Civil Rights Restoration Act 1987 (P.L. 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Port sponsored program or activity. The Port of Benton further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

## 17. PORT NON-DISCRIMINATION

By signing and submitting a response to this RFP, the proposer (firm or individual) certifies that, in the event it is awarded a contract under this competitive solicitation (i.e., becomes the "successful proposer"), and as of the date of contract award, it shall comply with the "Anti-Discrimination Clause" provided below:

Non-discrimination. Port of Benton complies with applicable federal civil rights and Washington state civil rights laws and does not discriminate on the basis of race, color, national origin, religion, sex, families with children, marital status, honorably-discharged veteran or military status, sexual orientation, age, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability, in the administration of its programs and activities.

The Vendor shall comply with the substantive requirements of RCW 49.60, which are incorporated herein by this reference. Execution of this Agreement constitutes a certification by the Vendor of the Vendor's compliance with the requirements of Chapter RCW 49.60. If the Vendor is found to have violated this

provision, or to have furnished false or misleading information in an investigation or proceeding conducted pursuant to this Agreement or Chapter RCW 49.60, this Agreement may be subject to a declaration of default and termination at the Port's discretion. This provision shall not affect the Vendor's obligations under other federal, state, or local laws against discrimination.

## 18. OTHER PUBLIC AGENCY ORDERS

The Washington State Interlocal Cooperative Act, RCW 39.34, provides that other governmental agencies may purchase goods or services on this RFP or contract in accordance with the terms and prices indicated herein if all parties agree. The Port does not accept any responsibility or involvement in the purchase orders or contracts issued by other public agencies.