



**WASHINGTON STATE
MINORITY AND JUSTICE COMMISSION**

Temple of Justice
Post Office Box 24372
Olympia, Washington 98504-1174
360.357.2109
minority.justice@courts.wa.gov

**REQUEST FOR PROPOSAL
06011**

EMPIRICAL RESEARCH

**PROPOSAL DUE:
SEPTEMBER 1, 2006
4:00 P.M., PACIFIC STANDARD TIME**

TABLE OF CONTENTS

SECTION 1: OVERVIEW.....	4
1.1 Purpose	4
1.2 Authority	4
1.3 Agency information	4
1.4 Funding	4
1.5 Definitions.....	4
SECTION 2: GENERAL BACKGROUND AND PROCESS	6
2.1 RFP Coordinator.....	6
2.2 Conditions	6
2.3 RFP Schedule	6
2.4 Proposal Due Date	7
2.5 Proposal Preparation Costs.....	7
2.6 Proprietary Information/Public Disclosure.....	7
2.7 Vendor’s Questions and the Commission’s Responses	7
2.8 Length of the contract.....	8
2.9 No Obligation to Execute	8
SECTION 3: SCOPE OF WORK	9
3.1 Project Background	9
3.2 Expectations	10
3.2.1 Research requirement:	10
3.2.2 Research Study deliverables:	10
3.3 Rights of Ownership	11
SECTION 4: RFP PROCESS	12
4.1 Proposal Submission.....	12
4.1.2 Waive Minor Administrative Irregularities	12
4.1.3 Error in Proposal	12
4.2 Pre-Screening.....	12
4.3 Evaluation.....	12
4.4 Selection.....	13

4.5 Notice of Non-Selection/Selection 13

4.6 Execution of a contract 13

4.7 Authority to bind the Commission 13

4.8 Optional Vendor Debriefing 13

4.9 Protest Procedures 13

SECTION 5: INSTRUCTIONS FOR PROPOSAL SUBMITTAL 15

5.1 Vendor Information 15

5.2 Vendor Response 15

5.3 Proposal Concept 16

5.4 Anticipated Duration 16

5.5 Budget Details 16

5.6 Expertise 17

5.7 Resumes 16

5.8 Other 17

SECTION 6: VENDOR EVALUATION AND SELECTION 18

6.1 Preliminary Screening 18

6.2 Qualitative Review and Recommendations 18

EXHIBIT A: SCORING 19

EXHIBIT B: PROTEST PROCEDURES 20

A. Procedure 20

B. Grounds for protest 20

C. Form and Content 20

D. Commission Review Process 20

E. Commission Determination 21

SECTION 1: OVERVIEW

1.1 PURPOSE

The Washington State Minority and Justice Commission (Commission) is issuing a Request for Proposals (RFP) soliciting proposals to conduct an empirical research identifying and analyzing:

- the demographics of those affected by legal financial obligations (LFO) imposed by the states' courts;
- the level of assessment compared to what is legally permissible; and
- the extent to which the assessment of LFOs are meeting the legislative intent.

1.2 AUTHORITY

The Commission is a Washington State Supreme Court created Commission. Under the Order 25700-A-466 creating the Commission and subsequent Orders Renewing the Commission, it is directed to examine all levels of the state judicial system to ensure a better quality of justice and to recommend improvements to the extent needed.

1.3 AGENCY INFORMATION

The Washington State Minority and Justice Commission was created by the Washington State Supreme Court in 1990 as successor to the Washington State Minority and Justice Task Force, which was created by the Supreme Court in 1987 at the request of the Washington State Legislature.

The purpose of the Minority and Justice Commission is to determine whether racial and ethnic bias exists in the courts of the State of Washington. To the extent that it exists, the Commission is charged with taking creative steps to overcome it. To the extent that such bias does not exist, the Commission is charged with taking creative steps to prevent it.

The work of the Commission is carried out through its five sub-committees: Education; Evaluation and Implementation; Outreach; Research; and Workforce Diversity.

1.4 FUNDING

The Commission will allocate up to \$20,000 towards the research study.

1.5 DEFINITIONS

The following terms and abbreviations are defined as used herein:

- MJC or the Commission: The Washington State Minority and Justice Commission

- Research sub-committee: The Research sub-committee of the Washington State Minority and Justice Commission overseeing the research project.
- LFO: Legal Financial Obligation. Court ordered restitution, court fees, and other financial sanctions.
- RFP Coordinator: Is the sole point of contact for this procurement.
- RFP: Formal procurement document in which a service or need is identified, but no specific method to achieve it has been chosen. The purpose of an RFP is to permit the vendor community to suggest various approaches to meet the need at a given price.
- AOC: Administrative Office of the Court. The administrative arm of the Supreme Court.
- Vendor: An individual, team, institution, or organization submitting a proposal for consideration.
- Successful Vendor: An individual, team, institution, or organization who's proposal is selected and awarded the contract under this RFP.

SECTION 2: GENERAL BACKGROUND AND PROCESS

2.1 RFP COORDINATOR

The RFP coordinator designated for this RFP is as follows:

Erica Chung
 Executive Director
 Washington State Minority and Justice Commission
 Temple of Justice
 Post Office Box 41174
 Olympia, Washington 98504-1174
 Office: 360.357.2109
 Telefacsimile: 360.357.2111
 e-mail: erica.chung@courts.wa.gov

In the event that the RFP Coordinator is not available, another person shall be designated by the Commission to serve as RFP Coordinator in his/her absence.

The RFP Coordinator is the sole point of contact for this procurement. All communication regarding this RFP shall be with the RFP Coordinator.

2.2 CONDITIONS

Proposals are invited and accepted subject to the following conditions and rights of the Commission and/or AOC. The Vendor is specifically notified that failure to comply with any part of the RFP may result in rejection of the entire proposal as non-responsive.

2.3 RFP SCHEDULE

EVENT	DATE
Issue RFP	July 7, 2006
Vendors Written Questions Due	July 28, 2006
Issue Responses to Questions on or before	August 4, 2006
Proposals Due	September 1, 2006
Evaluation Period	September 5 –15, 2006
Announcement of Successful Vendor (on or before)	September 18, 2006
Vendor Request for optional debriefing conference period	September 19 – 22, 2006
Optional Vendor debriefing period	September 25 – 28, 2006
Protest Period	September 29 – October 13, 2006
Award Contract	October 16, 2006

2.4 PROPOSAL DUE DATE

All required copies of the proposal must be received by the Commission no later than 4:00 p.m. Pacific Daylight Savings Time on the date specified in the RFP Schedule subsection 2.3. Proposals received after the due time and date will be considered non-responsive and will not be considered. Incomplete proposals will also be rejected as non-responsive.

The Commission reserves the right to change the proposal due date to a later date, but will not change to an earlier date.

2.5 PROPOSAL PREPARATION COSTS

Neither the Commission nor the AOC are liable for any costs associated with the preparation of a proposal, a presentation by the Vendor, or for any other activity conducted in response to this RFP. Vendor activity is voluntary on the part of the Vendor and is done with the understanding that costs incurred will not be reimbursed by the Commission or the AOC.

2.6 PROPRIETARY INFORMATION/PUBLIC DISCLOSURE

Materials submitted in response to this competitive RFP shall become the property of the Commission. All responses received shall remain confidential until the evaluation is completed and the Successful Vendor is selected and approved and a contract signed. Thereafter responses shall be deemed public records as defined in RCW 42.17 and shall be disclosed in accordance with the requirements of that chapter.

Any information in the proposal that the Vendor desires to claim as proprietary and exempt from disclosure under the provisions of Chapter 42.17 RCW must be clearly designated. 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. The Commission will consider a Vendor's request for exemption from disclosure; however, the Commission or AOC will make a decision predicated upon applicable laws. Marking the entire proposal exempt from disclosure cannot be honored. The Vendor must be reasonable in designating information as confidential. If any information is marked as proprietary in the proposal, such information will not be made available until the affected Vendor has been given an opportunity to seek a court injunction against the requested disclosure, and either chooses not to seek an injunction, or fails to seek an injunction within ten days of receiving the notice of the request.

2.7 VENDOR'S QUESTIONS AND THE COMMISSION'S RESPONSES

Vendor may submit written questions and requests for clarification pertaining to this RFP to:

Erica Chung
Washington State Minority and Justice Commission

Temple of Justice
Post Office Box 41174
Olympia, Washington 98504-1174
Office: 360.357.2109
Telefacsimile: 360.357.2111
e-mail: erica.chung@courts.wa.gov

Vendor's questions must be in writing and may be sent by mail, Telefacsimile or electronic mail. Questions received after the deadline date stated in the RFP Schedule (subsection 2.3) will not be answered. The Commission will attempt to answer all questions submitted by the due date, if any.

The basic content of the Vendor's questions and the Commission's responses to the questions will be published and sent to the Vendors via mail or electronic mail. The Vendor's questions and the Commission's answers will also be published on the Commission's website at www.courts.wa.gov under Boards and Commissions, then under Minority and Justice Commission. The Commission intends to provide the answers on or before the scheduled date in one single document to all Vendors. If a Vendor does not receive the Vendor's Questions and the Commission's Responses by close of business on the date specified, the Vendor is recommended to contact the RFP Coordinator for that information or access the information at the above website. Authors of the questions will not be identified in the published document.

The Commission's position as set forth in the published Vendor's Questions and the Commission's Responses shall take precedent over the RFP if a conflict exists between the two documents.

2.8 LENGTH OF THE CONTRACT

The contract will commence upon execution of two original contracts by the Commission and the Vendor, and will terminate at the end of May 2007, unless terminated earlier. The Commission may extend the length of the contract for an additional one-year period under the same terms and conditions. The decision to extend the length of the contract shall be at the sole discretion of the Commission and/or the AOC.

2.9 NO OBLIGATION TO EXECUTE

This RFP does not obligate the Commission or the AOC to award or execute a contract for the research study specified.

SECTION 3: SCOPE OF WORK

3.1 PROJECT BACKGROUND

Recently there has been much publicity regarding collateral consequences of conviction. As a result of legislation enacted by Congress in 1996 and 1998, many persons convicted of a drug offense lack essential support services necessary to re-establishing themselves as contributing members of society and building a strong relationship to their communities. They are barred from receiving public assistance, suspended from qualifying for student loans, and denied access to public housing. In addition to the federal legal barriers, many ex-felons encounter state collateral consequences, including inability to exercise their civil rights to incarceration for failing to pay their legal financial obligations.

In Washington State, ex-felons are barred from exercising their civil rights, the right to vote and to serve on jury service, until they have completed their court ordered terms and probations, including fulfillment of their legal financial obligations (LFOs), which includes docket and filing fees, court costs, restitution, and costs of incarceration¹, and obtain a "Certificate of Discharge". In contrast, some states restore voting rights once prison terms and probation are over, some upon release from prison and two (Maine and Vermont) do not deny felons the right to vote.

The debate over ex-felons inability to exercise their civil rights has received much attention because of their disproportionate impact on persons of color and indigents. However, the focus should be on the cause, their inability to meet their legal financial obligation, direct sanctions, which impacts several collateral consequences.

In an effort to better understand the impact of LFO's and its impact on persons of color and indigents in the criminal justice system, the Research Sub-committee of the Commission is inviting proposals to conduct an empirical research to determine the following:

- In Washington State how does the LFO amount at sentencing, LFO at time of discharge, LFO discharge rate and time to discharge vary by jurisdiction by offense, age, sex, and race/ethnicity? With and without monetary restitution.
- What LFOs are legally permissible and what is actually charged and assessed? What is suspended and how? Including non-monetary LFOs.
- What was the legislative intent of each LFOs and have they been applied/sanctioned according to the original intent?
- Recommendations (policy and procedural) based on findings
- Recommendations for further research studies

¹ Court Strikes Down Modern Form of Poll Tax. ACLU of Washington, March 27, 2006. <http://www.aclu-wa.org/detail.cfm?id=426>.

Secondary questions as resources permit:

- What kinds of LFOs exist nationally, in comparison to those in Washington State?
- What is the relationship between the ability to meet LFOs and the likelihood of recidivism?
- What is the incarceration rate of people who fail to pay their LFO? Is a counsel available to them when having a hearing which can result in them being incarcerated for alleged failure to pay?
- Of Washington ex-felons who meet their LFOs, how long does it take them to do so, on average? What are the major influences on the amount of time required to meet LFOs?

3.2 EXPECTATIONS

3.2.1 RESEARCH REQUIREMENT:

- Conduct an empirical research as presented in Project Background, subsection 3.1, on its findings, recommendations to mitigate the findings, and recommendations for further research studies.
- Meet with the RFP Coordinator and the Research Sub-committee as required and/or established at the start of the planning process and as requested during the project to discuss the progress and to resolve issues and concerns.
- With consultation with the RFP Coordinator establish a timeline and an outline of the research study.
- Submit a final copy of the research study formatted or print ready for publication on a computer diskette in Word document and/or PDF format.

3.2.2 RESEARCH STUDY DELIVERABLES:

- Deliverable One: Research Study Outline, Timeline—First Draft
The Successful Vendor shall prepare and submit to the RFP Coordinator and the Research Sub-committee for approval a written draft of the research study timeline and outline.
- Deliverable Two: Research Study Outline, Timeline—Final
The Successful Vendor shall prepare and submit a final copy of the research study timeline and outline to the RFP Coordinator and the Research Sub-committee. It must incorporate mutually agreed upon revisions to the first draft.
- Deliverable Three: Research Study—First Draft
The Successful Vendor shall prepare and submit to the RFP Coordinator and the Research Sub-committee for approval a written draft of the research study.

- **Deliverable Four: Research Study—Final**
The Successful Vendor shall prepare and submit a final copy of the research study to the RFP Coordinator and the Research Sub-committee. It must incorporate mutually agreed upon revisions to the first draft.

A final copy of the research study shall be submitted to the RFP Coordinator and the Research Sub-committee formatted or print ready for publication on a computer diskette in Word document and/or PDF format.

3.3 RIGHTS OF OWNERSHIP

Any copyrighted materials used in the research must be clearly identified and the Commission shall be given irrevocable, unlimited, royalty-free license to use, copy, etc. such materials.

The Commission shall co-own with the Successful Vendor the copyrights to the empirical research study and all data associated with the research study under this contract.

SECTION 4: RFP PROCESS

4.1 PROPOSAL SUBMISSION

A proposal in response to this RFP must be submitted to the RFP Coordinator and received by the due date as specified under the RFP Schedule, subsection 2.3.

Erica Chung
Washington State Minority and Justice Commission
Temple of Justice
Post Office Box 41174
Olympia, Washington 98504-1174
Office: 360.357.2109
Telefacsimile: 360.357.2111
e-mail: erica.chung@courts.wa.gov

4.1.2 WAIVE MINOR ADMINISTRATIVE IRREGULARITIES

The Commission or the AOC reserves the right to waive minor administrative irregularities contained in any Vendor proposal. Additionally, the Commission or the AOC reserves the right, at its sole option, to make corrections to Vendors' proposal when an obvious arithmetical error has been made in the price quotation. Vendors will not be allowed to make changes to their quoted price after the Proposal submission deadline.

4.1.3 ERROR IN PROPOSAL

Vendors will not be allowed to alter proposal documents after the deadline for submission. The Commission or the AOC are not liable for any errors in Vendor responses. The Commission or the AOC reserves the right to contact Vendor for clarification of its contents.

4.2 PRE-SCREENING

The RFP Coordinator will first review each proposal for compliance with the requirements and instructions set forth in the RFP, Section 5. Proposals found to be non-responsive will be rejected in the pre-screening process and will not be forwarded to the Research Sub-committee for further review.

4.3 EVALUATION

The Research Sub-committee and/or any other members deemed necessary by the Commission will evaluate all proposals received by the due date and not rejected during the pre-screening process using the evaluation criteria, which best meets the requirements set forth in this RFP Exhibit A.

4.4 SELECTION

The final selection, if any, will be the proposal, which receives the highest score. In case of a tie, the proposal that is in the best interest of the Commission will be selected.

4.5 NOTICE OF NON-SELECTION/SELECTION

Vendors, whose proposals are not selected, will be sent a notice of non-selection at the mailing address or electronic address provided under the Vendor Information.

Successful Vendor, whose proposal is selected, will be sent a notice of selection at the mailing address or electronic address provided under the Vendor Information.

4.6 EXECUTION OF A CONTRACT

At the sole option of the Commission, the Commission as a result of this RFP will have AOC draft a standard contract between the Commission and the Successful Vendor. The Successful Vendor may submit exceptions or modifications to the proposed contract for consideration by the Commission. Any modifications or changes to existing wording in the contract must be identified and communicated to the RFP Coordinator. Modifications require the Commission's approval.

4.7 AUTHORITY TO BIND THE COMMISSION

The Co-Chairperson of the Commission or their designee is the only individual who may legally commit the Commission to the expenditure of public funds for this RFP. No cost chargeable to the proposed project may be incurred before receipt of a fully executed written contract.

4.8 OPTIONAL VENDOR DEBRIEFING

Vendors who submit a proposal may request an optional debriefing conference to discuss the evaluation of their proposal. The request for and the debriefing conference must occur on or before the dates specified in the RFP Schedule. The request must be in writing (e-mail) and addressed to the RFP Coordinator.

The debriefing will not include any detailed or comprehensive comparison between Vendor's proposal and any other proposal submitted. However, the Commission will discuss the factors considered in the evaluation of the requesting Vendor's proposal and address questions and concerns about Vendor's performance with regard to the solicitation requirements.

4.9 PROTEST PROCEDURES

Vendors that have submitted a response to this solicitation and have had a debriefing conference may make protests. Upon completion of the debriefing conference, a Vendor is allowed five (5) business days to file a formal protest of the acquisition with the RFP Coordinator.

Such protest is allowed only if it is based on the following alleged irregularities:

- Mathematical errors were made in computing the score;
- The Commission failed to follow procedures established in the solicitation document or applicable state or federal laws or regulations; or
- Bias, discrimination, or conflict of interest on the part of an evaluator.

Protests not based on these criteria will not be considered. Further information regarding the filing and resolution of protests is contained in Exhibit B.

SECTION 5: INSTRUCTIONS FOR PROPOSAL SUBMITTAL

5.1 VENDOR INFORMATION

The proposal must begin with a cover page. At a minimum, the cover page must contain the following information:

- Date of the proposal
- RFP number
- Name of the Vendor and a description of the Vendor's legal status, e.g., corporation, sole proprietor, etc.
- Name and title of the person to be contacted concerning the Vendor's proposal
- Address, telephone number, telefacsimile number, and e-mail address for the Vendor's contact person
- Vendor's Federal Tax Identification Number (TIN) or Social Security Number (SSN)
- The cover page must be signed or attested and dated by a person authorized to legally bind the Vendor to a contractual relationship

5.2 VENDOR RESPONSE

- A statement that guarantees that the response constitutes a firm offer valid for sixty (60) days following receipt and that the Commission may accept any time within the 60-day period.
- A statement that no assistance in preparing the response was received from any current or former employee of the state of Washington whose duties relate(d) to this RFP, unless such assistance was provided by the state employee in his or her official public capacity and that neither such employee nor any member of his or her immediate family has any financial interest in the outcome of this RFP.
- A statement on whether the vendor or any employee of the vendor is related by blood or marriage to an AOC employee or resides with an AOC employee. If there are such relationships, list the names and relationships of said parties. Include the position and responsibilities within the Vendor's organization of such Vendor employees.
- A statement on whether any of the Vendor's employees are a current state employee or a former state employee during the past two years. For current or former state employees list the employer agency, title, and termination date. Do not include any contract work performed for a state agency.
- State whether the Vendor has been a party in any litigation during the past five (5) years, all such incidents except employment-related cases must be described, including the other parties' name, address, and telephone number. Present the Vendor's position on the matter.

5.3 PROPOSAL CONCEPT

The Vendor shall submit a proposal concept, which succinctly describes the following. Proposal concept should be limited to ten pages.

- Proposal Abstract: a brief description of the research project
- Literature review: an overview of relevant research and a description of how the proposed study relates to the existing research
- Tasks: list and describe the major tasks needed to complete this research project
- Describe the project constraints/limits

5.4 RESOURCE REQUIREMENT

- Identify the resource requirements needed for the major work items/tasks
- Summary of Research Methods and Data: an overview of the proposed research approach and the sources of evidence to be analyzed

5.5 ANTICIPATED DURATION

The Vendor is requested to match the major tasks involved in the study to a project timeline and to specify the project duration in months.

5.6 BUDGET DETAILS

The Vendor is requested to project the cost anticipated in association with the study

Total Budget (direct costs only):
Budget Details (direct costs only):
 Salaries:
 Faculty:
 Graduate Students:
 Other:
Equipment:
Supplies:
Travel:
Sub-consultants:
Other:

If the total projected budget is above what is allocated by the Commission, of \$20,000, the Vendor is requested to explain the need for additional funds.

5.7 EXPERIENCE/RESUME

The Vendor shall include information accentuating its experience in conducting empirical research. Attach resume or curriculum vitae of person(s) who will conduct the research study.

The Vendor shall include qualifications of staff or students expected to work on this project. Any modifications or changes to staff or students after the execution of the contract must be communicated to the RFP coordinator and require the Commission's approval.

5.8 EXPERTISE

The Vendor shall include information accentuating its expertise in the field of and understanding of the workings of the justice system.

5.9 KNOWLEDGE

The Vendor shall include information accentuating its knowledge related to racial and ethnic justice.

5.10 OTHER

Provide any additional information you feel would be helpful to the Commission in the selection process. Please limit to two pages.

SECTION 6: VENDOR EVALUATION AND SELECTION

6.1 PRELIMINARY SCREENING

Proposals will be reviewed for compliance with the requirements and instructions set forth in the RFP. Proposals found to be non-responsive will be rejected in the pre-screening process and will not be forwarded to the Research Sub-committee for further review.

6.2 QUALITATIVE REVIEW AND RECOMMENDATIONS

Proposals that pass the preliminary screening will be evaluated by the Research sub-committee on the following criteria:

- Clarity of Proposal Concept
- Clarity of Resource Requirements
- Clarity and realism of project timeline
- Clarity and realism of budgetary needs
- Experience in conducting empirical research
- Experience in conducting justice system research
- Knowledge of racial and ethnic justice issues
- Other

The evaluation process is designed to not necessarily select the proposal with the least cost, but rather to select the proposal with the best combination of attributes based upon the evaluation criteria.

The Research sub-committee will submit its recommendations to the Co-Chairpersons of the Commission to select a Successful Vendor.

EXHIBIT A: SCORING

A. PRELIMINARY SCREENING

During the preliminary screening phase, each proposal will be evaluated on its timely submission and thoroughness of its responses.

Vendor Information (5.1)	received by the due date and time? Y/N
Vendor Response (5.2)	responses complete? Y/N

B. QUALITATIVE REVIEW

Proposals that have successfully passed the initial Preliminary Screening will be evaluated by the Research Sub-committee. For each of the items listed below, proposals will be receive a score of zero through twenty-five, then totaled for a final score.

	WEIGHT
Clarity of Proposal Concept (5.3)	20
Clarity of Resource Requirements (5.4)	10
Clarity and realism of project timeline (5.5)	7.5
Clarity and realism of budgetary needs (5.6)	10
Experience in conducting empirical research (5.7)	15
Experience in conducting justice system research (5.8)	15
Knowledge of racial and ethnic justice issues (5.9)	15
Other (5.10)	7.5
TOTAL MAXIMUM SCORE	100

EXHIBIT B: PROTEST PROCEDURES

A. PROCEDURE

This protest procedure is available to Vendors who submitted a proposal to this solicitation and have received a debriefing conference. Protests are made:

- To the Commission after the Commission has announced the Successful Vendor.
- Vendor protests shall be received, in writing, by the Commission within five (5) business days after the Vendor debriefing conference.

B. GROUNDS FOR PROTEST

Grounds for protest are limited to specific criteria. Only protests based on the following criteria shall be considered:

- Mathematical errors were made in computing the score;
- The Commission failed to follow procedures established in the solicitation document or applicable state or federal laws or regulations; or
- Bias, discrimination, or conflict of interest on the part of an evaluator.

Protests not based on these criteria will not be considered.

C. FORM AND CONTENT

A written protest must contain the facts and arguments upon which the protest is based and must be signed by a person authorized to bind the Vendor to a contractual relationship. At a minimum, this must include:

- The name of the protesting Vendor, its mailing address and phone number, and the name of the individual responsible for submission of the protest.
- Information about the RFP and the RFP number.
- Specific and complete statement of the Commission's action(s) protested.
- Specific reference to the grounds for the protest.
- Description of the relief or corrective action requested.

D. COMMISSION REVIEW PROCESS

- Upon receipt of a Vendor's protest, the Commission will postpone further steps in the acquisition process until the protest has been resolved.
- Individuals not involved in the protested acquisition will objectively review the written protest material submitted by the Vendor and all other relevant facts known to the Commission.

- The Commission will render a written decision to the Vendor within five (5) business days after receipt of the Vendor protest, unless more time is needed. The protesting Vendor shall be notified if additional time is necessary.

E. COMMISSION DETERMINATION

The Commission will resolve the protest in one of the following ways:

- Find the protest lacking in merit and uphold the office's action;
- Find only technical or harmless errors in the office's acquisition process, determining the office to be in substantial compliance, and rejecting the protest; or
- Find merit in the protest and provide options including:
 - Correcting errors and reevaluating all proposals;
 - Reissuing the solicitation document; or
 - Making other findings and determining other courses of action as appropriate.