



RFP # 735  
PROFESSIONAL, TECHNICAL AND EXPERT SERVICES

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Clark County Washington  
Release date: January 17, 2018

Request for Proposal for:

## Animal Control Hearings Examiner

**PROPOSALS DUE: February 16, 2018 by 3:00 p.m.**

***Proposals must be date and time stamped by Purchasing staff before 3:00 PM on due date.  
There is no guarantee of overnight delivery if sent to the PO Box, always use the street address.***

Proposal(s) shall be sealed and clearly marked on the package cover with RFP #, Project Title and Company name.

**Submit one (1) original and three (3) complete copies of the Proposal to:**

Clark County  
Office of Purchasing  
P.O. Box 5000  
1300 Franklin Street, 6<sup>th</sup> Floor, Suite 650  
Vancouver, Washington 98660  
(360) 397-2323

Refer Questions to:

Project Manager:  
Paul Scarpelli  
Manager – Clark County Animal Protection & Control  
paul.scarpelli@clark.wa.gov

*LATEST REVISION: 11/21/17*

## General Terms and Conditions

**ADMINISTRATIVE REQUIREMENTS** - Contractors shall comply with all management and administrative requirements established by Washington Administrative Code (WAC), the Revised Code of the State of Washington (RCW), and any subsequent amendments or modifications, as applicable to providers licensed in the State of Washington.

ALL proposals submitted become the property of Clark County. It is understood and agreed that the prospective Proposer claims no proprietary rights to the ideas and written materials contained in or attached to the proposal submitted. Clark County has the right to reject or accept proprietary information.

**AUTHORSHIP** - Applicants must identify any assistance provided by agencies or individuals outside the proposers own organization in preparing the proposal. No contingent fees for such assistance will be allowed to be paid under any contract resulting from this RFP.

**CANCELLATION OF AWARD** - Clark County reserves the right to immediately cancel an award if the contractual agreement has not been entered into by both parties or if new state regulations or policy make it necessary to change the program purpose or content, discontinue such programs, or impose funding reductions. In those cases where negotiation of contract activities are necessary, Clark County reserves the right to limit the period of negotiation to sixty (60) days after which time funds may be unencumbered.

**CONFIDENTIALLY:** Proposer shall comply with all applicable state and federal laws governing the confidentiality of information."

**CONFLICT OF INTEREST** - All proposals submitted must contain a statement disclosing or denying any interest, financial or otherwise, that any employee or official of Clark County or the appropriate Advisory Board may have in the proposing agency or proposed project.

**CONSORTIUM OF AGENCIES** - Any consortium of companies or agencies submitting a proposal must certify that each company or agency of the consortium can meet the requirements set forth in the RFP.

**COST OF PROPOSAL & AWARD** - The contract award will not be final until Clark County and the prospective contractor have executed a contractual agreement. The contractual agreement consists of the following parts: (a) the basic provisions and general terms and conditions, (b) the special terms and conditions, (c) the project description and goals (Statement of Work), and (d) the budget and payment terms. Clark County is not responsible for any costs incurred prior to the effective date of the contract. Clark County reserves the right to make an award without further negotiation of the proposal submitted. Therefore, the proposal should be submitted in final form from a budgetary, technical, and programmatic standpoint.

**DISPUTES:** Clark County encourages the use of informal resolution to address complaints or disputes arising over any actions in implementing the provisions of this RFP. Written complaints should be addressed to Clark County – Purchasing, P.O. Box 5000, Vancouver, Washington 98666-5000.

**DIVERSITY IN EMPLOYMENT AND CONTRACTING REQUIREMENTS** - It is the policy of Clark County to require equal opportunity in employment and services subject to eligibility standards that may be required for a specific program. Clark County is an equal opportunity employer and is committed to providing equal opportunity in employment and in access to the provision of all county services. Clark County's Equal Employment Opportunity Plan is available at <http://www.clark.wa.gov/hr/documents.html>. This commitment applies regardless of race, color, religion, creed, sex, marital status, national origin, disability, age, veteran status, on-the-job injury, or sexual orientation. Employment decisions are made without consideration of these or any other factors that are prohibited by law. In compliance with department of Labor Regulations implementing Section 504 of the rehabilitation Act of 1973, as amended, no qualified handicapped individual shall be discriminated against in admission or access to any program or activity. The prospective contractor must agree to provide equal opportunity in the administration of the contract, and its subcontracts or other agreements.

**ENVIRONMENTALLY RESPONSIBLE PURCHASING PROGRAM** - Clark County has implemented an Environmentally Responsible Purchasing Policy with a goal to reduce negative impacts on human health and the environment. Negative environmental impacts include, but are not limited to, greenhouse gases, air pollution emissions, water contamination, waste from the manufacturing process and waste in packaging. This policy also seeks to increase: 1) water and energy efficiency; 2) renewable energy sources; 3) use of products with recycled content; 4) product durability; 5) use of products that can be recycled, reused, or composted at the end of its life cycle. Product criteria have been established on the Green Purchasing List <http://www.clark.wa.gov/general-services/purchasing/erp/environmental.html>

**INDEPENDENT PRICE DETERMINATION** - The prospective contractor guarantees that, in connection with this proposal, the prices and/or cost data have been arrived at independently, without consultation, communication, or agreement for the purpose of restricting competition. This does not preclude or impede the formation of a consortium of companies and/or agencies for purposes of engaging in jointly sponsored proposals.

**INTERLOCAL AGREEMENT** - Clark County has made this RFP subject to Washington State statute RCW 39.34. Therefore the bidder may, at the bidders' option, extend identical prices and services to other public agencies wishing to participate in this RFP. Each public agency wishing to utilize this RFP will issue a purchase order (or contract) binding only their agency. Each contract is between the proposer and the individual agency with no liability to Clark County.

**LIMITATION** - This RFP does not commit Clark County to award a contract, to pay any costs incurred in the preparation of a response to this RFP, or to procure or contract for services or supplies.

**LATE PROPOSALS** - A proposal received after the date and time indicated above will not be accepted. No exceptions will be made.

**ORAL PRESENTATIONS:** An oral presentation may be required of those prospective contractors whose proposals are under consideration. Prospective contractors may be informed that an oral presentation is desired and will be notified of the date, time and location the oral presentation is to be conducted.

**OTHER AUDIT/MONITORING REQUIREMENTS** - In addition, auditing or monitoring for the following purposes will be conducted at the discretion of Clark County: Fund accountability; Contract compliance; and Program performance.

**PRICE WARRANT** - The proposal shall warrant that the costs quoted for services in response to the RFP are not in excess of those which would be charged any other individual or entity for the same services performed by the prospective contractor.

**PROTESTS** must be submitted to the Purchasing Department.

**PUBLIC SAFETY** may require limiting access to public work sites, public facilities, and public offices, sometimes without advance notice. The successful Proposer's employees and agents shall carry sufficient identification to show by whom they are employed and display it upon request to security personnel. County project managers have discretion to require the successful Proposer's employees and agents to be escorted to and from any public office, facility or work site if national or local security appears to require it.

**REJECTION OF PROPOSALS** - Clark County reserves the right to accept or reject any or all proposals received as a result of this RFP, to negotiate with any or all prospective contractors on modifications to proposals, to waive formalities, to postpone award, or to cancel in part or in its entirety this RFP if it is in the best interest of Clark County to do so.

**SUBCONTRACTING** - No activities or services included as a part of this proposal may be subcontracted to another organization, firm, or individual without the approval of Clark County. Such intent to subcontract shall be clearly identified in the proposal. It is understood that the contractor is held responsible for the satisfactory accomplishment of the service or activities included in a subcontract.

**VERBAL PROPOSALS:** Verbal proposals will not be considered in making the award of any contract as a result of this RFP.

**WORKERS COMPENSATION INSURANCE** – The contractor shall comply with R.C.W. Title 51- with minimum coverage limits of \$500,000 for each accident, or provide evidence that State law does not require such coverage.

**FOR ALTERNATIVE FORMATS**  
**Clark County ADA Office; V (360) 397-2025;**  
**TTY (360) 397-2445; [ADA@Clark.wa.gov](mailto:ADA@Clark.wa.gov)**

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## Animal Control Hearings Examiner

### Part I Proposal Requirements

#### Section IA General Information

1. Introduction  
Clark County is seeking a qualified person to fill the position of Animal Control Hearings Examiner. Ordinances provide for the appointment of a Hearings Examiner to hear and consider civil appeals related to the enforcement of the animal control codes.
2. Background  
Approximately one to two (1 to 2) hearings are scheduled per month. Depending upon the number of appeals received, it is estimated that the performance of the position would require approximately four (4) to six (6) hours per month. Animal Control appeal hearings are currently held the second Wednesday of the month beginning at 1:30 PM in the Board of Councilors hearing chambers.
3. Scope of Project  
The Hearings Examiner shall receive and examine available information, conduct public hearings, prepare findings in accordance with adopted County and City regulations and policies, and render decisions in writing that are clear (complete and internally consistent), factually accurate and legally sufficient.
4. Project Funding  
Funding for the services described herein is budgeted with Animal Protection & Controls expense budget.  
The Proposers proposal shall include the Proposers true estimated cost to perform the work irrespective of the budgeted funds for this work.
5. Timeline for Selection  
The following dates are the **intended** timeline:

Proposals due	February 16, 2018
Proposal review/evaluation period	February 19-23, 2018
Interviews/demonstration	February 27-28, 2018
Selection committee recommendation	February 28, 2018
Contract negotiation/execution	March 1-2, 2018
Contract intended to begin	March 5, 2018
6. Employment Verification  
"Effective November 1<sup>st</sup>, 2010, to be considered responsive to any formal Clark County Bid/RFP or Small Works Quote, all vendors shall submit before, include with their response or within 24 hours after submittal, a recent copy of their E-Verify MOU or proof of pending enrollment. The awarded contractor shall be responsible to provide Clark County with the same E-Verify enrollment documentation for each sub-contractor (\$25,000 or more) within thirty days after the sub-contractor starts work. Contractors and sub-contractors shall provide a report(s) showing status of new employee's hired after the date of the MOU. The status report shall be directed to the county department project manager at the end of the contract, or annually, which ever comes first. E-Verify information and enrollment is available at the Department of Homeland Security web page: [www.dhs.gov/E-Verify](http://www.dhs.gov/E-Verify)  
  
How to submit the MOU in advance of the submittal date:
  1. Hand deliver to 1300 Franklin St, Suite 650, Vancouver, WA 98660, or;
  2. Fax to (360) 397-6027, or;
  3. E-mail: [beth.balogh@clark.wa.gov](mailto:beth.balogh@clark.wa.gov) or [priscilla.ricci@clark.wa.gov](mailto:priscilla.ricci@clark.wa.gov)*Note : Sole Proprietors are exempt.*

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## Animal Control Hearings Examiner

### Section IB

### Work Requirements

#### 1. Required Services

The Hearings Examiner routinely hears appeals from the following decisions of the Clark County Animal Protection and Control agency:

Notice of civil violation and/or order to abate;  
Dangerous and Potentially Dangerous Dog labeling;  
Dangerous Dog conditions;  
Amount of redemption fee;  
Order to abate habitual violator;  
Order to abate attacker;  
Denial of redemption;  
Denial, revocation or refusal to renew a "wild or exotic animal license";  
Denial, revocation or refusal to renew license for kennel, grooming parlor or pet shop.

The Hearings Examiner shall hear evidence presented by the County to sustain the decision of the Animal Protection and Control agency. The Hearings Examiner shall likewise hear evidence presented by the person appealing the decision. If the decision of the animal control agency is found to be supported by a preponderance of the evidence the decision shall be affirmed. The Hearings Examiner may amend the decision as the evidence and justice permit.

The Hearings Examiner shall reverse the decision in all other cases. Formal rules of evidence need not be followed, but witnesses shall be sworn by the Hearings Examiner and a written order issued.

The selected person must meet the following criteria:

Have education and experience in regulatory and code enforcement matters;  
Have experience in administering and /or participation in administrative and quasi-judicial hearings;  
Have experience in mediation, dispute, or conflict resolution techniques;  
Demonstrated ability to coherently express opinions in writing.

Qualified candidates are hereby invited to submit a statement of qualifications for providing these services. Qualification statements should include the candidate's education and experience, writing samples, a proposed hourly rate, and a list of references.

#### 2. County Performed Work

The County will provide facilities for the conduct of the hearings, including hearing room and recording equipment. The County will also provide staff support at the hearing, will carry out all public notice requirements, record keeping, and will provide clerical services for typing the decisions and correspondence.

#### 3. Deliverables & Schedule

As Animal Protection & Control proceedings often include live animals and their owners/victims, priority should be given by the Hearings Examiner to conclude their analysis and present their finding no more than five (5) business days from date of hearing. Owners and victims prefer same-day judgments.

#### 4. Place of Performance

Animal Control appeal hearings are currently held the second Wednesday of the month beginning at 1:30 PM in the Board of Councilors hearing chambers.

#### 5. Period of Performance

A contract awarded as a result of this RFP will be for a 24 month period and is intended to start February 12, 2018 and end February 11, 2020.

Clark County reserves the right to extend the contract resulting from this RFP for a period of two (2) one (1) year periods, with the same terms and conditions, by service of a written notice of its intention to do so prior to the contract termination date.

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### 6. Insurance/Bond

#### Automobile

If the Proposer or its employees use motor vehicles in conducting activities under this Contract, liability insurance covering bodily injury and property damage shall be provided by the Proposer through a commercial automobile insurance policy. The policy shall cover all owned and non-owned vehicles. Such insurance shall have minimum limits of \$500,000 per occurrence, combined single limit for bodily injury liability and property damage liability with a \$1,000,000 annual aggregate limit. If the Proposer does not use motor vehicles in conducting activities under this Contract, then written confirmation to that effect on Proposer letterhead shall be submitted by the Proposer.

#### Professional Liability (aka Errors and Omissions)

The Proposer shall obtain, at Proposer's expense, and keep in force during the term of this contract Professional Liability insurance policy to protect against legal liability arising out of contract activity. Such insurance shall provide a minimum of \$2,000,000 per occurrence, with a maximum deductible of \$25,000. It should be an "Occurrence Form" policy. If the policy is "Claims Made", then Extended Reporting Period Coverage (Tail coverage) shall be purchased for three (3) years after the end of the contract.

#### Proof of Insurance

Proof of Insurance shall be provided prior to the starting of the contract performance. Proof will be on an ACORD Certificate(s) of Liability Insurance, which the Proposer shall provide to Clark County. Each certificate will show the coverage, deductible and policy period. Policies shall be endorsed to state that coverage will not be suspended, voided, canceled or reduced without a 30 day written notice by mail. It is the Proposer's responsibility to provide evidence of continuing coverage during the overlap periods of the policy and the contract.

All policies must have a Best's Rating of A-VII or better.

### 7. Plan Holders List

All proposers are required to be listed on the plan holders list.

- ✓ Prior to submission of proposal, please confirm your organization is on the Plan Holders List below:

To view the Plan Holders List, please click on the link below or copy and paste into your browser.

Clark County RFP site:

<http://www.clark.wa.gov/general-services/purchasing/rfp.html>

If your organization is NOT listed, submit the 'Letter of Interest' to ensure your inclusion. See Attachment B.

Proposals received by Clark County by proposers not included on the Plan Holders List may be considered non-responsive.

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Animal Control Hearings Examiner

**Part II Proposal Preparation and Submittal**

**Section IIA Pre-Submittal Meeting / Clarification**

1. Pre-Submittal Meeting  
Should Proposers wish to meet with Animal Protection & Control prior to their submittal, they should contact us the week of February 5th, by use of email.  
  
See cover page for contact information.
  
2. Proposal Clarification  
Questions and Requests for Clarification regarding this Request for Proposal must be directed in writing, via email, to the person listed on the cover page. The deadline for submitting such questions/clarifications is February 7, 2018.  
  
An addendum will be issued no later than February 9, 2018 to all recorded holders of the RFP if a substantive clarification is in order.  
  
The Questions & Answers/Clarifications are available for review at the link below. Each proposer is strongly encouraged to review this document prior to submitting their proposal.  
  
Clark County RFP site:  
<http://www.clark.wa.gov/general-services/purchasing/rfp.html>

**Section IIB Proposal Submission**

1. Proposals Due  
Sealed proposals must be received no later than the date, time and location specified on the cover of this document.  
  
The outside of the envelope/package shall clearly identify:
  1. RFP Number and;
  2. TITLE and;
  3. Name and address of the proposer.  
Responses received after submittal time will not be considered and will be returned to the Proposer - unopened.  
  
Proposals received with insufficient copies (as noted on the cover of this document) cannot be properly disseminated to the Review Committee and other reviewers for necessary action, therefore, may not be accepted.
  
2. Proposal  
Proposals must be clear, succinct.  
  
For purposes of review and in the interest of the County, the County encourages the use of submittal materials (i.e. paper, dividers, binders, brochures, etc.) that contain post-consumer recycled content and are readily recyclable.  
  
The County discourages the use of materials that cannot be readily recycled such as PVC (vinyl) binders, spiral bindings, and plastic or glossy covers or dividers. Alternative bindings such as reusable/recyclable binding posts, reusable binder clips or binder rings, and recyclable cardboard/paperboard binders are examples of preferable submittal materials.  
  
Proposer's are encouraged to print/copy on both sides of a single sheet of paper wherever applicable; if sheets are printed on both sides, it is considered to be two pages. Color is acceptable, but content should not be lost by black-and-white printing or copying.  
  
All submittals will be evaluated on the completeness and quality of the content. Only those Proposers providing complete information as required will be considered for evaluation. The

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## Animal Control Hearings Examiner

ability to follow these instructions demonstrates attention to detail.

Additional support documents, such as sales brochures, should be included with each copy unless otherwise specified.

### Section IIC

### Proposal Content

1. Cover Sheet  
This form is to be used as your proposal Cover Sheet  
See Cover Sheet - Attachment A
2. Project Team  
If not a sole proprietorship, what resources do you have available in managing these cases?
3. Management Approach  
Define how you propose to conduct a hearing, televised on CVTV, often with hostile witnesses and appellants.
4. Respondent's Capabilities  
Show your capability i.e. Resume/previous work history/samples etc.
5. Project Approach and Understanding  
What examples can you provide to show your understanding of the work of a Hearings Examiner, and your approach to completing the work defined here?
6. Proposed Cost  
An hourly rate should be shown, split out if the rate varies for time during hearing versus preparatory and report writing of findings.
7. Employment Verification  
**Please refer to section 1A.6. – e-Verify**  
**IMPORTANT NOTE:** Include this portion of the response immediately AFTER the cover page, if not already on file with Clark County. Current vendors on file can be viewed at:  
<https://www.clark.wa.gov/general-services/purchasing-overview>



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Animal Control Hearings Examiner

**Part III Proposal Evaluation & Contract Award**

**Section IIIA Proposal Review and Selection**

- 1. Evaluation and Selection: Proposals received in response to this RFP will be evaluated by a Review Committee. Committee review results and recommendations may be presented to an appropriate advisory board prior to the consent process with the Clark County Board of Councilors.
- 2. Evaluation Criteria Scoring: Each proposal received in response to the RFP will be objectively evaluated and rated according to a specified point system.

**A one hundred (100) point system will be used, weighted against the following criteria:**

*Define how you will evaluate each proposal and the point allocation per section.*

*Consider:*

Proposal approach/quality	10
Work history / Examples	30
Cost	25
Interview	30
References	5
Total Points	100

**Section IIIB Contract Award**

- 1. Consultant Selection: The County will award a contract to the highest scoring Proposer. Should the County not reach a favorable agreement with the highest scoring Proposer, the County shall suspend or terminate negotiations and commence negotiations with the second highest scoring Proposer and so on until a favorable agreement is reached.
- 2. Contract Development: The proposal and all responses provided by the successful Proposer may become a part of the final contract.  
  
The form of contract shall be the County's Contract for Profession Services.  
  
Contract sample found at: <http://intranet/Genserv/Purchasing/resources.html>
- 3. Award Review: The public may view proposal documents after contract execution. However, any proprietary information so designated by the Proposer as a 'trade secret' will not be disclosed unless the Clark County Prosecuting Attorney determines that disclosure is required. At this time, Proposers not awarded the contract, may seek additional clarification or debriefing, request time to review the selection procedures or discuss the scoring methods utilized by the evaluation committee.
- 4. Orientation/Kick-off Meeting: Contract negotiations will be completed following the in-person interview on February 2, 2018. Following County Manager's authorization of the contract, a kick-off meeting with Animal Control management will be scheduled.

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**Attachment A COVER SHEET**

General Information:

Legal Name of Applicant/Company/Agency \_\_\_\_\_

Street Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Contact Person \_\_\_\_\_ Title \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

Program Location (if different than above) \_\_\_\_\_ Email address \_\_\_\_\_

Tax Identification Number \_\_\_\_\_

**ADDENDUM:**

Proposer shall insert number of each Addendum received. If no addendum received, please mark "NONE".

No. \_\_\_\_\_ Dated: \_\_\_\_\_ No. \_\_\_\_\_ Dated: \_\_\_\_\_ No. \_\_\_\_\_ Dated: \_\_\_\_\_.

**NOTE: Failure to acknowledge receipt of Addendum may render the proposal non-responsive.**

→ Does the proposal comply with the requirements contained within the RFP?  
A "No" response may disqualify the proposal from further consideration.

Yes  No

→ Did outside individuals or agencies assist with preparation of this proposal?

Yes  No (if yes, describe.)\*\*

**Proposed Hourly Rate \$ \_\_\_\_\_**

I certify that to the best of my knowledge the information contained in this proposal is accurate and complete and that I have the legal authority to commit this agency to a contractual agreement. I realize the final funding for any service is based upon funding levels, and the approval of the Clark County Board of Councilors.

\_\_\_\_\_  
Signature, **Administrator of Applicant Agency\***  
(\*Enter the appropriate signature title)

\_\_\_\_\_  
Date

**Vendor/Contractor:**

To comply with RCW 41.32.765, are any of the employees who will be providing services under this contract, retired from a Washington State Retirement System using the 2008 Early Retirement Factor?

Yes  No

If yes, please provide the name and social security number for each retiree to Clark County Purchasing.

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**Attachment B LETTER OF INTEREST**

Legal Name of Applicant Agency \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Contact Person \_\_\_\_\_ Title \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

Program Location (if different than above) \_\_\_\_\_

Email address \_\_\_\_\_

- All proposer's are required to be included on the plan holders list. If your organization is NOT listed, submit the 'Letter of Interest' to ensure your inclusion.

In the body of your email, request acknowledgement of receipt.

Email Attachment B to: [Beth.Balogh@clark.wa.gov](mailto:Beth.Balogh@clark.wa.gov) or [Koni.Odell@clark.wa.gov](mailto:Koni.Odell@clark.wa.gov)

Clark County web link:

<http://www.clark.wa.gov/general-services/purchasing/rfp.html>

**This document will only be used to add a proposer to the plan holders list. Submitting this document does not commit proposer to provide services to Clark County, nor is it required to be submitted with proposal.**

**Proposals may be considered non-responsive if the Proposer is not listed on the plan holders list.**