



November 29, 2023
Bernice Johnson Blessing
4810 88th Place SE, Mercer Island WA 98040
Phone: (425) 230-0523
Email: bjb@blessinghrlaw.com

Re: Response Submission for DSHS Competitive Solicitation #2334-836

Dear Sir or Madam:


1. Enclosed please find the Response of Bernice Johnson Blessing (“Bidder”) with respect to the above Competitive Solicitation. This Response includes this Letter (Attachment B) as well as Attachments C (Bidder Certifications), D (Bidder Response Form) and E (Contractor Inclusion Plan), as set forth in the Solicitation Document. In addition to these completed Attachments, the response includes the following additional materials (if any): Investigator Resume; Sample Investigation Report
2. I am authorized to submit this Response on behalf of Bidder, to make representations on behalf of Bidder and to commit Bidder contractually.
3. I have read the Solicitation Document and Sample Contract. In submitting this Response, Bidder accepts all terms and conditions stated in the Solicitation Document, including those set forth in the following amendments which Bidder has downloaded (please complete, indicating if no amendments were issued):

Amendment Number(s)	Date(s) Issued

No Amendments were issued with respect to this RFQQ

4. Bidder represents that it meets all minimum qualifications set forth in this DSHS Competitive Solicitation and is capable, willing and able to perform the services described in the DSHS Competitive Solicitation within the time frames set forth for performance.
5. By my signature below, I certify that all statements and information provided in Bidder’s Response are true and complete.

Sincerely,

DocuSigned by:

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Bernice Johnson Blessing, Director

Attachment C
Bidder Certifications and Assurances

Bidder must sign and include the full text of this Attachment C with the Response. Altering or conditioning your certification of this Attachment C may result in your bid being disqualified.

Under the penalties of perjury of the State of Washington, Bidder makes the following certifications and assurances as a required element of its Response to this Competitive Solicitation. Bidder affirms the truthfulness of these facts and acknowledges its current and continued compliance with these certifications and assurances as part of its Response and any resulting contract that may be awarded by DSHS.

1. Bidder declares that all answers and statements made in Bidder's Response are true and correct.
2. Bidder certifies that its Response is a firm offer for a period of 180 days following receipt by DSHS, and it may be accepted by DSHS without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 180-day period. In the case of a protest, the Bidder's Response will remain valid for 210 days or until the protest is resolved, whichever is later.
3. Bidder has not been assisted by any current or former DSHS employee whose duties relate (or did relate) to this Solicitation and who assisted in other than his or her official, public capacity. If there are any exceptions to these assurances or if Bidder has been assisted, Bidder will identify on a separate page attached to this document each individual by: (a) name, (b) current address and telephone number, (c) current or former position with DSHS, (d) dates of employment with DSHS, and (e) detailed description of the assistance provided by that individual.
4. Bidder certifies that Bidder is not currently bankrupt or a party to bankruptcy proceedings and has not made an assignment for benefit of creditors and authorizes DSHS to conduct a financial assessment of Bidder in DSHS' sole discretion.
5. Bidder acknowledges that DSHS will not reimburse Bidder for any costs incurred in the preparation of Bidder's Response. All Responses shall be the property of DSHS. Bidder claims no proprietary right to the ideas, writings, items or samples submitted as part of its Response.
6. Bidder acknowledges that any contract award will incorporate terms set forth in the Sample Contract(s), including its attachments and exhibits, as set forth as Attachment A to the Solicitation Document, or may, at DSHS' option be negotiated further. DSHS may elect to incorporate all or any part of Bidder's Response into the Contract.

7. Bidder certifies that it has made no attempt, nor will make any attempt, to induce any other person or firm to submit, or not submit, a Response for the purpose of restricting competition and that the prices and/or cost data contained in Bidder's Response: (a) have been determined independently, without consultation, communication or agreement with others for the purpose of restricting competition or influencing bid selection, and (b) have not been and will not be knowingly disclosed by the Bidder, directly or indirectly, to any other Bidder or competitor before contract award, except to the extent that Bidder has joined with other individuals or organizations for the purpose of preparing and submitting a joint Response or unless otherwise required by law.

8. Bidder acknowledges that if it is awarded a contract containing Business Associate requirements under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), or any other Data Security requirements, that Bidder will incorporate the terms of such Business Associate or Data Security requirements into all related subcontracts.

9. Bidder acknowledges that if awarded a contract with DSHS, Bidder is required to comply with all applicable state and federal civil rights and other laws. Failure to comply may result in contract termination. Bidder agrees to submit additional information about its nondiscrimination policies, at any time, if requested by DSHS.

10. Bidder certifies that Bidder has not, within the three-year period immediately preceding the date of release of this competitive solicitation, been determined by a final and binding citation and notice of assessment issued by the Department of Labor and Industries or through a civil judgment to have willfully violated state minimum wage laws (RCW 49.38.082; Chapters 49.46 RCW, 49.48 RCW, or 49.52 RCW).

11. Bidder certifies that it has a current Business License and agrees that it will promptly secure and provide a copy of its Washington State Business License, unless Bidder is exempted from being required to have one, if Bidder is awarded a contract.

12. Bidder authorizes DSHS to conduct a background check of Bidder or Bidder's employees if DSHS considers such action necessary or advisable.

13. Bidder has not been convicted nor entered a plea of *nolo contendere* with respect to a criminal offense, nor has Bidder been debarred or otherwise restricted from participating in any public contracts.

14. Bidder certifies that Bidder has not willfully violated Washington state's wage payment laws within the last three years.

15. Bidder certifies that Bidder is not presently an agency of the Russian government, an entity which is Russian-state owned to any extent, or an entity sanctioned by the United States government in response to Russia's invasion of Ukraine.

16. Bidder acknowledges its obligation to notify DSHS of any changes in the certifications and assurances above.

I hereby certify, under penalty of perjury under the laws of the State of Washington, that the certifications herein are true and correct and that I am authorized to make these certifications on behalf of the firm listed herein

Bidder's Signature: _____
Title: _____
Organization Name: _____
Date: _____
Place Signed (City, State): _____

DocuSigned by:
Bernice Johnson Blessing
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ATTACHMENT D: BIDDER RESPONSE FORM This form is broken into five sections: Section 1. Administrative Response; Section 2. EO 18-03 Response; Section 3. Washington Small Business; Section 4. Certified Washington Veteran-owned Business; Section 5. EO 18-03 Response; Section 6. Technical Response; and Section 7. Quotation/Cost Proposal. Bidders must respond to all questions in the order and in the expandable space provided. If a question requires Bidder to submit additional documents, please attach them to this document and label them clearly as part of your response to this Attachment D.		
1	BIDDER INFORMATION (ADMINISTRATIVE RESPONSE) Bidder's response to the questions in this Section 1, combined with the information provided in Bidder's Submittal Letter and Certifications and Assurances, comprise Bidder's Administrative Response to this Solicitation. While the Administrative Response is not given a number score, information provided as part of Bidder's Administrative Response may cause the Bid to be disqualified and may be considered in evaluating Bidder's qualifications and experience.	
a	Please indicate whether you employ or contract with any current or former state employees. If the answer is yes, provide the following information with respect to each individual: 1. name of employee or contractor; 2. the individual's employment history with the State of Washington; 3. a description of the Individual's involvement with the response to this Solicitation; and 4. the Individual's proposed role in providing the services under this any Contract that may be awarded.	NOT SCORED
	ANSWER: I do not currently employ or contract with any current or former state employees.	
b	Please list the names and contact information for three individuals you agree may serve as Bidder references and may freely provide information to DSHS regarding the reference's experience and impressions of Bidder. In providing these names, Bidder represents that it shall hold both DSHS and the organizations and individuals providing a reference harmless from and against any and all liability for seeking and providing such reference.	NOT SCORED
	ANSWER: Mr. Tarig Ghandour, General Manager Email: TGhandour@cphotelseattle.com Phone: (206) 396-5657 Ms. Resh Sidhu, Attorney Email: rsidhu16@gmail.com Phone: (206) 651-6823 Ms. Vicky Slade, Attorney Email: VickySlade@dwt.com Phone: (206) 757-8057	
c	Please indicate whether your Response contains any variations from the requirements of the Solicitation Document. If the answer is yes, list each variation with specificity and include the pertinent page numbers containing the variation.	NOT SCORED

	ANSWER: No.	
d	Please indicate whether you are requesting that DSHS consider any exceptions and/or revisions to the sample contract language found in Attachment A. If so, state the page of Attachment A on which text you request to change is found, and state the specific changes you are requesting. DSHS shall be under no obligation to agree to any requested changes, and will not consider changes to contract language or negotiate any new language that are not identified in response to this question.	NOT SCORED
	ANSWER: No. I am not requesting any exceptions or revisions to the sample contract language.	
e	If Bidder considers any information that is submitted as part of its Response to be proprietary, please identify the numbered pages of Bidder's Response containing such information and place the word "Proprietary" in the lower right hand corner of each of these identified pages.	NOT SCORED
	ANSWER: My response to question 5M contains a redacted report that may contain proprietary details. I have marked the report as appropriate.	
f	Please indicate whether you have had a contract terminated for cause or default within the past five (5) years. If so, please provide the terminating party's name, address and telephone number and provide a summary describing the alleged deficiencies in Bidder's performance, whether and how these alleged deficiencies were remedied and any other information pertinent to Bidder's position on the matter. "Termination for Cause" refers to any notice to Bidder to stop performance due to Bidder's asserted nonperformance or poor performance and the issue was either (a) not litigated; (b) litigated with a resulting determination in favor of the other party; or (c) is the subject of pending litigation	NOT SCORED
	ANSWER: No, I have not had a contract terminated for any reason.	
g	Please identify any prior contracts Bidder has entered into with the State of Washington within the past ten (10) years and identify the dates and nature of the contract and primary agency contact for each.	NOT SCORED
	ANSWER: None.	
h	Please indicate whether Bidder has been the subject of a lawsuit or administrative proceeding alleging a failure to comply with laws relating to the types of services Bidder proposes to provide pursuant to this Competitive Solicitation. If the answer is yes, please list the nature of the allegations, docket number, disposition and date (if applicable) and Bidder's explanation of how it has changed its practices or operations relative to any alleged deficiencies since that proceeding was filed.	NOT SCORED
	ANSWER: I have not been the subject of a lawsuit or administrative proceeding alleging a failure to comply with laws relating to the types of services I propose to provide pursuant to this Competitive Solicitation.	
i	Please describe your proposed plans for the use of Subcontractors in performing this contract, listing each Subcontractor, its proposed role and the estimated percentage of the Contract that will be performed by each Subcontractor. Please indicate whether each subcontractor self-identifies or is certified as a small business, a minority-owned business, a woman-owned business, a disadvantaged business enterprise, or a veteran-owned business. If the answer is yes, please identify	NOT SCORED

	the type of organization(s) and provide details of any certifications. Note that all Subcontractors must be approved by DSHS.	
	ANSWER: I operate a solo practice and do not plan to use subcontractors to perform work under this contract.	
J	Please describe any programs, policies or activities of your organization that support human health and environmental sustainability in your business practices. If a program, policy or activity is specifically applicable to this Contract, please so indicate.	NOT SCORED
	ANSWER: N/A	
2	BIDDER EO 18-03 CERTIFICATION	MAXIMUM TOTAL POINTS
EO	<p>Are your employees required to sign, as a condition of employment, a mandatory individual arbitration clause and/or a class or collective action waiver?</p> <p>Please Note: Points for this question will be awarded to bidders who respond that they do not require these clauses and waivers. If you certify here that your employees are NOT required to sign these clauses and waivers as a condition of employment, and you are the successful bidder, a term will be added to your contract certifying this response and requiring notification to DSHS if you later require your employees to agree to these clauses or waivers during the term of the contract.</p>	25
	ANSWER: No. I do not employ any individuals and will not require employees to sign mandatory arbitration clauses or waivers as a condition of employment.	
3	BIDDER CERTIFICATION –WASHINGTON SMALL BUSINESS	MAXIMUM TOTAL POINTS
EO	<p>Are you a Washington Small Business as defined under RCW 39.26.010?</p> <p>According to Chapter 39.26.010 RCW, to qualify as a Washington Small Business, Bidder must meet three (3) requirements:</p> <ol style="list-style-type: none"> a. <i>Location.</i> Bidder’s principal office/place of business must be located in and identified as being in the State of Washington. A principal office or principal place of business is a firm’s headquarters where business decisions are made and the location for the firm’s books and records as well as the firm’s senior management personnel. b. <i>Size.</i> Bidder must be owned and operated independently from all other businesses and have either: (a) fifty (50) or fewer employees; or (b) gross revenue of less than seven million dollars (\$7,000,000) annually as reported on Bidder’s federal income tax return or its return filed with 	50

	<p>the Washington State Department of Revenue over the previous three consecutive years.</p> <p>c. <i>WEBS Certification.</i> Bidder must have certified its Washington Small Business status in Washington’s Electronic Business Solution (WEBS).</p>	
	<p>ANSWER: Yes, I am a Washington Small Business as described under RCW 39.26.010. My business is located in Washington, and I operate a solo practice with no employees and gross revenues of less than seven million dollars. I have certified my Small Business status in WEBS.</p>	
4	BIDDER CERTIFICATION – CERTIFIED WASHINGTON VETERAN-OWNED BUSINESS	MAXIMUM TOTAL POINTS
EO	<p>Are you a Certified Washington Veteran-Owned Business as defined under RCW 43.60A.190?</p> <p>According to Chapter 43.60A.190 RCW, to qualify as a Certified Washington Veteran-Owned Business, Bidder must meet Four (4) requirements:</p> <p>a. <i>51% Ownership. Bidder must be at least fifty-one percent (51%) owned and controlled by:</i></p> <ol style="list-style-type: none"> 1. <i>A veteran as defined as every person who at the time he or she seeks certification has received a discharge with an honorable characterization or received a discharge for medical reasons with an honorable record, where applicable, and who has served in at least one of the capacities listed in RCW 41.04.007;</i> 2. <i>A person who is in receipt of disability compensation or pension from the department of veteran’s affairs; or</i> 3. <i>An active or reserve member in any branch of the armed forces of the United States, including the national guard, coast guard, and armed forces reserves.</i> <p>b. <i>Washington Incorporation/Location. Bidder must be either an entity that is incorporated in the state of Washington as a Washington domestic corporation or, if not incorporated, an entity whose principal place of business is located within the State of Washington.</i></p> <p>c. <i>WEBS Certification. Bidder must have certified its Veteran-Owned business status in Washington’s Electronic Business Solution (WEBS).</i></p> <p>d. <i>WDVA Certification. Bidder must have provided certification documentation to the Washington Department of Veterans’ Affairs (WDVA) and be certified by WDVA and listed as such on WDVA’s website (WDVA – Veteran-Owned Businesses).</i></p>	50

	ANSWER: No.	

5	BIDDER QUALIFICATIONS AND EXPERIENCE (MANAGEMENT RESPONSE)	MAXIMUM TOTAL POINTS
	MANDATORY EXPERIENCE AND QUALIFICATIONS	Pass/Fail
A	Does each investigator who will be assigned to the contract possess a current Private Investigator License issued by the state of Washington, per RCW 18.165 and WAC 308.17?	Pass/Fail
	ANSWER: I have applied to the State of Washington to add the PI Agency endorsement to my business license and have submitted materials requesting approval of the PI license. With that, I anticipate meeting the qualification of possessing a PI License within 30 days of bid approval, if selected.	
B	Does each investigator who will be assigned to the contract generally understand the rights employees have under the Collective Bargaining Agreements:	Pass/Fail
	ANSWER: Yes. I have over 20 years managing Human Resources functions, including for companies whose employees were party to collective bargaining agreements. This has included employers such as public universities and hospitals as well as private employers. In addition, in my role as an employment attorney, I have participated in negotiating, interpreting and drafting collective bargaining agreements. Finally, I have conducted an investigation for a municipal agency with employees who were parties to a collective bargaining agreement.	
C	Does each investigator who will be assigned to the contract fully understand the civil service rules that apply to all non-represented employees and employers under the jurisdiction of Chapter 41.06 RCW, except those positions or employees exempted under the provisions of Chapter 357-04 WAC Civil Service Rules:	Pass/Fail
	ANSWER: Yes, I have familiarity with the civil service rules.	
D	Will each investigator who will be assigned to the contract agree to read and follow the HR directives:	Pass/Fail
	ANSWER: Yes.	
E	Does each investigator who will be assigned to the contract understand how to engage in trauma informed interviewing techniques?	Pass/Fail
	ANSWER: Yes. I have received training on trauma-informed interviewing techniques.	
F	Does each investigator who will be assigned to the contract fully understand the state of Washington public records laws pursuant to RCW Chapter 42.56?	Pass/Fail
	ANSWER: Yes. In addition, in prior law firm work, I assisted clients with responding to public records requests and had to be familiar with requirements under the RCW.	
	DESIRED EXPERIENCE AND QUALIFICATIONS	Max - 1120
I	Please describe the experiences, skills and qualifications your organization possesses that are relevant to an evaluation of your ability to perform the Contract that is the subject of this Solicitation. Please ensure that your answer to this question includes all information that you wish DSHS to consider in determining whether you meet the minimum Bidder	200

	<p>qualifications set forth in the Solicitation Document. Please include any relevant experience that distinguishes your organization or makes it uniquely qualified for the Contract.</p>	
	<p>ANSWER: I have been engaged in protecting employees’ rights and guiding employers through compliance with employment laws and standards for over twenty-five years. This has included leading Human Resources teams in all aspects of the HR function and building on that knowledge through a decade of employment law practice. In that time, I have advised on laws and policies including, but not limited to Title VII of the Civil Rights Act of 1964, the National Labor Relations Act, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act of 1990, the Fair Labor Standards Act and similar state/local laws and rules. I have conducted internal and external investigations for public and private employers to help evaluate their compliance with such laws and standards, including conducting workplace investigations and responding to charges arising from complaints raised either internally or through external complaints with agencies, such as the EEOC, Washington State Human Rights Commission, Department of Labor & Industries and the National Labor Relations Board. I have researched and monitored applicable employment laws for small start-up employers and large multinational companies, helping them to develop policies and rules to maintain compliance with standards. I have supported diverse populations through this work, including serving on boards or providing counsel to nonprofit organizations supporting immigrant and indigent populations, victims of domestic violence and sex-trafficking victims, as well as volunteering through hands-on efforts in such causes and supporting asylum cases at the U.S. border. While I have experience working with employees and communities with varying language skills and limited formal educational backgrounds, I have also navigated issues with employees with advanced degrees and within international settings. I have competently conducted investigations, developed employee relations programs and supported communities across this broad spectrum.</p>	
J	<p>Please provide the names of the key team members you will assign to this Contract, if you are the Successful Bidder, and provide their proposed roles and copies of resumes describing the relevant experience they possess. Bidder should note that if awarded a contract, it may not reassign its key personnel from the Project without prior approval of DSHS.</p>	200
	<p>ANSWER: Bernice Johnson Blessing. I conduct a solo practice and will be the only person to provide service under the Contract. A resume of my experience and credentials is attached.</p>	
K	<p>Please describe your method for assuring that your services are provided in accordance with high quality standards and for immediately correcting any deficiencies? What data would you propose to report to DSHS which would permit verification of your quality assurance activity, findings and actions?</p>	75
	<p>ANSWER: I have developed a playbook for conducting timely and professional workplace investigations, and my best practices are aligned with the standards established by the Association of Workplace Investigators. I maintain a timekeeping system to demonstrate and track efforts applied to each investigation. As to data, I can provide an accounting of my efforts and reports on average time to close on investigations. I can also provide copies of certifications and training demonstrating my commitment to aligning my work with the most current professional best practices.</p>	

Bidder Name: Bernice Johnson Blessing

	To help mitigate issues and demonstrate responsiveness, I maintain a workload balance that ensures a response time to inquiries no greater than a business day. I approach interactions with respect and dignity for all and work to improve my understanding of diverse perspectives and inclusive principles. I am bound by professional standards of conduct across multiple organizations and would commit to similar standards for DSHS, including honoring contract provisions for remedying concerns. To date, I have not been asked to respond to concerns regarding my professionalism.	
L	Please describe the measures you employ to assure that your services are provided in a timely, cost effective manner that is consistent with quality outcomes and fair employment practices.	75
	ANSWER: I use a variety of applications and tools to help efficiently conduct investigation. This includes scheduling virtual interviews via Outlook and Teams and using apps to efficiently provide calendaring options. I can provide for efficient document transfers via SharePoint and Box and have apps for efficiently routing and gathering signatures, where needed. My current tools incorporate accessibility options, and I continue to evaluate resources to support cost-effective delivery of my work.	
M	Please provide one (1) recent sample report that was prepared and submitted for a personnel investigation (please redact the names of the individuals and employer). Sample will be evaluated on the bidders ability to effectively communicate with the customer using the following metrics: clarity in language, accessibility and readability.	300
	ANSWER: Please see attached.	
N	Training: For each investigator who would be assigned to the contract, if awarded, list any extensive trainings regarding employment law, labor law, and/or investigations the investigator has acquired to support the service.	30
	ANSWER: For personal enrichment and to maintain my law license, I routinely engage in continuing education programs and training on employment, labor law and investigation topics, including trauma-Informed interviewing and credibility assessment, working with unions on workplace investigations, unique aspects of investigations involving immigrants, conducting remote investigations, the impact of race on investigations, workplace investigation basics, and employment law legal updates. In June 2016, I received certification as a Senior Professional in Human Resources (“SPHR”) through the Human Resource Certification Institute and maintain my credentialing through its continuing education requirements. Finally, I attend training and events to review trends and issues in workplace investigations through my Association of Workplace Investigators membership.	
O	Education. For each investigator who would be assigned to the contract, if awarded, list any education regarding employment law, labor law, and/or investigations the investigator has acquired to support the service.	30
	ANSWER: In 2013, I received my Juris Doctor (J.D.), with honors, from Seattle University School of Law and am a practicing employment attorney in good standing and licensed by the state of Washington. I have also been approved by the Federal Courts of the United States to bring matters under its jurisdiction.	

p	<p>Certifications. For each investigator who would be assigned to the contract, if awarded, list all relevant certifications pertaining to personnel investigations and the date of such certifications.</p>	30
	<p>ANSWER: I have obtained my Senior Professional in Human Resources certification by the Human Resources Certification Institute. I am also an active member in the Association of Workplace Investigators and have completed the AWI Basics Seminar series.</p>	
Q	<p>Indicate the number of investigations the private investigator(s) ran within the scope of this contract within a 2-year timeframe. Indicate which investigation and number of projects ran by the investigator(s).</p> <ul style="list-style-type: none"> • Discrimination (race, gender, national origin, religion, veteran status, disability, and age); • Sexual harassment or hostile work environment; • Employee misconduct; • Employee performance issues; • Just cause (i.e., grievance process pursuant to a collective bargaining agreement); and • Retaliation 	50
	<p>ANSWER: <i>Numbers within the first 18 months are estimates as work was conducted in-house</i></p> <ul style="list-style-type: none"> • Discrimination (race, gender, national origin, religion, veteran status, disability, and age); 22 • Sexual harassment or hostile work environment; 2 • Employee misconduct; • Employee performance issues; • Just cause (i.e., grievance process pursuant to a collective bargaining agreement); and Retaliation 	
R	<p>Indicate the number of investigations done for each individual working on this contract for the following:</p> <ul style="list-style-type: none"> • Public Sector Investigations • Private Sector Investigations • Investigations involving Represented employees • Investigations for the State of Washington 	100
	<p>ANSWER:</p> <ul style="list-style-type: none"> • Public Sector Investigations - 3 • Private Sector Investigations - 19 • Investigations involving Represented employees - 2 • Investigations for the State of Washington 	
S	<p>Please address how staff turnover or significant leave of absences of investigator's assigned to this contract will be handled.</p>	30

	ANSWER: Because I am a solo practitioner, I would first aim to work around my workload when arranging foreseeable time off. For unforeseen extended absences, I would discuss whether DSHS prefers to reassign any open cases to a current DSHS-approved investigator or approve subcontracting to an established colleague who can meet the standards and requirements of the contract.	
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6	BIDDER'S SOLUTION AND PROPOSED APPROACH TO A PERSONNEL INVESTIGATOR SCENARIO:	MAXIMUM TOTAL POINTS 210 TOTAL
A	Work Plan. Please describe the standard Investigator work plan upon receipt of an investigation assignment.	125
	<p>ANSWER:</p> <p>Outreach/Investigation</p> <ul style="list-style-type: none"> • Discuss any initial questions and concerns with employer representative; obtain relevant background information, as available • Plan outreach to Complainant(s): Send email introducing myself, describing why I am reaching out, offering options to meet and inviting the Complainant(s) to suggest alternatives, describing expectations for confidentiality and informing that retaliation for participating is prohibited • Meet with Complainant(s); take notes and format witness statement(s) • Begin draft of report of investigation with Complainant(s)'s first impressions • Reach out to Respondent(s) (using same approach as with Complainant(s)) • Meet with Respondent(s); take notes and format witness statement(s) • Conduct outreach to relevant witnesses • Begin meeting with witnesses; take notes and format statements • Make requests for relevant documents and information <p>Draft Report</p> <ul style="list-style-type: none"> • Analyze information and follow-up with witnesses for clarity, as needed • Make credibility assessments • Update draft of report 	

	<ul style="list-style-type: none"> • Determine whether information provided substantiates the raised concerns • Connect with employer representative to discuss preliminary findings and plan report-outs <p>Finalize Report and Communicate Outcomes</p> <p>Finalize report of investigation and submit to designated representative, along with relevant documents and/or exhibits</p> <p>Communicate Outcomes</p> <ul style="list-style-type: none"> • Arrange report-out to Complainant(s) • Arrange report-out to Respondent(s) <p>Provide file package to employer of investigation report and document; return original materials if/as needed</p> <p>Securely store investigation file</p>	
	Time matrix. Indicate the general time frame for completion of investigations.	50
	ANSWER: From intake to report-out, my estimated average time frame to complete investigations is 60 days.	
	Please describe the method of transmitting investigation attachments, exhibits, interview transcripts.	25
	ANSWER: I work with clients to provide documents and information in the format that works best with their systems and abilities. My preferred approach is to receive and store information in a SharePoint or Box portal or to send/receive information by encrypted email.	
	<p>Please provide information regarding when any investigator who would work on this contract has been called upon to testify as a result of an investigation they completed. Please include:</p> <ul style="list-style-type: none"> • Number of times called to testify • Venue for testimony, i.e. grievance, Federal Court, State Court, etc. • The outcome of the litigation and the investigation’s role in the outcome, i.e. did the investigation support the litigation outcome and how so. 	10
	ANSWER: I would be the sole investigator and have not been called upon to testify as a result of an investigation.	
	Please describe your (or your assigned investigator’s) approach to conducting trauma informed interviews.	
	ANSWER: As the sole investigator, my approach is to first be aware that I may not have prior or direct notice that a participant has experienced trauma. With that, some critical components of my interviews involve: 1) being attentive to potential signs of trauma, such as the participant providing disjointed or conflicting memories; exhibiting difficulty recalling information; relaying information in a nonlinear fashion; or demonstrating a flat or defensive demeanor to questions. I prepare to maintain flexibility in my interviewing questions and may seek not only “facts” but also sensory impressions as part of the participant’s recollection.	

	<p>With all of my interviews, I work to establish a framework of safety and comfort by providing an initial outreach that 1) gives some sense of what can be expected in the investigation approach; 2) allows the participant some control in selecting timing that may be most ideal for him/her/them; 3) invites the participant to ask questions about the process; and 4) affirms for the participant that they may opt to take a break or alert me if something is becoming uncomfortable. I ensure I do not have anyone present to hear the participant’s information and confirm they are in a space that allows them to speak comfortably and freely.</p> <p>I lean in on listening skills and may often begin by allowing the participant to provide a narrative, which may then guide where and how I ask the questions I want to address. I may suggest taking breaks or splitting up the conversation to a later date if I sense the participant is overwhelmed. I work to ask open-ended questions that are void of judgment and conclusions, such as asking, “what was happening for you between when the incident occurred and when you informed HR,” as opposed to “why did you wait two months to report the incident?” Finally, I confirm for participants that they are not obligated to recall any particular information or to create any particular story, validating that it is okay if they cannot recall information. I note these issues and try to determine if credible information exists elsewhere to help reach conclusions or that may otherwise shed light on why there might be inconsistencies in a participant’s recollections.</p>	
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7	BIDDER’S PROPOSED PRICING (QUOTATION OR COST RESPONSE)	MAXIMUM TOTAL POINTS: 70 TOTAL
A	Please provide the hourly rate Bidder will charge for personnel investigator services.	70
	ANSWER - BIDDERS HOURLY RATE: \$200	
B	Please fully describe any assumptions Bidder has made that affect its proposed total charges, if those assumptions are not explicitly addressed in Attachment A, Sample Contract.	NOT SCORED
	ANSWER: N/A	

BERNICE JOHNSON BLESSING, JD, SPHR

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EXPERIENCE

Director

BLESSING HR LAW, PLLC

April 2023 – Present

- Conduct workplace investigations
- Provide employment legal counsel across a wide range of industries
- Provide training and policy development on compliance and wage & hour topics, including but not limited to disability accommodation, anti-harassment and anti-discrimination, avoiding retaliation, non-compete and joint employment issues

Senior Counsel, Global Employment – Support global People team in scaling worldwide employment standards and procedures for regulated, post-IPO fintech company

REMITLY, INC.

January 2022 – March 2023

- Advised and train internal stakeholders, HR, Talent Acquisition and Learning & Development teams on employment standards and trends in recruiting, wage and hour, reasonable accommodation, privacy, restrictive covenants, worker classification, and performance management issues
- Harmonized employment standards across global locations, including Europe, Managua, Manila, DIFC, Japan, Israel and the U.S. to foster a consistent employee experience
- Partnered with and instruct outside counsel on local employment needs and intersecting privacy, corporate governance, regulated FinTech, and workplace investigation requirements
- Analyzed risk in organic and M&A expansion activity to support global expansion efforts
- Developed audits, tools, processes and playbooks to scale fundamental employment legal requirements, including for litigation holds; agency charge and attorney demand responses; risk analysis for employment terminations; and workplace investigations

Attorney

CONVOY, INC.

February – September 2021

- Advised business teams on employment needs and challenges, including recruitment processes, leave policies, workplace accommodation, joint employment risk, wages and pay equity, paid sick leave, independent contractor status, and jurisdictional risks and requirements for expansion
- Investigated internal and external harassment and discrimination complaints
- Developed framework for evaluating restrictive covenants and nondisclosure agreements
- Performed lead real estate counsel responsibilities for relocation of corporate headquarters, including managing outside counsel and broker relations and editing real estate agreements
- Reviewed, negotiated and drafted employment, vendor and consultant agreements

Attorney

MICROSOFT CORPORATION

March 2019 –February 2021

- Collaborated with executive and HR partners to manage complex employee relations concerns
- Coordinated and executed pre-litigation strategies, including conducting settlement negotiations, investigating and drafting responses to agency charges, discrimination and retaliation complaints
- Advised incentive and compensation teams on incentive plan designs, changes and communications

Attachment D, Question J Investigator Resume

- Reviewed and advised on staffing and restructuring strategies for risk management and compliance
- Conducted, analyzed and advised on investigations to ensure compliance with legal and internal standards in support of diversity, inclusion and equity initiatives

Attorney

GARVEY SCHUBERT BARER

May 2015 – March 2019

- Researched and advised on federal, state and local labor and employment laws, including discrimination, wrongful termination, FLSA, wage and hour, ADA and state disability laws, FMLA, NLRA, and WARN, for private, public sector, maritime and tribal employers in multiple jurisdictions
- Conducted harassment and discrimination investigations for corporate and government entities
- Supported litigation efforts, including drafting pre-litigation demand letters and responses to EEOC and state agency charges; analyzing authority for motions, briefs, and unfair labor practice charges; conducting and defending depositions; procuring declarations; completing discovery requests; drafting motions and pleadings; negotiating settlements; and guiding mediations
- Drafted agreements, including business protection agreements for intellectual property and trade secrets; offer letters and employment agreements; and transition, retirement, separation, consulting, and vendor services contracts
- Developed handbooks and employer policies in accordance with NLRB standards, local ordinances, and state and federal laws and regulations
- Executed and supported labor relations strategies, including drafting memoranda of understanding, proposals, and market analysis for labor negotiations; organizing grievance responses; and training on union organizing and contract compliance
- Presented to local, regional and national employers, associations and trade groups on labor, employment and hospitality topics, including HFTP national conferences, NBI seminars, state lodging associations and Pacific Coast Labor & Employment Law conference

Attorney - CAIRNCROSS & HEMPELMANN

February 2014 – May 2015

- Provided legal support in multiple practice areas, including employment, bankruptcy, cannabis, hospitality, corporate, real estate, and land use
- Seconded to client operations to provide onsite employment and legal support
- Prepared corporate formation documents, bylaws, stock purchase agreements and privacy agreements for technology and cannabis companies and analyzed purchase and sale terms
- Drafted employment agreements, cease and desist notices, bankruptcy pleadings, lease amendments and title objection letters
- Supported and analyzed employment issues in M&A transactions

Director of Human Resources (1998-2014) - *provided strategic direction for Human Resources departments in union and non-union upscale hotels to create balanced recruitment, retention and development strategies while maintaining profitability and employee satisfaction*

R.C. HEDREEN CORPORATION, RENAISSANCE AND HILTON SEATTLE HOTELS

2008 – 2014

INTERSTATE HOTELS AND RESORTS

1998 - 2008

- Served as a member of the Executive Management teams and managed highly-rated HR teams
- Developed and implemented policies and guidelines to comply with corporate, brand, and legal standards, including administering FMLA and state leave requests; developing and ensuring pay practices according to FLSA, state and local wage standards; completing EEO-1 reports and drafting

Attachment D, Question J

Investigator Resume

affirmative action plans according to OFCCP guidelines; and analyzing and responding to requests for disability accommodation under the ADA and state anti-discrimination laws

- Conducted investigations across corporate properties to respond to agency charges and internal complaints
- Conducted wage and benefit analysis, negotiated benefits, spearheaded employee relations efforts, and developed comprehensive wage strategies to support recruitment, retention, promotion and succession planning efforts
- Analyzed organizational development needs and delivered training sessions on topics including Harassment Prevention, Third Party Representation, Behavioral Interviewing, and Coaching for Performance

EDUCATION & CERTIFICATIONS

Seattle University School of Law, J.D., *cum laude*; Seattle University, B.A., Business Administration

Bar/Court Admission: Washington State Bar Association (2014); Federal, Western District WA (2017)

HRCI Senior Professional in Human Resources Certification (SPHR)

Report on Investigation

To: [REDACTED]
From: Bernice Johnson Blessing, Investigator

Participants

Complainant: [REDACTED]
Respondent: [REDACTED]

Allegation Type & Outcome:
Harassment – Gender; Unsubstantiated
Retaliation – Other; Unsubstantiated

Witnesses: [REDACTED]

Concerns:

[REDACTED] became aware of the following concerns:

1. Gender-based harassment based on the actions of [REDACTED]. Specifically, [REDACTED] alleges that [REDACTED]
 - a) is engaged in a pattern of talking down to her and being dismissive in his tone and language;
 - b) misstates and challenges her work, thereby causing unnecessary and additional work on her part as well as undermining her credibility with colleagues, clients and superiors; and
 - c) influences his team to also engage in these behaviors.

2. Retaliation based on the actions of [REDACTED]. Specifically, [REDACTED] alleges that [REDACTED]:
 - a) is impacting her promotability and undermining her credibility by raising concerns about her work in retaliation for [REDACTED] highlighting deficiencies in [REDACTED] and
 - b) instructed vendors not to work with her.

Analysis and Conclusions: After interviewing the parties and witnesses and reviewing the relevant information, my findings include the following:

1. Gender-based harassment

[REDACTED]

I do not find that [REDACTED] with respect to gender-based harassment and find this claim is unsubstantiated. Among the reasons for this finding are that [REDACTED] the witnesses could not identify conduct or language where [REDACTED] focused on gender and witnesses identified that they had observed [REDACTED] challenge others' work and contributions, regardless of gender.

[REDACTED] Concerns That [REDACTED] Is Dismissive and Challenges Her Work:

[REDACTED], who identifies as female, alleged [REDACTED] has engaged in harassing behavior toward her by talking down to her, being dismissive in his tone and language, and misstating facts regarding her work. [REDACTED] noted [REDACTED] made reports to management that she didn't understand the work, which she believed demonstrated a gender-based lack of respect. [REDACTED] shared that although she had not heard [REDACTED] use derogatory or gender-based terms and was uncertain if his conduct was gender-based, she could not rule that out as a potential factor in how he and his team have been treating her.

[REDACTED] identified that they have not generally had conversations with each other for possibly the last couple of years and [REDACTED] would typically work directly with members of [REDACTED]. None of the witnesses reported observing [REDACTED] interact with or use dismissive language with [REDACTED], and the documentation provided did not contain language where [REDACTED] appeared dismissive. Because [REDACTED] shared they have not been engaging with each other in conversations for some time and [REDACTED], witnesses and the documentation did not identify where [REDACTED] made gender-based or dismissive comments, I find the information does not substantiate [REDACTED] talked down to or expressed a dismissive tone with [REDACTED].

Separately, [REDACTED] expressed concern [REDACTED] misstates and challenges her work. She noted that [REDACTED], through complaints to management, requires her to provide deep background for requests she makes and does not require the same of male colleagues. [REDACTED] stated that this causes her to do unnecessary and additional work, and it undermines her credibility with colleagues, clients and superiors.

Multiple witnesses reported working with [REDACTED] for several years, and they noted that over those years, [REDACTED] has sometimes demonstrated a brusque and stubborn approach to accepting others' contributions. They noted that he also required them and some colleagues to demonstrate that their perspectives were appropriate according to his standards. Several witnesses noted that because of this approach, they sometimes find other ways to work around [REDACTED] and his [REDACTED] Team to avoid having to engage in lengthy justifications for their work.

However, [REDACTED] noted that she believes [REDACTED] disproportionately impacts women when he makes these challenges. She stated that while she was aware he directly challenged the work provided by some male colleagues, she was unaware of [REDACTED] seeking management assistance to resolve concerns with them. Separately, [REDACTED] stated that [REDACTED] "really smart, really technical, and difficult to argue with," noting that he "is not for the faint of heart." She noted that he doesn't appear to discriminate as to this approach as she has seen him behave similarly with colleagues of all genders.

[REDACTED] and [REDACTED], who are sometimes tasked with reviewing the concerns [REDACTED] raises about others, identified that his requests seemed legitimate. However, [REDACTED] noted that [REDACTED] can be unwavering in his positions or perspectives about others' contributions if they are not on his team. [REDACTED] noted that [REDACTED] tends to identify a person's weakness and exploit it to divert attention from any deficiencies in [REDACTED] or his team's work.

Witnesses overall expressed appreciation for [REDACTED] work, including [REDACTED] and witnesses on his team. However, several witnesses noted that [REDACTED] could be myopic in her approach, focusing only on her needs without regard to potential impacts on others. [REDACTED] noted that although [REDACTED] "means well," she tends to give lengthy, detailed responses in her work. [REDACTED] also noted that [REDACTED] could sometimes deliver solutions to clients before they are fully vetted, leading to frustration for colleagues. [REDACTED] expressed appreciation for [REDACTED] exhaustive attention to detail, but she observed others have indicated [REDACTED] "can be dense in her explanations."

As a result of [REDACTED] reported unwillingness to appreciate others' perspectives and reports of [REDACTED] perceived tunnel-vision, I find [REDACTED] likely does often misstate or demand that [REDACTED] prove her work. [REDACTED] likely credibly experiences frustration from extra demands placed on her when [REDACTED] and his team seek clarification or additional information about her contributions.

However, as many witnesses identified [REDACTED] conduct precedes [REDACTED] employment and most of the witnesses observed it has applied broadly to colleagues of all genders, I find the information likely does not substantiate [REDACTED] challenges [REDACTED] work because of her gender.

[REDACTED] Concerns That [REDACTED] Influences Others:

[REDACTED] noted that [REDACTED] influences his direct reports to engage in harassing behavior that is gender-based. To demonstrate her concerns, [REDACTED] shared that members of the [REDACTED] use patronizing terms with her, such as telling her to "calm down" when she is speaking. She alleged they will do so even when she is already, in her estimation, presenting in a calm manner. [REDACTED] noted that she has not observed [REDACTED] or his [REDACTED] team engage in similar conduct with male colleagues.

In an incident that was particularly offensive to [REDACTED], she identified that during a virtual, recorded meeting with [REDACTED] and [REDACTED] of the [REDACTED], [REDACTED] leaned toward the camera, gestured at her ears and told [REDACTED] to "open her ears" when she was speaking with [REDACTED]. [REDACTED] noted that she believes the team was aware it was being offensive because the recording was subsequently deleted. She said she believes the [REDACTED] intentionally deleted the recording. [REDACTED] was able to obtain and provide a transcript of the conversation.

Although they could not recall asking [REDACTED] to calm down, [REDACTED] and [REDACTED] confirmed that [REDACTED] requested [REDACTED] to either "listen" or "open her ears" during [REDACTED]. [REDACTED] indicated she did so out of frustration because she believed the conversation was going in circles. She admitted that [REDACTED] reported the incident to both her direct manager and [REDACTED], each of whom spoke with [REDACTED] about the issue.

[REDACTED] deny intentionally deleting the recording of the meeting. Each reported they believed it was customary for the recordings to be deleted in accordance with [REDACTED] document retention policies, and [REDACTED] provided communication where he and [REDACTED]

██████████ had previously sought ██████████ legal counsel regarding retaining interim recordings and documentation. The guidance appeared to support deleting the recording.

The recording transcript reads as though ██████████ are engaged in a good-faith discussion to resolve an issue. They intermittently ask clarifying questions and provide descriptions of their positions. However, ██████████ at one point said to ██████████, “Come on now. Bless your heart,” and subsequently stated, “take a deep breath maybe and listen really carefully to the words.” ██████████ later requested, “Just hear me out. One second, I’d really like to be heard on this and just please try and hear me.” ██████████ identified these statements as demeaning.

Several witnesses noted ██████████ can sometimes behave arrogantly and dismissively toward others, but they also noted that she appeared to do so without regard to gender. ██████████ noted ██████████ appeared to be neutral as to gender but would more often address such conduct toward colleagues at a lower level in the company than she.

In addition, the recording transcript also identifies moments where ██████████ are using “please” and asking ██████████ about the impact of certain processes. These requests read as though the team is attempting to understand ██████████ processes. Because of this, I find it likely that ██████████ has used language toward ██████████ that is demeaning, such as stating “bless your heart” in the transcribed ██████████ meeting. However, I find it unlikely that ██████████ conduct was gender-based.

As further evidence of ██████████ demeaning conduct, ██████████ provided email documents about her request to ██████████ to automate certain tasks. ██████████ noted the documentation showed she had spent significant time working to get a resolution and that ██████████ delayed responding and instead misstated assumptions about her request.

██████████ acknowledged he was delayed in responding to ██████████ request due to being on leave for personal reasons. He noted that when he finally reviewed the request, he believed complying would lead to unintended impacts for others, so he sought clarity from management on that possibility.

In reviewing the information on ██████████ concerns about ██████████, I conclude that on balance, it does not substantiate ██████████ has influenced others to mistreat ██████████ based on her gender. I find it more likely that ██████████ has influenced ██████████ to generally be recalcitrant in their approach to requests. This is based on the myriad of witnesses who described their frustrations working with ██████████ and reported observing colleagues of all genders encounter the same behaviors and attitudes.

I also find it credible that ██████████ may more often legitimately attempt to resolve issues impacting their team. ██████████ noted that downstream impacts have been an issue as the organization has grown tremendously. All of the participants described that communication between ██████████ and many of the employees in the organization has generally grown frustrating, to the point of breakdown. Interviews and documents demonstrate that many of the witnesses have engaged with their managers to attempt to resolve the communication and work challenges ██████████ and the witnesses have described. ██████████ reported that managers are in the process of forming a review group to evaluate change requests to try to reduce unintended impacts.

Because others identified frustration working with [REDACTED] and reported observing others being held to similar standards as [REDACTED], regardless of their gender, I find the information does not substantiate [REDACTED] influenced the team to engage in demeaning conduct that was gender-based.

2. Retaliation

I do not find that [REDACTED] prohibition against retaliation and find this claim is unsubstantiated. Among the reasons for this finding are [REDACTED] and witnesses identified likely legitimate business reasons for [REDACTED] inquiries into [REDACTED] and [REDACTED] appeared to legitimately exercise his oversight of the vendor relationship to provide the vendor direction on which processes to follow.

[REDACTED] Concerns That [REDACTED] Impacting Her Promotability and Credibility in Retaliation for Raising Issues:

[REDACTED] alleged that [REDACTED] has actively worked to undermine her ability to be promoted and to damage her credibility with colleagues by questioning her work. She noted that at least one other colleague has had a similar experience with [REDACTED]. [REDACTED] indicated she believed [REDACTED] engages in this conduct in retaliation when she and others raise concerns about his or his teams' work.

[REDACTED] confirmed that he does not support a promotion for [REDACTED]. [REDACTED] shared that he understood that to be promoted to her next level, [REDACTED] must demonstrate [REDACTED] [REDACTED] that she can understand more complex concepts. [REDACTED] stated he understood this to mean that [REDACTED] must show she understands how actions might impact teams across the organization. He noted he believed [REDACTED] lacks this ability. Some of the other witnesses stated that [REDACTED] needs to demonstrate growth in showing a broader appreciation for how her work may place demands on the organization's teams.

[REDACTED] also confirmed that [REDACTED] raised issues about [REDACTED] promotability in a forum with [REDACTED]. [REDACTED] reported [REDACTED] and stated that the purpose of the forum was to orient the leader to the team [REDACTED], not to discuss performance or promotions.

[REDACTED] reported [REDACTED] complained the forum was an improper place to raise the question about [REDACTED] promotability and her alleged challenges with [REDACTED]. [REDACTED] indicated that he and [REDACTED] addressed the issue with [REDACTED] and stated [REDACTED] encouraged [REDACTED] to help [REDACTED] grow to meet the requirements of the team. [REDACTED] noted that [REDACTED] was recently put up for promotion, and although [REDACTED] was among the group to review promotion nominations, he neither supported nor argued against [REDACTED] candidacy.

Separately, [REDACTED] identified that colleagues reported [REDACTED] has raised questions about her contributions and competency. [REDACTED] confirmed that he has spoken frequently with [REDACTED] manager and [REDACTED] to try to resolve issues raised by his team about working with [REDACTED]. He noted that [REDACTED] can overwhelm you to get information she needs and will ceaselessly pursue insignificant details. As previously noted, several witnesses also shared that [REDACTED] tends to focus on granular issues that could create additional challenges for others. [REDACTED] stated he tries to

resolve the frustrations this creates for his team as part of his obligation as a leader to address complaints his direct reports may surface.

██████████ noted she believed ██████████ retaliates against ██████████. She expressed the opinion that because ██████████ is detail-oriented and can see ██████████ is “dropping the ball,” they take ██████████ observations and requests as criticism instead of appreciating her problem-solving. She opined that retaliation takes the form of ██████████ and his team suggesting that ██████████ does not understand the work or is not “up to par.”

The remaining witnesses expressed they had not observed conduct that seemed retaliatory and did not believe ██████████ retaliated against ██████████ by questioning her contributions. ██████████ highlighted that ██████████ has grown significantly, and ██████████ observed the team appears to have a “big task” so “there are things they do and don’t do well.” ██████████ opined the team avoids taking on changes or new work and will push for certainty that others’ requests are necessary. ██████████ noted that others try to find ways to work around ██████████

██████████ also observed he believed teams were experiencing growing pains as the entire organization’s remit has expanded, and leaders are only now catching up to addressing the demands that expansion has created. All of the witnesses identified that there has been a breakdown in communication that has created stress for the organization.

██████████ noted that from her perspective, this breakdown in communication and ██████████ perceived resistance to criticism began when she took on defining the requirements for ██████████. She shared this has contributed to her feeling ██████████ is being retaliatory. ██████████ noted that ██████████ took on ██████████ around three years ago.

I find it likely that ██████████ is experiencing more frustrating events with ██████████ and his team, in part because she has continued to engage with them where others, by their own admission, have opted out of doing so. ██████████ volume of engagement likely contributes to ██████████ seeking more resolution for requests ██████████ makes.

However, I find it less likely that ██████████ is retaliating given that he did not oppose ██████████ promotion when given the opportunity to do so. Further, ██████████ appeared to primarily raise concerns about ██████████ when she made requests of his team, but the information shared does not demonstrate that he generally initiated unprompted concerns about ██████████. Finally, I find it more likely that ██████████ experience of a breakdown in communication was not a result of her development of ██████████ several years ago but more likely consistent with the breakdown that all witnesses reported experiencing as the organization’s remit expanded.

██████████ Concern that ██████████ Instructed A Vendor Not to Work with Her:

██████████ shared that she believed ██████████ was retaliating by encouraging a vendor not to work with her. She expressed that she believes he did so to undermine her credibility.

██████████ confirmed that he instructed a vendor not to follow certain directions from ██████████. He stated it was because he understood ██████████ had spent significant time discussing an approach to a particular issue. He understood the group had settled on an

approach, but he was informed that [REDACTED] later instructed a vendor to take a different approach. This guidance reportedly confused the vendor.

[REDACTED] shared that because [REDACTED] controls that vendor relationship and he understood the teams had agreed to a different approach, he believed it was appropriate for him to instruct the vendor to disregard [REDACTED]'s guidance. [REDACTED] provided documentation that suggested the vendor was confused and that [REDACTED] had provided different guidance than [REDACTED]

I find the information does not substantiate [REDACTED] retaliated against [REDACTED] by directing the vendor to disregard [REDACTED]'s guidance. It seems likely that [REDACTED] was legitimately taking accountability for clarifying the vendor's questions and attempting to prevent future confusion.

[REDACTED]

[REDACTED]

**Attachment E
Contractor Inclusion Plan**

Instructions

DSHS requires that bidder submit this inclusion plan template as part of their proposal. Once submitted, the Inclusion Plan template becomes part of the contract if awarded to the bidder. The Bidder shall also include an anticipated list of small and diverse subcontractors or vendors who may provide services on the project. Responses should reflect the Bidder's sincere efforts to include diverse small businesses. Businesses listed in the plan must be certified by OMWBE or DVA, or registered in WEBS as a small business. If a company is not certified or registered but may be eligible for certification, the Bidder should encourage the company to become certified.

Inclusion goals are aspirational. No preference is given for inclusion plans or goals in the evaluation of bids. While no minimum level of OMWBE certified, Veteran Owned, or Washington Small Business participation will be required as a condition for receiving an award, the plan must include the actions the contractor will take to increase subcontracting opportunities for those business types.

DIVERSE BUSINESS INCLUSION PLAN

1. Do you anticipate using, or is your firm, a Washington State Certified Minority Business?
 YES NO
2. Do you anticipate using, or is your firm, a Washington State Certified Women's Business?
 YES NO
3. Do you anticipate using, or is your firm, a Washington State Certified Veteran Business?
 YES NO
4. Do you anticipate using, or is your firm, a Washington State Small Business?
 YES NO
5. If you answered No to all the questions above, please explain:
6. A description of your firm's planned efforts at outreach to the small and diverse business community:

I am a solo practitioner in practice for under a year and looking to develop my business at this time. I have not yet developed a formal outreach plan, but I support small and diverse businesses when possible for goods, supplies and services. I subscribe to sites that help me target such providers.

7. A list of projects (5 max.) with diverse business participation in the last five (5) years: I am a new solo practitioner, and I have not used subcontractors to perform my contracts.

Subcontractor	Project	Year	Percentage

8. A description of how firm considers small business in the development of bid packages

As a solo practitioner, at this time, I do not anticipate utilizing other businesses to perform my work.

9. Describe the actions you will take to increase subcontracting opportunities for those business types.

I do not anticipating using subcontractors to perform work.

10. How big is the Diverse Inclusion team in your organization? I am a solo practitioner of a law firm. I am an African-American female.

- 10.1 1 person
- 10.2 Less than 5 person
- 10.3 More than 5 person

If you answered Yes to any of questions one through four, please complete questions eleven through thirteen.

11. Please list the approximate percentage of work to be accomplished by each group in this contract:

- 11.1 Minority 100%
- 11.2 Women 100%

11.3 Veteran 0%

11.4 Small Business 100%

12. Please identify the person in your organization to manage/ lead your Diverse Inclusion Plan responsibility.

12.1 Name: Bernice Johnson Blessing

12.2 Phone: (425) 230-0523

12.3 E-Mail: bjb@blessinghrlaw.com

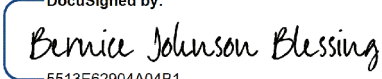
13. Please identify the list of potential diverse subcontractors: I do not plan to use subcontractors.

13.1 -----

13.2 -----

13.3 -----

I hereby certify, under penalty of perjury under the laws of the State of Washington, that the certifications herein are true and correct and that I am authorized to make these certifications on behalf of the firm listed herein.

DocuSigned by:

 Bidder's Signature: _____
 Title: Director
 Organization Name: Blessing HR Law, PLLC
 Date: November 29, 2023
 Place Signed (City, State): Mercer Island, Washington