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May 3, 2024

Kathleen Kershner  
8321 Double Ditch Rd.  
Lynden, WA 98264  
(360) 220-7535  
[advocations@comcast.net](mailto:advocations@comcast.net)

Re: Response Submission for DSHS Competitive Solicitation RFQQ #2434-846

Dear Sir or Madam:

1. Enclosed please find the Response of Kathleen Kershner (Bidder) with respect to the above Competitive Solicitation. This Response includes this Letter (Attachment B) as well as Attachments C (Bidder Certs and Assurances), D (Bidder Response Form), E (Bidder Inclusion Plan), and F (Bidder Intake Form) as set forth in the Solicitation Document. In addition to these completed Attachments, the response includes no additional materials.

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)  
No. 1 Bidder's Q & A

Date(s) Issued  
April 23, 2024

4. Bidder represents that it has been in business since February 1, 2004, and during that time has offered the following relevant professional services in the fields listed:

Community Residential Services Evaluator – Residential Care Services  
Companion Home Services Evaluator – Developmental Disabilities Administration  
Alternative Living Services Evaluator – Developmental Disabilities Administration

Children's State-Operated Living Alternatives Evaluator – Developmental Disabilities Administration  
Emergency Transitional Support Services Evaluator – Developmental Disabilities Administration  
Intensive Habilitation Services for Children Evaluator – Developmental Disabilities Administration  
Overnight Planned Respite Services Evaluator – Developmental Disabilities Administration  
Stabilization, Assessment & Intervention Facility Evaluator – Developmental Disabilities Administration  
Independent Informal Dispute Resolution Evaluator – Residential Care Services, Dispute Resolution Services  
Independent Information Dispute Resolution Evaluator – Alaska, Health & Social Services

5. I do not advertise my business services on any websites or internet-based advertising sites.

6. 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.

7. By my signature below, I certify that all statements and information provided in Bidder's Response are true and complete.

Sincerely,



Kathleen Kershner, Evaluator



**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: Evaluator

Organization Name: Kathleen Kershner

Date: 5/3/2024

Place Signed (City, State): Lynden, Washington

Competitive Solicitation RFQQ #2434-846  
Attachment D, Bidder Response Form  
Bidder Name    Kathleen Kershner   

<b>Bidder Name: Kathleen Kershner</b>	
<b>1</b>	<b>ADMINISTRATIVE RESPONSE</b> (Required; Pass/Fail) 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 Response to be disqualified and may be considered in evaluating Bidder's qualifications and experience.
<b><u>Please check all boxes that apply:</u></b>	
Bidder would like this response to be considered for a Contract with <input checked="" type="checkbox"/> ALTSA/RCS <input checked="" type="checkbox"/> DDA	
A	Please indicate whether Bidder employs or contracts 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.
ANSWER: No, I do not employ or contract with any current or former state employees.	
B	Please list the names and contact information for at least three individuals you agree may serve as professional references and may freely provide information to DSHS regarding the reference's experience and impressions of Bidder, and, if applicable, Bidder's staff identified in a later question as Proposed Residential Evaluator(s). (Each Proposed Residential Evaluator must submit at least three references. In providing the names and contact information of the references, Bidder represents that it shall hold both DSHS, as well as the organizations and individuals providing references, harmless from and against any and all liability stemming from the information the reference provides).
ANSWER:	



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Attachment D, Bidder Response Form  
Bidder Name    Kathleen Kershner   

	<p>1. <b>Nicole Vreeland</b> Long-Term Care Quality Improvement Program Specialist, DSHS/ALTSA/RCS, 20425 72<sup>nd</sup> Ave South, Suite 400, Kent, WA 98032; Phone: (564) 999-0393; email: <a href="mailto:Nicole.Vreeland@dshs.wa.gov">Nicole.Vreeland@dshs.wa.gov</a></p> <p>2. <b>Timothy Wolfe</b>, DDA Resource Manager, 1700 E Cherry St Suite 200, Seattle, WA 98122; Phone: (206) 568-5642; email: <a href="mailto:timothy.wolfe@dshs.wa.gov">timothy.wolfe@dshs.wa.gov</a></p> <p>3. <b>Tom Farrow</b>, Community Transition Unit Manager, DDA – HQ – Lacey / Developmental Disabilities Administration; Phone: (360) 561-1405; email <a href="mailto:tom.farrow@dshs.wa.gov">tom.farrow@dshs.wa.gov</a></p>
C	<p>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.</p>
	<p>ANSWER: My response does not contain any variations from the requirements of the Solicitation Document.</p>
D	<p>Please indicate whether Bidder is 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 the text Bidder request to change is found, and state the specific changes Bidder is requesting, and the reasons for the request. 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.</p>
	<p>ANSWER: Please consider the following exceptions and/or revisions to the sample contract language:</p> <p>Sample Contract, Page 18-21, Insurance. We have had an insurance waiver in the past and have not had to provide business insurance. Is that the intention here as well. If insurance is required, the rate will have to be increased to cover the cost.</p> <p>Sample Contract, Page 22-23, Statement of Work – a. (5). Please strike the last sentence in this paragraph. Exit conferences have been held online for the last 4 years. There is no benefit to having in-person exit meetings. Stipulating exit conferences to be performed in-person will change the entire process currently used to evaluate and will cost more to accomplish. The rate will have to be increased.</p>

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Bidder Name \_\_\_Kathleen Kershner\_\_\_\_\_

Attachment A-1 (RCS), page 30 of 46, the rates listed in the sample contract have not been raised to keep up with inflation and must be increased. Please consider increasing the rate for Evaluations to \$3,000.00 and increasing the hourly rate to \$75.00. After all expenses are accounted for including travel and business taxes, an evaluator is making less than the state minimum wage completing evaluations at \$1848.00.

Please also add the following language:

1. All authorized work shall be paid. If an evaluator is scheduled and authorized to complete an evaluation and the provider is no longer in business or has moved or the Program Manger rescinds the authorization due to no fault of the evaluator, the evaluator shall bill for all expenses incurred in preparing for the evaluation or \$500.00 minimum.
2. Evaluators shall be paid an additional \$750 for every evaluation where they are training a new evaluator.
3. Evaluators shall be paid within 30 days of submitting an A-19. If payment is not received within 30 days, the evaluator shall be authorized to include a 10% late penalty on the unpaid invoice and will submit an additional A-19 indicating this amount.
4. Annual cost of living adjustments will be made to all contracted rates according to the Bureau of Labor Statistics CPI Calculator, with adjustments made in July of each year.

Attachment A-2 (DDA), page 32 of 46, the rates listed in the sample contract have not been raised to keep up with inflation and must be increased. Please consider increasing the rate for Companion Homes, Alternative Living and Overnight Planned Respite Services to \$1,875.00 per evaluation, Emergency Transitional Support, Enhanced Respite, Intensive Habilitation, Out-of-home, Stabilization Assessment and Intervention Facility, and State Operated Living Alternative for Children to \$3,000.00 per evaluation and increasing the hourly rate to \$75.00. After all expenses are accounted for including travel and business taxes, an evaluator is making less than the state minimum wage at the listed rates per evaluation.

Please also add the following language:

5. All authorized work shall be paid. If an evaluator is scheduled and authorized to complete an evaluation and the provider is no longer in business or has moved or the Program Manager rescinds the authorization due to no fault of the evaluator, the evaluator shall bill for all expenses incurred in preparing for the evaluation or \$500.00 minimum.
6. Evaluators shall be paid an additional \$750 for every evaluation where they are training a new evaluator.





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Attachment D, Bidder Response Form  
Bidder Name  Kathleen Kershner

to this solicitation, Bidder will be prohibited from entering into conflicting contracts with state agencies during the term of the contract.

**ANSWER:**

**Contract Number 1135-29260**, 07/01/2011-06/30/2015, Residential Evaluation Service, ADSA/RCS, amended 09/22/2014, Tom Farrow-RCS Field Manager.

**Contract number 1135-29261**, 07/01/2011-06/30/2015, Companion Home Evaluation Service, DDD, amended 09/22/2014, Shaw Seaman-DDD Quality Assurance Program Manager.

**Contract number 1535-43799**, 07/01/2015-06/30/2019, Residential Evaluation Service, AL TSA/RCS, amended (1) 06/01/2017, (2) 06/01/2018, and (3) 07/01/2018, Nicole Vreeland-RCS Field Manager.

**Contract number 1535-43802**, 07/01/2015-06/30/2019, Companion Home Evaluation Service, AL TSA/DDA, Shaw Seaman-DDA Quality Assurance Program Manager.

**Contract number 1631-34382**, 05/05/2016-06/30/2019, Overnight Planned Respite Service Evaluation, AL TSA/DDA, Sandra Miller-DDA Quality Assurance Program Manager.

**Contract number 1731-95627**, 06/27/2017-06/30/2019, Dispute Resolution Service, AL TSA/RCS, Mike Tornquist-RCS Program Manager.

**Contract number 1931-56639**, 07/01/2019 – 06/30/2021, Dispute Resolution Service, AL TSA/RCS, Mike Tornquist-RCS Program Manager.

**Contract number 2031-24364**, 07/01/2021 – 06/30/2023, Dispute Resolution Service, AL TSA/RCS, Staci Dilg-RCS Program Manager.

**Contract number 2331-47917**, 07/01/2023 – 06/30/2025, Dispute Resolution Service, AL TSA/RCS, Rebecca Fueston-RCS Program Manager.









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 Bidder Name   Kathleen Kershner                  

	AND/OR list below the specific County or Counties where Bidder is offering its services:  <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border-bottom: 1px solid black; width: 20%;"></div> <div style="border-bottom: 1px solid black; width: 20%;"></div> <div style="border-bottom: 1px solid black; width: 20%;"></div> </div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border-bottom: 1px solid black; width: 20%;"></div> <div style="border-bottom: 1px solid black; width: 20%;"></div> <div style="border-bottom: 1px solid black; width: 20%;"></div> </div>
<b>M</b>	Please state the maximum number of hours per month (total, not per Proposed Residential Evaluator) Bidder will be able to serve as Residential Evaluator, should Bidder be awarded a contract through this solicitation.
	ANSWER: I anticipate being a full-time evaluator, working the number of hours required to complete all assignments.
<b>2</b>	<b>BIDDER CERTIFICATION – EO 18-03</b>
	MAXIMUM TOTAL POINTS

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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><b>Please Note:</b> 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>	5
	ANSWER: No, I certify here that I do not require a mandatory individual arbitration clause and/or a class or collective action waiver as a condition of employment.	
<b>3</b>	<b>BIDDER CERTIFICATION – WASHINGTON SMALL BUSINESS</b>	MAXIMUM TOTAL POINTS

EO	<p>Are you a Washington Small Business as defined under <b>RCW 39.26.010</b>?</p> <p>According to <b>Chapter 39.26.010 RCW</b>, to qualify as a Washington Small Business, Bidder must meet three (3) requirements:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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 the Washington State Department of Revenue over the previous three consecutive years.</li> <li>c. <i>WEBS Certification.</i> Bidder must have certified its Washington Small Business status in Washington’s Electronic Business Solution (<a href="#">WEBS</a>).</li> </ol>	5
	ANSWER: Yes, my business is a Washington Small Business.	





**SECTION 4 BIDDER WRITTEN RESPONSE**

**Bidder Name: Kathleen Kershner**

**4 BIDDER WRITTEN MATERIALS RESPONSE SCORE**

Attachment B Bidder Submission Letter (Required): 300 Possible Points  
Attachment D, Section 4 of Bidder Written Response (Required): 700 Possible Points  
**(Maximum Written Materials Points: 1,000 Total Possible Points)**

A (NOT SCORED)  
Provide the names of Bidder's Proposed Residential Evaluator(s) in the space below. For each name provided, please state whether the individual has:

- A master's degree in any of the following fields (state the degree that was earned):
  - Social Services,
  - Human Services,
  - Behavioral Sciences,
  - Criminal Law/Justice,
  - Public Administration, or
  - Specify an allied field in which the Proposed Residential Evaluator has earned a master's degree;

**OR**

- A bachelor's degree **and** two years of social service experience in any of the following fields (state the degree that was earned and the experience being claimed):
  - Social Services,
  - Human Services,
  - Behavioral Sciences,
  - Criminal Law/Justice,



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Bidder Name  Kathleen Kershner

**NOTE:**

**It is to the Bidder's benefit to ensure each Proposed Residential Evaluator's detailed work history demonstrates the development and utilization of the five skills listed above. The final score for this section will be the average score of all submitted Proposed Residential Evaluator resumes submitted by the Bidder.**

*ANSWER: None required. Please attach required resumes, and ensure they are clearly marked as being responsive to Question 4.B in Attachment D.*

**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. Please provide a description of your firm's planned efforts at outreach to the small and diverse business community:



I am assigned to complete evaluations statewide and will utilize businesses in the areas assigned such as hotels, gas stations, restaurants, office supply stores, etc.

7. Please list projects (5 max.) you have completed with diverse business participation in the last five (5) years:

Subcontractor	Project	Year	Percentage
None, my firm does not subcontract			

8. Please provide a description of how your firm considers utilizing small businesses in the development of bid packages.

I am a small business, sole proprietor, operating as an independent contractor, I do not subcontract.

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

None

10. Please indicate the number of people in your Diversity Inclusion team.

1

If you answered Yes to any of questions one through four above, 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 0%
- 11.2 Women 100%
- 11.3 Veteran 100%
- 11.4 Small Business 100%


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

- 12.1 Name: Kathleen Kershner
- 12.2 Phone: 360-220-7535
- 12.3 E-Mail: advocations@comcast.net

13. Please identify the list of potential diverse subcontractors

- 13.1 None – my firm does not subcontract.
- 13.2 None
- 13.3 None

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: Evaluator \_\_\_\_\_

Organization Name: Advocations – Kathleen Kershner \_\_\_\_\_

Date: 5/3/2024 \_\_\_\_\_

Place Signed (City, State): Lynden, Washington \_\_\_\_\_