Preproposal Conference for RFP 23-01
July 26, 2022
Comprehensive Training program for Tribal and native Nonprofit Organizations and Charities
Questions and Answers

Question 1:

There is no mention of a needs analysis as part of the training program. That would be my first instinct is that the needs analysis needs to be conducted. Should I assume that's to be included?

Answer:

This is a pilot program to get an understanding of what those needs are, a needs analysis is not be required by the state.

Question 2:

This talks about development and implementation of a comprehensive training program. Does this mean that curriculum has not been designed? Is there a curriculum in place? Is this a design and implementation contract? A facilitation delivery contract? A mixture of the two?

Answer:

We would like to make sure the area is covered as this is unique for the tribal side when compared to regular trainings. We need a plan that meets the needs for the group. We have a pretty robust ongoing training program under contract. Now the focus is based on Washington state nonprofit and charities that are created within the state. A foreign entity is one that is created outside of Washington State. For example anything created in another state or country. An organization created at the Tribal level is also considered a foreign entity due to Federal recognized status. The Corporations website has a combination of foreign registration information, but the bulk of the information is designed on how to operate a nonprofit in Washington State.

We have GIVESMART training that focuses on awareness of where money is going, how to be aware of where the money is going, and education for donors to help protect themselves and make sure that they're getting what they're looking for. One of the things that came up in in our conversations are putting this type of training together, specifically for tribal and native organizations. It is the same but differs in how you would treat a foreign organization or non-Washington source. A great example would be a nonprofit that is created through the tribe or with the tribe that then wants to explore grants that are offered by the state or if they're wanting to contract with the state on some type of service.

Although, they may be registered with the tribe, in order to qualify for those grants or contracts, they're going to have to be registered with the Washington Secretary of State and go through a process if they're raising money from the public. In Washington, that's not necessarily on a tribal land. Then they may need to be registered with the charities program and we don't have anything specifically targeted toward tribal organizations. That's part of the question we're asking with this RFP. We know what's available for a Washington nonprofit. We don't know what's available for specifically in the tribal and native arenas.

Question 3:

Is the ultimate goal to get those organizations registered as charities? If appropriate. Is that a big part of the task?

Answer:

As a nonprofit or a charity. For those of you not in Washington State, a nonprofit corporation and a charity are two separate things. They work closely together but there's the nonprofit legal entity, the nonprofit corporation and then we also in Washington have a charities registration for people that are raising money from the public for charitable purposes. They often go hand in hand, but they are not the same thing in Washington. The ultimate goal is to make sure the resources are available - should somebody meet that requirement or need to know how to do those registrations - making sure that those resources are available.

Question 4:

Is the state envisioning that a lot of this will indeed take place virtually or the training component will be going out individually?

Answer:

That'll be based on the proposal, what people propose because Washington does have in person meetings again and in person presentations, but there's also advantages by doing online as well, so that that's going to be up to whoever does the proposal to break down what they think would be most effective and what they think will maximize effectively maximize their reach.

Question 5:

The training that you currently have available for nonprofits and charities in Washington State, that's not specific to tribes? Is there any summary or something about that listed on a website? Is that available somewhere to review?

Answer:

Yes, our website at the Secretary of State, at sos.wa.gov/corps, leads to Nonprofit and Charities Educational Resources. Our home page has a wealth of information and links to all the training resources. There's a lot of information there for the legal entity registration for the nonprofit corporation itself.

Comments from Project Manager:

The goal is to make sure that the information is available and promoted even in the tribal and native organizations. We say tribal and native because we have, for those of you not in Washington, a very wide variety and a large number of tribes in the state. Many federal recognized some of them may not be. To my knowledge there's not any specific outreach.

Question 6:

There is a training program for nonprofit and charitable entities, but you weren't sure about the tribal side. Want clarification on what you are not looking for. You're not looking for a training program that also talks about what tribal governments are looking for from a tribal sovereignty perspective. You're thinking from the state of Washington. What do we need to do?

Answer:

A combination because each tribe has their own designation and their own way of creating entities. Washington has a wide variety of how that takes place. Each organization, if they are looking to do business with the state, or apply for state grants or contracts, off tribal land, will need to be registered in Washington. However, that doesn't mean they're creating a Washington nonprofit. It means that they're doing a foreign entity registration with the State of Washington. Another aspect we want to address is that they are in compliance with legal requirements. Provided through information about board governance and how they are operating their nonprofit, not only for compliance reasons at the state and federal level, but also for efficiency. We have a robust program already in place for a Washington-based entity I call Washington on profit because it's been registered and domesticated within the state of Washington. That information exists, and again, not just the registration, but also how to run a board, how to seek board members, what are the fiduciary responsibilities of boards, because that may not be information that's currently available. Like I said, we've seen targeted groups for outreach, for Latino organizations or by BIPOC organizations, but to my knowledge, I have not seen or I'm or I'm very familiar with groups that reach out directly to the tribes.

Question 7:

Sounds like a big undertaking of the state to recognize this and move forward. Was there any type of stakeholder group or is there one that currently exists with some of the tribal and native leaders at this point or is that something being explored for input?

Answer:

That's also being explored for input in how would the organization that's proposing the training and the outreach, how would they reach the target audience?

Question 8:

To clarify the intended audience there might be Washington-based nonprofit organizations that are serving tribal communities on tribal land but what you're really looking for is not that situation, because they're already registered with you. So this is really the group of organizations that are maybe not yet associated or connected or might appreciate additional training or resources?

Answer:

Exactly and it could be a combination of both, but it's making sure that the resources are available. Not just on the compliance side but if they're not meeting those requirements, they might inadvertently disqualify themselves from being able to obtain some of those state grants or state contracts. There are a lot of rules for becoming registered in Washington, even if it's a foreign entity or a non-Washington nonprofit, they still have to be registered in Washington to do business. That's not just a business license it’s also registering they are a foreign entity with the Secretary of State's office. We also want to make sure that those organizations have access to how to operate a nonprofit like we do for Washington-based non Washington domestic nonprofits. There are a lot of resources available. I mentioned before how board governance and fiduciary responsibilities, access is making sure that there's access and awareness.

Question 9:

Could you shed a bit more light on the specific aspects of training that you're looking for in the in the proposal?

Answer:

One is making sure there's information and outreach to native and tribal organizations that need, as an example, board governance and/or fiduciary responsibilities. A big point is that if a tribal organization that is created within the tribe, that is then doing business, wants to do business with the state, or wanting to obtain grants through the state for the work that they're doing, or if they're raising the funds from the public within the state, depending on which scenario, there's a very good chance they will need to be registered as a foreign entity with the state of Washington and possibly registered in our charities program.

In addition to the nonprofit registration and making sure that all that information is available. There needs to be some targeted outreach to native or tribal organizations.

Question 10:

In terms of the cause, obviously there's a huge number of these organizations, how is this list maintained? Designation of target organizations?

Answer:

That would be part of the proposal establishing those connections.

Currently, I don't know if they have resources available. It is within the proposal itself in identifying how you would plan to reach and share the information that's needed for a combination of compliance and how to operate a nonprofit and making sure the resources are available.

Question 11:

Has there been any history with this before? Is this an endeavor that you've tried to do before and either it was just like a phase one thing, or maybe it didn't work as planned? Has there been any attempt to do this work, and if so, could you say a bit more about what the history of that was?

Answer:

No history. If we get success in using the output of this contract, this would provide us with an opportunity to go back to the legislature and ask for money to continue what we started. That's all going to depend on what kind of success we do have.

Question 12:

Other than what is described in the RFP, are there targets or what's your view of success that we should really keep in mind as we're shaping our proposal and pulling the resources in for that?

Answer:

Most of that would probably come through the proposal itself. We want to see things like people contacted or people that have participated in the training or outreach event. That would be part of the proposal. How the proposal would measure its own success.

Question 13:

The RFP states that there's about 12,000 potential unregistered organizations. Where did you get that number? If you're willing to share, and two, do you have a target of how many tribal organizations you would like to hit this round and this pilot?

Answer:

Actually there's a lot more than 12,000 nonprofits in Washington that are not properly registered as a charity. We have around 55,000 or so registered nonprofits within the state of Washington, but we only have about 16,000 charities that are registered. Somewhere in that 40,000 or so gap, there are a lot of organizations that are raising money from the public for a charitable purpose that have not necessarily registered with the charities program. We're not familiar with a focus on native and tribal organizations and making sure that they're getting at least the same amount of outreach information on how to run an organization as say Latino or BIPOC groups. And there's that extra little caveat of a tribal created organization and they're wanting to do business with the state of Washington. They will need to file as a foreign entity with the state of Washington, and they're going to need to do the charities registration if they're raising money from the public within Washington. So there are a few pieces there that we'd like to have that information out there and available just like with any community, there are so many things there that could be open some doors for additional opportunities.

Question 14:

The next steps for these organizations that will engage, for example, we come to them to highlight what we're doing in the need for registration depending on who they are, what they are. I imagine the first question they're going to have is - what's in it for us? What do we get as a result of registering besides being on the right side of the law? What's really the benefit to us going through this? So how would you answer that?

Answer:

If a tribal organization is looking to obtain a grant from the state of Washington, they must be registered with the state. Almost every grant is going to require current registration. What do they need to do to become current? Tribes have different ways of registering their business, thereby a lack of consistency. Where a tribal created business wants to do business off of tribal land they may not be aware of the steps they're going to need to become registered. The same situation on the nonprofit side. We need outreach to provide education to share the type of information needed.

Comments from Project Manager:

The easy way to summarize is to [share] the information on compliance [but also] being able to file and register properly. Sharing good governance and things you need to know when running a nonprofit that can help [tribes] because a lot of that carries over to the federal side as well that tribes may be experiencing it as well on the tax side. Then there's also transparency pieces. That donors are going to want to see information we share on the nonprofit side for Washington nonprofits, there needs to be that transparency. For example, how do you look up someone who solicits you for a donation? How do you look up to verify their information so you're comfortable with that decision you're making? Our GIVESMART program is actually very good with that.

Question 15:

What are the key elements and mandatory components of this?

Answer:

This is a pilot program, part of what we're asking for is how you would reach the native and tribal communities and how would you share information with them about not only compliance and registration information, but donor education and how to operate a nonprofit. Whether that be board governance, fiduciary responsibilities, and hiring employees, there are so many things that go around that because it's very different. Every tribe handles business a little bit differently or a lot differently in some cases and trying to get a general, “here are some best practices you could follow,” that type of thing.

Question 16:

If we know their budget is 200,000, how does that break down?

Answer:

That would be contained within the proposal. It's a not to exceed budget of 200K. So, how would you use that money to accomplish the outreach goals? We don't have it broken down. We're not prescribing how much goes into one area or another, it's that's what we're looking for in part of the proposal is how would you spend it?

Question 17:

Could you speak a bit more about what your selection criteria? The RFP obviously has some requirements like not to exceed, deadlines, and components to include. But could you shed some light on either prioritization or how you'll be thinking about the bidders and people sending in the proposals and how you'll make that selection?

Answer:

We have a set of scoring criteria. That we apply to the proposals. We will have a panel usually of at least two or three or more individuals that will each independently review each proposal and score it according to the scoring criteria. We get together and discuss the results and make refinements.

The proposal will breakdown the key parts of the project and then breaking down the solution. Then those are judged against the overall criteria. As an RFP we have a project that we need vendor solutions on how to achieve our objectives. The solutions could be quite different from one another.

Question 18:

When all of this is supposed to kind of start and you know how long does it last? If you have a time frame?

Answer:

The date and timeline is in the RFP. We're expecting the contract to start about September 13th and that date depends on how long it takes. It's projected to go through June 30th of 2023, the actual contract itself to complete the work.

Question 19:

In terms of monitoring reports, checkpoints? Is that something that you have established beforehand or is that something that we should just include in the proposal?

Answer:

It would come from the proposal. This is a more targeted application of what we already do with our nonprofit education programs. This is more of a specific community outreach that's not already included in those programs. It could come back that after exploring, that there's not necessarily a need that justifies this as a specific program.

Where there is a lot of interest and people really want to know a lot more about it, we'll look at our resources available and look at what's needed in future planning.

Question 20:

Would you mind telling us a bit more about yourself?

Answer:

I'm the public and government affairs manager for the office of Secretary of State, Corporations and Charities Division, and from my primary role is to not only work with legislation and the media and partner agencies within the state, but also with outreach and education specific to whether it be profit or nonprofit registration and requirements. Our Contracts department representative, when it comes to the state contracting; what steps have to be followed; what I can or can't say; our Contract representative guides me on that process.

Question 22:

Is the sample contract sent out with the RFP, is that the example of the format?

Answer:

That's an example of the contract template. The successful vendor's proposal would be built into it. Likely in a Statement of Work or Exhibit to provide enough room.

Question 23:

Do you have any sense of how big the team is that would be needed for this?

Answer:

No, one of the questions early on is whether or not we were expecting an online delivery or in person and that's kind of up to the proposal. That would be in the proposal on how you would reach it, I know in Washington in-persons [meetings] have started again. On the profit side and on the donor education side, we've been doing in in person presentations and trainings again. [For the proposal] what do you feel based on your proposal would be the most effective? There's a benefit to both, a great benefit to having online availability like what we're experiencing today and then there's also another touch of in person access. It would be up to each person making the proposal. We can't go into specifics, it's more of a please tell us how you would do it or how you think you would be most effective in doing it.

Question 24:

Anything you think is just really important to be shared? If there's anything you think that's important for us to know or share?

Answer:

I think the biggest one that I think a lot of people are not aware of the transition of operating on tribal land versus then operating within the state, because there is a transition there. Ultimately, from the Secretary of State's standpoint, that's treated as a foreign entity or a non-Washington entity when it's a recognized tribe. Now there are many tribes out there that aren't federally recognized that operate entirely differently. I am in no way an expert on tribal relations and how they operate, how that works. That's why we're seeking out in the proposal, not only how can you reach those folks, how can you share information with them and what is the information that they need? How can we help them be more successful, whether it be in operation or compliance or whatever we have resources for?

Question 25:

Can you talk more about curriculum fidelity? The registration requirements that these organizations will learn about through some sort of curriculum or training program. Do we just go from something that's publicly available or is there a specific curriculum that will be handed to us? Is there anything with regard to like restrictions on how that can be taught or transferred beyond in person versus ritual?

Answer:

We have a lot of curriculum already in content created within our website pages and some of that has been specifically created internally and some of that has been created through our current contract for nonprofit education or provision of nonprofit education. How that translates into a tribal organization? I don't know if there is a one size fits all, [there may be a modification that needs to be made].

The information itself, ultimately all goes back to the RCW and what's required in the statutes for Washington. That's what we have to base everything on. The direction we go are prescribed to us from the legislature and then it's codified into a revised code of Washington or state law. We take that state law and provide the information of the best we can.

Question 26:

With response from question 25, so we have creative license as long as the tenants that are available on the web are adhered to?

Answer:

Yes, as long as it fits within the legal statute.

Closing Comments from the Project Manager:

Any additional questions can be submitted until close of business 8/1 when the Q&A closes.