



King County

Office of Performance Strategy and Budget



ADVERTISED DATE: September 13th, 2021

Request for Applications (RFA) Title: Art and Culture Fund
Due Date and Time: October 18th, 2021 at 11:59 PM (PT)
Submit Application Questions to: Creativeeconomy@kingcounty.gov

Submit Application at: www.kingcountycreative.com

This Request for Applications will be provided in alternative formats for individuals upon request.

**DEFINITION OF WORDS AND TERMS
APPLICABLE ONLY TO INSTRUCTION OF THE RFA**

Words and terms shall be given their ordinary and usual meanings. Where used in the Agreement documents, the following words and terms shall have the meanings indicated. The meanings shall be applicable to the singular, plural, masculine, feminine and neuter of the words and terms.

- Addendum/Addenda:** Written additions, deletions, clarification, interpretations, modifications or corrections to the solicitation documents issued by PSB during the Application period and prior to award.
- Applicant:** Individual, association, partnership, firm, company, corporation or a combination thereof, including joint ventures, submitting an Application to perform the Work.
- Application Evaluators:** Team of people appointed by the County to evaluate the Applications, conduct discussions, score the Applications and make recommendations.
- Competitive Range:** The Competitive Range consists of the Applicants that have a reasonable chance of selection for award. The Application Evaluators (AE) shall conduct the initial evaluation of the Applications considering price and Evaluation Factors established in the RFA. The Buyer and Project Manager/AE together shall compare the evaluations and determine the Competitive Range. The Competitive Range may be reduced after the evaluation of additional information, and negotiations.
- Criteria, Evaluation Criteria or Evaluation Factors:** The elements cited in the RFA that the County shall examine to determine the Applicants understanding of the requirements; technical, business and management approach; key personnel; qualification and experience of the Applicant; potential for successfully accomplishing the Agreement; risk allocation and the probable cost to the County.
- Days:** Calendar days.
- RFA:** Request for Applications, also known as the solicitation document.

SECTION 1: GRANT PROGRAM SCOPE OF WORK

1.1 INTRODUCTION

The COVID-19 pandemic has had a significant negative impact on the art and culture sector. Unlike restaurants, retail, and other sectors, many arts, science, culture, and heritage organizations have been shuttered or only allowed to operate with significantly reduced capacity since March 2020. Even as Governor Inslee lifted statewide restrictions on all but the largest (10,000+ capacity), gatherings on June 30, 2021, capacity has continued to be restricted in many venues and programs. Many facilities must continue to hold socially distanced performances as audiences are intergenerational, some are too young to be vaccinated, and union COVID safety measures must be met. Some large cultural organizations have not yet launched their new seasons.

It remains unknown whether the public will return to large indoor group settings in the same numbers as they have historically. If COVID-19 transmission continues to surge in Washington, and COVID-19 variants like the current Delta variant spread and overwhelm the healthcare systems, arts, science, culture, independently owned and operated live music venues, independently owned and operated movie theaters, and heritage facilities will face further capacity restrictions and suffer further financial impacts. Moving forward, these organizations continue to face a challenging business model especially in the uncertainty of 2021 and 2022.

Per ordinance 19289, King County set a \$19.5-million Art and Culture Fund to provide grants to arts, culture, heritage, and science organizations; independently owned and operated live music venues; and independently owned and operated movie theaters to assist these organizations in their recovery from the negative impacts of COVID-19.

1.2 OBJECTIVES

The Arts and Culture Fund is designed to help revitalize King County's cultural sectors and draw visitors and tourists to the area. The specific objectives include:

1. Support capital and operating investments to enable cultural organizations to carry out their programs in the upcoming 2021-2022 performing arts season.
2. Mitigate losses and assist with revenue interruption to organizations and businesses experiencing impacts caused by COVID-19.
3. Support the reemployment of performers and staff who have been out of work due to COVID-19 interruptions in the respective arts, science, culture, independent live music venues, independent movie theaters, and heritage programs.
4. Assist in providing a safe and flexible environment for those operating, working, and attending arts, science, culture, independent live music venues, independent movie theaters, and heritage programs in King County.

1.3 PROGRAM DESCRIPTION

The Arts and Culture grant program provides relief to the cultural organizations and businesses adversely impacted by the COVID-19 pandemic, so they can prepare facilities for reopening, bring the people of King County together in a safe environment, and re-employ our cultural workers. By investing recovery funds into the arts and cultural sector, independent live music venues, and independent movie theaters, King County intends to support putting people back to work, attract tourism, create local economic growth opportunities, and revitalize the region.

King County will award the \$19.5 million in grants as follows:

- \$16.5 million to arts, culture, and heritage organizations with a pre-COVID 19 full operating season annual budget of over \$1 million.
- \$1.5 million to science organizations.

- \$1.0 million to independently owned and operated live music venues.*
- \$0.5 million to independently owned and operated movie theaters.*

The grant categories are further defined as follows:

- Arts, culture, and heritage organizations in King County with last full season pre-COVID-19 annual operating budgets of over \$1 million. (Note: Organizations with pre-COVID-19 operating budgets under \$1 million may apply for the 4Culture arts, culture, and heritage grants in November 2021)
- Science organizations that promote science and nature conservation through education, exhibition, and other programs by public admission in King County.
- Independently owned and operated music venues that offered, on average, 3 live music shows per week in King County pre-pandemic.*
- Independently owned and operated movie theaters in King County.*

Grant funds may not be used for any expenditures already reimbursed by any other federal, state, or local funding source (e.g., federal grant, subsidized loan, insurance policies of any type of coverage, or any reimbursement or relief program related to or administered by the Small Business Administration “SBA”).

Applicants must provide documentation demonstrating projected revenue lost for the 2021-2022 season compared with the last full pre-COVID season (2018-2019). Awards will be made to help alleviate the projected gap. Those that did not experience revenue reduction in the 2021–2022 season but otherwise experienced COVID-19 related expenses may apply for and may receive an award, subject to funding availability (see 1.7 PROGRAM BUDGET below for more information).

*Multinational corporations and adult theaters are not eligible to apply.

1.4 PERFORMANCE INDICATORS

King County will be using the following indicators to measure progress on the program. Grantees will be requested to track and report on the indicators not highlighted in the table below.

Outputs	Outcomes
• Amount of projected and actual lost revenue offset by the grant	• Number of performances/events during the 2021-2022 season vs. 2018-2019 season
• Amount of investments to make facilities safer during the pandemic	• <i>Safer facilities during and after the pandemic</i>
• Number of employees/contractors hired (disaggregated by demographics)	• <i>Job creation and economic growth opportunities</i>
• Number of COVID-19 tests administered to employees during the season	• <i>Healthier employees</i>

1.5 PROGRAM PERIOD

Contracts will be signed in January 2022 and will reimburse for allowable expenditures incurred by eligible organizations during the June 1, 2021--October 15, 2022 period for the 2021-2022 season.

1.6 KEY MILESTONES AND DELIVERABLES

RFA issued	September 13, 2021
Informational sessions	September 20, 2021

Final day to ask questions	September 27, 2021
Applications due	October 18, 2021
Applications review and evaluation	October 19 – November 19, 2021
Notification to selected and non-selected proposals	week of November 29, 2021
Back up documentation submittal	December 6 – December 10, 2021
Back up documentation review and debarment check	December 13 – December 24, 2021
Draft and negotiate contracts	December 27 - January 17, 2022
Contract signing	January 24 – 31, 2022
Invoice #1 submissions (<i>monthly, if applicable</i>)	February 1, 2022
Program progress reports due	March 15 and July 15, 2022
Other monitoring	TBD
Documentation substantiating the actual 2021-2022 season revenue loss due	July invoice
Final invoice due	October 15, 2022
Closeout/final narrative report due	October 15, 2022

1.7 PROGRAM BUDGET

In total, \$19.5 million in awards will be made as part of this program to help alleviate the revenue loss for the 2021-2022 season compared with the last full pre-COVID season (2018-2019). The funds will be distributed in the following categories:

Arts, culture, and heritage organizations with pre-COVID operating budgets of over \$1 million	\$16.5 million
Science organizations	\$1.5 million
Independently owned and operated live music venues	\$1.0 million
Independently owned and operated movie theaters	\$0.5 million
TOTAL	\$19.5 million

- The funding amount of each award will be determined based on the total number of applications received, the total amount requested by applicants, and the evaluation score (see Section 3 of this RFA for more detail on the evaluation criteria and application scoring).
- The projected loss of revenue (to be determined by comparing the revenues *projected* for the 2021-2022 season and the actual revenues from the last pre-pandemic full season (2018-2019)) will be used and factored into determining the “not to exceed” total award amount.
- Up to 50% of this “not to exceed” award amount will be available for payment upon submittal of proof of actual revenue loss for the first half of the 2021–2022 season (i.e., for the months of July–December 2021).
- Up to the other 50% of the award will be available for reimbursement upon submittal of proof of actual revenue loss, such as the organization’s general ledger, for the second half of the 2021–2022 season (i.e., the months of January–June 2022). Awardees must demonstrate the actual revenue loss meets or exceeds the projections before reimbursement of the final 50% of award.

Allowable Expenditures:

- Reimbursement for interruption costs not previously satisfied by any other funding source.
- Payroll expenses and personnel costs necessary to ensure operational continuity.
- Recruitment costs for hiring and training cultural and creative workers.
- Costs of modifications for social distancing compliance.
- Facility upgrades to adhere to public health guidance (e.g., air filtration, plexiglass barriers).

- Costs of marketing to publicize reopening and associated public health measures.
- Costs of program marketing of programs – performances, films, exhibits, and installations, discounted services.
- Costs of materials to facilitate safe opening (e.g., personal protective equipment (PPE), test kits, sanitation supplies, markers, signage).

SECTION 2: APPLICATION INSTRUCTIONS

2.1 Application Submission

Applicants must use the application form available on the county’s website at www.kingcountycreative.com. Applications must be filled out fully and completely including all required document uploads.

Applications will only be accepted from Applicants able to complete the delivery of goods or services described in the specifications. Joint ventures shall submit one Application for the team, with accompanying proof of the joint venture agreement.

2.2 Late Applications

Applications and modifications of Applications received after the exact hour and date specified for receipt will not be considered.

2.3 Cancellation of RFA or Postponement of Application Opening

The County reserves the right to cancel this RFA at any time. The County may change the date and time for submitting Applications prior to the date and time established for submittal.

2.4 Addenda

If at any time, the County changes, revises, deletes, clarifies, increases, or otherwise modifies the RFA, the County will issue a written Addendum to the RFA.

2.5 Questions and Interpretation of the RFA

No oral interpretations of the RFA will be made to any Applicant. All questions and any explanations must be requested in writing and directed to the email identified on page 1 of this RFA no later than the deadline for questions specified in **Section 1.6 above**. Oral explanations or instructions are not binding. Any information modifying a solicitation will be furnished to all Applicants by addendum. Communications concerning this Application, with other than the listed email may cause the Applicant to be disqualified.

2.6 Examination of Application and Agreement Documents

The submission of an Application shall constitute an acknowledgement upon which the County may rely that the Applicant has thoroughly examined and is familiar with all requirements and documents pursuant with the RFA, including any addenda and has reviewed and inspected all applicable statutes, regulations, ordinances and resolutions addressing or relating to the goods or services to be provided hereunder.

The failure of an Applicant to comply with the above requirement shall in no way relieve the Applicant from any obligations with respect to its Application or to any Agreement awarded pursuant to this RFA. No claim for additional compensation shall be allowed which is based upon a lack of knowledge or misunderstanding of this RFA.

2.7 Cost of Applications

The County is not liable for any costs incurred by Applicant in the preparation and evaluation of Applications submitted. Samples of items required must be submitted to location and at time specified.

2.8 Modifications of Application or Withdrawal of Application Prior to Application Due Date

At any time before the time and date set for submittal of Applications, an Applicant may submit a modification of an Application previously submitted to the County. All Application modifications shall be made in writing, executed and submitted in the same form and manner as the original Application.

Applications may be withdrawn by written notice received prior to the exact hour and date specified for receipt of Applications. An Application also may be withdrawn in person by an Applicant or authorized representative provided their identity is made known and they sign a receipt for the Application, but only if the withdrawal is made prior to the exact hour and date set for receipt of Applications. All requests for modification or withdrawal of Applications, whether in person or written, shall not reveal the amount of the original Application.

2.9 Application Withdrawal after Public Opening

Except for claims of error granted by the County, no Applicant may withdraw an Application after the date and time established for submitting Applications, or before the award and execution of an Agreement pursuant to this RFA, unless the award is delayed for a period exceeding the period for Application effectiveness.

Requests to withdraw an Application due to error must be submitted in writing along with supporting evidence for such claim for review by the County. Evidence must be delivered to the County within two (2) Days after request to withdraw. The County reserves the right to require additional records or information to evaluate the request. Any review by the County of an Application and/or any review of such a claim of error, including supporting evidence, creates no duty or liability on the County to discover any other Application error or mistake, and the sole liability for any Application error or mistake rests with the Applicant.

2.10 Error and Administrative Corrections

The County shall not be responsible for any errors in Applications. Applicants shall only be allowed to alter Applications after the submittal deadline in response to requests for clarifications or Best and Final Offers by the County.

The County reserves the right to allow corrections or amendments to be made that are due to minor administrative errors or irregularities, such as errors in typing, transposition or similar administrative errors.

2.11 Application Content Requirements

At the time of application, the following items are required:

- Responses to application questions
- Upload of all documents referenced in, or substantiating responses to, the application questions

Following notification of selection for award, the following items will be required prior to execution of an agreement:

- Budget Proposal on provided ARPA CLFR PSB Application Budget Excel File (Instructions provided in Section 2.12)
- Budget Narrative on provided ARPA CLFR PSB Application Budget Narrative Word File (Instructions provided in Section 2.12)
- Taxes
- General Ledger

2.12 Budget Proposal/Request Instructions

The budget proposal shall include two documents:

- Budget Narrative (Word File) that follows the provided “ARPA CLFR PSB Application Budget Narrative” template.
- Budget (Excel file) that follows the provided “ARPA CLFR PSB Application Budget” template.

King County will evaluate the budget/grant amount requested by the applicant to determine:

- whether the costs included in the application are allowable in accordance with the cost principles found in 2 CFR 200 Subpart E;
- whether the applicant's plans will achieve the program objectives with reasonable economy and efficiency; and
- the applicant’s ability to perform the activities within the requested amount.

Proposed cost share, if provided, will be reviewed for compliance with the standards set forth in 2 CFR 200.306 and 2 CFR 700.10.

The *Budget Narrative* must contain sufficient detail to allow King County to understand the proposed costs. The Applicant must ensure the budgeted costs address King County reporting and other compliance requirements set forth in this grant solicitation. The Budget Narrative must be thorough, including assumptions and sources for costs to support King County’s determination that the proposed costs are fair and reasonable.

The *Budget* must be submitted with visible formulas and references and must be broken out by project period, including itemization of the requested ARPA CLFR PSB grant award and other funding sources for the program amounts. Files must not contain any hidden or otherwise inaccessible cells. The Budget must include the following, at a minimum:

- Summary Budget, inclusive of all program costs (federal and non-federal), broken out by pre-filled specified major budget category and by pre-filled specified grant periods for activities implemented by the Applicant and any potential sub-applicants for the entire period of the program.
- Detailed Budget, including a breakdown by provided grant period, sufficient to allow King County to determine that the costs represent a realistic and efficient use of funding to implement the applicant’s program and are allowable in accordance with the cost principles found in 2 CFR 200 Subpart E.

The Detailed Budget must adhere to the following budget categories and provide the listed information, at a minimum:

Salaries and Benefits - Must be proposed consistent with 2 CFR 200.430 Compensation - Personal Services and 2 CFR 200.431 Compensation - Fringe Benefits. The Applicant’s budget must include position title, salary rate, level of effort, and salary escalation factors for each position over the specified grant periods. Benefits, when proposed, must be broken down by specific type and by position. Applicants must explain all assumptions in the Budget Narrative. The Budget Narrative must demonstrate that the proposed compensation is reasonable for the services rendered and consistent with what is paid for similar work in other activities of the applicant. Applicants must provide their established written policies on personnel compensation. If the Applicant’s written policies do not address a specific element of compensation that is being proposed, the Budget Narrative must describe the rationale used and supporting market research.

Procurement or Rental of Goods (Equipment & Supplies), Services, and Real Property – Must include

information on estimated types of equipment, models, supplies and the cost per unit and quantity. The Budget Narrative must include the purpose of the equipment and supplies and the basis for the estimates. The Budget Narrative must support the necessity of any rental costs and reasonableness in light of such factors as: rental costs of comparable property, if any; market conditions in the area; alternatives available; and the type, life expectancy, condition, and value of the property leased.

Subawards (if applicable) – Specify the budget for the portion of the program to be passed through to any subrecipients. See 2 CFR 200.330 for assistance in determining whether the sub-tier entity is a subrecipient or contractor. The subrecipient budgets must align with the same requirements as the Applicant’s budget.

Other Direct Costs – This may include other costs not elsewhere specified, such as report preparation costs, passports and visas fees, medical exams and inoculations, as well as any other miscellaneous costs which directly benefit the program proposed by the applicant. The applicant should indicate the subject, venue and duration of any proposed conferences and seminars, and their relationship to the objectives of the program, along with estimates of costs. Otherwise, the narrative should be minimal.

Indirect Costs - Applicants must indicate whether they are proposing indirect costs or will charge all costs directly. In order to better understand indirect costs please see Subpart E of 2 CFR 200.414. The application must identify which approach they are requesting and provide the applicable supporting information. Below are the most commonly used Indirect Cost Rate methods:

Method	Eligibility	Initial Application Requirements
Direct Charge Only	Any applicant	- See above on direct costs
Negotiated Indirect Cost Rate Agreement (NICRA)	Any applicant with a NICRA issued by a USG agency	- If the applicant has a current NICRA, submit your approved NICRA and the associated disclosed practices. - Provide the contact information for the approving USG agency.
De minimis rate of 10% of modified total direct costs (MTDC)	Any applicant that has never received a NICRA	- Costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. - If chosen, this methodology must be used consistently for all Federal awards until such time as a non-Federal entity chooses to negotiate an indirect rate, which the non-Federal entity may apply to do at any time. - The applicant must describe which cost elements it charges indirectly vs. directly. - See 2 CFR 200.414(f) for further information.

2.13 Compliance with RFA Terms, Attachments and Addenda

The County intends to award an Agreement based on the terms, conditions, attachments and addenda contained in this RFA. Applicants shall submit Applications, which respond to the requirements of the RFA.

Applicants are strongly advised not to take exceptions to the terms and conditions, attachments and addenda; exceptions may result in rejection of the Application. An exception is not a response to an Application requirement. If an exception is taken, a “Notice of Exception” must be submitted with the Application. The “Notice of Exception” must identify the specific point or points of exception and provide an alternative.

The County reserves the right to reject any Application for any reason including, but not limited to, the following:

- An Application is incomplete, obscure, irregular or lacking necessary detail and specificity;
- An Application has qualifications, limitations, exceptions, or provisions attached to it;
- An Applicant (in the sole judgment of the County) lacks the qualifications or responsibility necessary to perform the Work;
- An Applicant is not registered or licensed as may be required by the laws of the state of Washington or local government agencies;
- An Applicant is not approved as being compliant with the requirements for equal employment opportunity;
- An Application for which an Applicant fails or neglects to complete and submit any qualifications information within the time specified by the County.

The County may, at its sole discretion, determine that an Application with a “Notice of Exception” merits evaluation. An Application with a “Notice of Exception” not immediately rejected may be evaluated, but its competitive scoring shall be reduced to reflect the importance of the exception. Evaluation and negotiation shall only continue with the Applicant if the County determines that the Application continues to be advantageous to the County.

In consideration for the County's review and evaluation of its Application, the Applicant waives and releases any claims against the County arising from any rejection of any or all Applications, including any claim for costs incurred by Applicants in the preparation and presentation of Applications submitted in response to this RFA.

Applications shall address all requirements identified in this RFA. In addition, the County may consider Application alternatives submitted by Applicants that provide cost savings or enhancements beyond the RFA requirements. Application alternatives may be considered if deemed to be in the County's best interests. Application alternatives shall be clearly identified.

2.14 Collusion

If the County determines that collusion has occurred among Applicants, none of the Applications from the participants in such collusion shall be considered. The County's determination shall be final.

2.15 Procedure When Only One Application Is Received

If the County receives a single responsive, responsible Application, the County may request an extension of the Application acceptance period and/or conduct a price or cost analysis on such Application. The Applicant shall promptly provide all cost or pricing data, documentation and explanation requested by the County to assist in such analysis. By conducting such analysis, the County shall not be obligated to accept the single Application; the County reserves the right to reject such Application or any portion thereof.

2.16 Appeal Procedures

PSB will notify all respondents in writing of the acceptance or rejection of the response or Application and, if appropriate, the level of funding to be allocated. Written notification will be via email to the email address submitted on the Application response form. Any applicant wishing to appeal the decision must do so in writing within four (4) working days of the email notification of PSB's decision. An appeal must clearly state a rationale based on one or more of the following criteria:

- Violation of policies or guidelines established in this RFA.
- Failure to adhere to published criteria and/or procedures in carrying out the RFA process.

Appeals must be sent by email to the email address indicated on the cover page. PSB will review the written appeal and may request additional oral or written information from the appellant organization. A

written decision will be sent within four (4) working days of the receipt of the appeal. This decision is final.

2.17 Inclusion of Federal Funds

- All recipients must be eligible to receive federal funds and must not appear on suspension and debarment/excluded parties lists.
- The Agreement awarded via this RFA will include Federal funding as noted in the Sample Grant Agreement/Contract Package (Appendix B).
- All recipients receiving, in aggregate, federal awards equal to or greater than \$30,000 (contractor or subrecipient) must obtain a Universal Identifier from the System for Award Management (SAM) by registering with SAM.gov.
- Registration with SAM.gov is not required for recipients of awards or subawards who are receiving assistance as a natural person, or those with a special exemption from a federal awarding agency.
- For contracts, grants, transfers made to other government entities, loans, direct payments, and payments to individuals that are *below \$50,000*, aggregate reporting is required.
- For each Contract, Grant, Loan, Transfer, or Direct Payment *greater than or equal to \$50,000*, King County is required to report following information to the U.S. Treasury:
 - Subrecipient identifying and demographic information (e.g., DUNS number and location),
 - Award number (e.g., Award number, Contract number, Loan number),
 - Award date, type, amount, and description,
 - Award payment method (reimbursable or lump sum payment(s)),
 - For loans, expiration date (date when loan expected to be paid in full),
 - Primary place of performance,
 - Related project name(s),
 - Related project identification number(s) (created by the recipient),
 - Period of performance start and end dates,
 - Quarterly obligation amount,
 - Quarterly expenditure amount,
 - Additional programmatic performance indicators (see Section 1 Grant Program Scope of Work).

SECTION 3: APPLICATION EVALUATION AND AGREEMENT AWARD

3.1 Application Evaluation

- The County will evaluate Applications using the criteria set forth in this RFA. If deemed necessary, written and/or oral discussions, site visits or any other type of clarification of Application information may be conducted with those Applicants whose Applications are found to be potentially acceptable. Identified deficiencies, technical requirements, terms and conditions of the RFA, costs or prices, and clarifications may be included among the items for discussion. The discussions are intended to give Applicants a reasonable opportunity to resolve deficiencies, uncertainties and clarifications as requested by the County and to make the cost, pricing or technical revisions required by the resulting changes. In addition, the County may request additional business and administrative information.
- The County may find that an Applicant appears fully qualified to perform the Agreement or it may require additional information or actions from an Applicant. In the event the County determines that the Application is not within the Competitive Range the County shall eliminate the Application from further consideration.
- The evaluation of Applicants' Applications and additional information may result in successive reductions of the number of Applications that remain in the Competitive Range. If applicable to the solicitation, the firms remaining in the Competitive Range may be invited to continue in the Application evaluation process, and negotiations.
- The County may enter negotiations with one or more Applicants to finalize Agreement terms and conditions. Negotiation of an Agreement shall be in conformance with applicable federal, state and local laws, regulations and procedures. The objective of the negotiations shall be to reach agreement on all provisions of the proposed Agreement. In the event negotiations are not successful, the County may reject Applications.
- Agreement award, if any, shall be made by the County to the responsible Applicant whose Application best meets the requirements of the RFA, and is most advantageous to the County, taking into consideration all established evaluation factors. The County shall have no obligations until an Agreement is signed between the Applicant and the County. The County reserves the right to award one or more agreements as it determines to be in its best interest.

3.2 Responsive and Responsible

Responsive: The County will consider all the material submitted by the Applicant, and other evidence it may obtain otherwise, to determine whether the Applicant is in compliance with the terms and conditions set forth in this RFA.

Responsible: In determining the responsibility of the Applicant, the County may consider:

- the ability, capacity and skill to perform the Agreement and provide the service required;
- the character, integrity, reputation, judgment and efficiency;
- financial resources to perform the Agreement properly and within the times proposed;
- the quality and timeliness of performance on previous agreements with the County and other agencies, including, but not limited to, the effort necessarily expended by the County and other agencies in securing satisfactory performance and resolving claims;
- compliance with federal, state and local laws and ordinances relating to public contracts;
- other information having a bearing on the decision to award the Agreement.

Failure of an Applicant to be deemed responsible or responsive may result in the rejection of an Application.

3.3 Financial Resources and Auditing

If requested by the County, prior to the award of an Agreement, the Applicant shall submit proof of adequate financial resources available to carry out the execution and completion of work required by this Agreement.

King County reserves the right to audit the Recipient throughout the term of this Agreement to assure the Recipient's financial fitness to perform and comply with all terms and conditions contained within this Agreement. King County will be the sole judge in determining the Recipient's financial fitness in carrying out the terms of this Agreement.

3.4 Evaluation Criteria and Application Scoring

Applications will be reviewed and evaluated by a committee of Application Evaluators. The process for choosing projects will include evaluation of the narrative and accompanying documents. Below are the criteria that will be used by the review committee during the evaluation/review process.

Evaluation Criteria	Weights	Maximum Points
1. Applicant clearly articulated how closely they align to the arts, science, culture, heritage, independent music venue, independent movie theater arenas and how their program provides cultural benefits to King County residents.	2.5	25
2. Applicant has clearly articulated economic benefit to King County (size of Applicant's employment and re-employment).	1.5	15
3. Applicant clearly demonstrates a revenue loss due to COVID-19 restrictions (documentation and clear estimate assumptions).	3.0	30
4. Applicant provided a clear program of events for the 2021-2022 seasons (the size and number of events, the capacity to execute the program).	1.0	10
5. Applicant shows that they are inclusive and serve diverse community needs (e.g., diverse representation in audience and performers).	1.0	10
6. Budget submittal follows RFA instructions.	1.0	10
TOTAL		100

- Organizations that do not project a revenue loss for the 2021-2022 season but otherwise have incurred or plan to incur COVID-19 related expenditures to prepare and carry out the season program may receive an award for the expenses related to COVID-19.
- Applications that score 70-100 points will be prioritized for funding.
- Applications that score 40-69 points may receive funding subject to funding availability.
- Applications that score 0-39 points will not be awarded funding unless in aggregate, applications received in response to the solicitation are under the total amount available for this grant opportunity.
- In the event multiple applications get the same score, their prioritization relative to each other will be determined by comparing their fiscal need and impact to the community.

Review team members will assign scores using the following scale:

Below Average (0-3): The application does not address or only minimally addresses the requirements. The application does not demonstrate an acceptable level of understanding of the requirements or ability to comply with the requirements.

Average (4-6):	The application shows an acceptable level of understanding and/or experience with the requirements. Sufficient detail is provided to be considered as meeting the requirements.
Above Average (7-10):	The application is thorough and complete and demonstrates firm understanding of the program concepts and requirements.

A score of zero (0) on any scored requirement may cause the entire application to be eliminated from further consideration.

3.5 Public Disclosure of Applications

This procurement is subject to the Washington Public Records Act, RCW (Revised Code of Washington) 42.56 et seq. Applications submitted under this RFA shall be considered public documents unless the documents are exempt under the public disclosure laws. After a decision to award the agreement has been made, the Applications shall be available for inspection and copying by the public.

If an Applicant considers any portion of its Application to be protected under the law, the Applicant shall clearly identify each such portion with words such as "CONFIDENTIAL," "PROPRIETARY" or "BUSINESS SECRET." If the County determines that the material is not exempt from public disclosure law, the County will notify the Applicant of the request and allow the Applicant ten (10) Days to take whatever action it deems necessary to protect its interests. If the Applicant does not take such action within said period, the County will release the portions of the Application deemed subject to disclosure. By submitting an Application, the Applicant assents to the procedure outlined in this subsection and shall have no claim against the County on account taken under such procedure.

APPENDIX A – APPLICATION QUESTIONS

\$20 Million Arts and Culture Application Questions

Organization or Business Name:

Organization or Business Contact Information Name and title of individual completing application:

Contact email:

Contact phone number:

Mailing Address:

Website:

Please complete a W-9 form found [here](#).

This grant is intended to cover the 2021-2022 Season as the largest category of this grant is “Arts and Culture”. That being said, King County recognizes that some seasons have different start and end dates, AND science, independent music venues, and independent movie theaters may not have “seasons”. The funding period will cover from July 2021 – July 2022. Please answer questions in the application below as it applies to your organization/business’ practices in terms of your “season” or comparable operating budget within the period of July 2021 – July 2022.

1. Is your organization/business located in King County?

Yes

No

2. In what city or unincorporated area? Please enter the complete address(es) of the locations where funding will be utilized.

3. Is your organization/business a nonprofit organization?

Yes

No

If so, what kind?

4. If you are an independent music or movie theater venue, are you independently owned and operated?

Yes

No

5. Is your organization/business owned by, or board comprised of: (check all that apply)? If yes, please describe below.

Women

BIPOC

LGBTQ+

Describe/clarify:

6. If you are an Arts and Culture organization is your pre-COVID-19 seasonal operating budget over \$1 million dollars? (Science organizations, independent music venues, independent movie theaters mark “does not apply”).

Yes

No

Does not apply

7. How much projected revenue will your venue lose in the 2021-2022 Season (or the period of July 2021 – July 2022), compared to your last full pre-COVID-19 season? If selected for award, you will be required to provide tax forms for your last pre-COVID-19 full season, current operating budget and expenses, and documentation supporting your estimated loss.
8. Of the revenue loss, less any COVID-related funding or loans, what is the total projected revenue loss assistance you are requesting?
9. Please provide detailed methodology of how you arrived at the estimated amount of projected revenue loss.
10. If you do not have revenue loss, are you applying for assistance to cover COVID-related business expenses?
Yes
No
11. If you do not have revenue loss but are applying for assistance to cover COVID-19 related expenses, what are your total COVID-related expenses for the first half of the 2021-2022 season, combined with your projected COVID-related expenses for the second half of the 2021-2022 season? (This amount is your requested grant amount. Only numerals are permitted in this field. Input 0 (zero) if this question does not apply).
12. Did you receive, or have you applied for, any assistance or loans (e.g., federal/state/local grant, SVOG shuttered venue grant, subsidized loan, insurance policies of any type of coverage, any reimbursement or relief program, or Paycheck Protection Program “PPP”)? Please explain and include:
 - Date of application or receipt of funds;
 - Awarding organization, and;
 - Award amount.
13. Summarize how the COVID 19 pandemic continues to affect your organization/business. Describe the business interruption experienced due to the COVID-19 related closures and how that leads to the projected revenue loss.
14. If events have been impacted in the 2021-2022 Season, (or period between July 2021 – June 30 2022), provide the titles and dates of cancelled or impacted events/activities (e.g., performances, classes, exhibitions, readings, showings, shows, regular attendance, screenings, fundraisers, meetings, etc.).
15. Do you have postponed events, shows, or openings for the 2021-2022 Season, (or July 2021 – June 30 2022)? Will they occur later this season or be deferred to next season?
16. How many events, performances, classes, exhibitions, readings, showings, shows, regular admissions , screenings, fundraisers, meetings do you have planned or projected for the 2021-2022 season, (or July 2021 – July 2022)?
17. Provide the numbers of seating/occupancy or attendance/tickets projected for the 2021-2022 season, compared to your normal capacity in the last pre-COVID-19 comparable operating timeframe.
18. What is your highest COVID-19 response recovery need?

19. Do you seek funding to cover facility upgrades (ex: improved ventilation system) related to COVID impacts? What are they?
20. How many paid staff members have been let go, furloughed, or have had a pay reduction due to social distancing and mandatory stay at home order, that will be returned to work/full pay in the July 2021- June 2022 time period?
21. Describe how your organization/business serves, offers programming for, or is located in historically marginalized communities that have been disproportionately impacted by inequities, discrimination, and COVID-19.
22. How are events, activities, or programs at your organization/business accessible to King County residents, particularly underserved communities? Examples include, but are not limited to, free or discounted tickets for students/seniors; scholarships to educational programs or free/discounted educational programs; outreach efforts to young audiences, seniors, communities of color, communities of disability, or those with limited language access; free or pay-what-you-can performances; etc.
23. Describe the public benefit your organization/business is unable to offer due to COVID. "Public benefit" in this context describes your venue's efforts to bring cultural and economic benefit to the area. Examples include but are not limited to supporting regional musicians; supporting a healthy regional music ecosystem; supporting regional branding; neighborhood vitality; drawing visitors to the area.
24. Describe how your organization/business is ensuring compliance with public health safety measures to participate in safe reopening?
25. Will you be administering COVID-19 testing protocols? Please explain.
26. Will you be using funds for marketing or media campaigns?
27. Are you reopened to the public, even on a modified basis? If not, when will you reopen?
28. How will these funds be used to meet the outcomes being sought by King County? Examples include planning for compliance with public health safety measures for reopening, hiring staff and contractors, resumption of programming, and improvements needed for safe reopening.

APPENDIX B – SAMPLE GRANT AGREEMENT/CONTRACT PACKAGE

The following draft documents are attached to this RFA for reference/information purposes. King County will use this set of documents to enter into a grant agreement/contract with each successful applicant upon completing evaluation of applications in response to this RFA. Award recipients will be subject to the terms and conditions of the Subrecipient Grant Agreement and its associated certifications and assurances.

1. Sample Grant Agreement/Contract and Award Terms
2. Sample Grant Pre-Award Forms and Certifications
 - Automated Clearing House (ACH) Authorization
 - Civil Rights Assurance
 - CLFR Data Collection
 - Cost Certification
 - King County W-9
 - Lobbying Certification
3. Sample Grant Reporting Forms
 - ARPA CLFR PSB Application Budget
 - ARPA CLFR PSB Application Budget Narrative
 - ARPA CLFR PSB Invoice (includes an invoice summary and an expense detail)
 - ARPA CLFR PSB Program Narrative Progress Report
 - ARPA CLFR PSB Program Narrative Final Report
 - ARPA CLFR PSB Grant Recipient Documentation Requirement Checklist