



State of California—Health and Human Services Agency
California Department of Public Health



GAVIN NEWSOM
Governor

ERICA PAN, MD, MPH, FAAP
Director and State Public Health Officer

June 11, 2026

RE: Request for Proposal (RFP) Number 26-10016, California Tobacco Prevention Clearinghouse

The California Department of Public Health (CDPH) is soliciting responses from qualified vendors to operate and maintain a statewide tobacco prevention educational materials clearinghouse. The contract term will be from October 1, 2026 to June 30, 2029, with an option to amend for an additional year.

Please read all instructions and forms thoroughly to ensure your proposal is in compliance with the requirements of the RFP. The California Department of Public Health's Centralized Contract Services Unit must receive digital submission of proposals no later than **3 PM on Thursday, July 23, 2026**, as specified in this RFP.

In the opinion of CDPH, this RFP is complete and without need of explanation. However, if questions arise or there is a need to obtain clarifying information, put all inquiries in writing and email them to CDPH according to the instructions in the RFP section entitled, "Proposer Questions".

Thank you for your interest in our department's service needs.

Sincerely,

Kamilah Morton

Contract Analyst, Contract Services Unit
1616 Capitol Avenue, MS 1802
Sacramento, CA 95814
Phone: 279-732-2499
Fax: 916-650-0110
Email: CCSU.Solicitations@cdph.ca.gov



Request for Proposal – Secondary 26-10016
California Tobacco Prevention Clearinghouse
California Department of Public Health
Centralized Contracts Services Unit

Kamilah Morton, Contract Analyst
MS Code 1802
1616 Capitol Avenue
Sacramento, CA 95814
279-732-2499
CCSU.Solicitations@cdph.ca.gov

*Section A – Purpose, Background and Description of Services by
the Staff of the California Tobacco Prevention Program (CTPP).*

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Sample Contract Forms / Exhibits

Exhibit #	Exhibit Name
	Standard Agreement
Exhibit A	Scope of Work
Exhibit A-1	Services To Be Performed
Exhibit B	Budget Detail and Payment Provisions
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Exhibit C	General Terms and Conditions (GTC 02/2025). View or download at this Internet site: https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language?search=GTC
View on-line.	
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A. Purpose and Background

1. Purpose

The California Department of Public Health/California Tobacco Prevention Program (CDPH/CTPP) is seeking one (1) qualified public or private nonprofit agency to operate and maintain a statewide tobacco prevention educational materials clearinghouse. The selected agency will be responsible for creating, managing, and coordinating access to high-quality educational materials that are culturally relevant and appropriate for diverse populations. Key services will include: 1) development and preparation of multilingual prevention materials; 2) technical assistance in the creation and adaptation of educational resources; and 3) management of materials distribution and fulfillment services with local and state tobacco prevention entities.

See Appendix 1: List of CDPH LLAs, CGs, and CTPP Statewide Training Providers for a listing of currently funded projects. These projects work in diverse communities throughout California. They have a need for high quality, linguistically appropriate, and culturally tailored evidence-based materials for educational outreach efforts aimed at preventing and reducing tobacco use. Educational materials must be relevant to California's priority population communities and tailored to support CDPH/CTPP educational campaigns.

The goal of this Solicitation is to ensure that community programs have consistent access to accurate and appropriate resources that strengthen tobacco use prevention education and outreach throughout California. CDPH/CTPP will fund one agency that demonstrates exceptional capability in project management, materials development, cultural responsiveness, and the delivery of technical assistance and training.

Proposers must demonstrate an understanding of the role community norms have in influencing behavioral change regarding tobacco use by utilizing evidence-based strategies and innovative approaches to diminish tobacco use among target populations. Educational materials, and resources produced under the contract issued pursuant to this Solicitation must be aligned with the Tobacco Education Research Oversight Committee (TEROC) 2025-2026 Master Plan.

2. Background

In November 1988, California voters approved passage of the Tobacco Tax and Health Protection Act of 1988, also known as Proposition 99 (Prop 99). This initiative increased the state cigarette tax by 25 cents per pack and added an equivalent amount on other tobacco products. The revenue from Prop 99 was designated for tobacco-related research, health education and promotion, health care services, and environmental programs. Enabling legislation adopted in 1989, established a comprehensive tobacco control program which is administered by the California Department of Public Health (CDPH).

In November 2016, California voters overwhelmingly approved the California Healthcare, Research, and Prevention Tobacco Act of 2016, Proposition 56 (Prop 56), by a 64 percent to 36 percent vote. Prop 56 added an additional \$2.00 tax to each pack of cigarettes and an

equivalent tax on other tobacco products, including electronic smoking devices (ESDs) and designated that a portion of the tobacco tax revenue be directed toward preventing and reducing tobacco use. Of the funds directed to CDPH for its comprehensive tobacco control program, Prop 56 requires that a minimum of 15 percent of funds be used to accelerate and monitor the rate of decline in tobacco-related disparities with a goal of eliminating tobacco-related disparities.

Tobacco-related health disparities are differences in patterns, prevention, and treatment of tobacco use; differences in the risk, incidence, morbidity, mortality, and burden of tobacco-related illness that exist among specific population groups; and related differences in capacity and infrastructure, access to resources and environmental tobacco smoke exposure.ⁱ

Many of the health disparities that put individuals and communities at a higher risk of tobacco use are influenced by social factors such as income level, gender, and ethnicity.ⁱⁱ The disparities found in tobacco use are the result of inequities exacerbated by the tobacco industry's marketing that targets individuals that reside in diverse, and/or low socioeconomic communities.ⁱⁱⁱ

The California Department of Public Health, California Tobacco Prevention Program (CDPH/CTPP), formerly known as California Tobacco Control Program (CTCP), continues to make progress towards ending the tobacco epidemic in California. Although evidence indicates that there has been a decrease in overall smoking rates in California, certain communities are still burdened by disease and death linked directly to higher tobacco use rates.^{iv}

3. Ending the Tobacco Epidemic

For more than 30 years, CDPH/CTPP has administered a comprehensive policy, system, and environmental change program. The Program changes social norms relating to tobacco use to make tobacco undesirable, unacceptable, and inaccessible.

Building on decades of success, CDPH/CTPP has shifted its focus from "controlling" the industry-created tobacco epidemic, to ending it. CDPH/CTPP seeks to transform California by eradicating the tobacco industry's manipulative, predatory, and deadly influence to equitably increase the health, environmental, and economic well-being of California's diverse populations.

Worldwide, the movement to end the tobacco epidemic is gaining momentum with several countries announcing intentions to work toward a tobacco endgame. California continues to lead the nation in adopting strong state and local policies that serve as incubators of innovation to protect Californians' health and prevent and reduce tobacco use. Despite these successes, smoking remains the leading cause of preventable death in California, accounting for approximately 40,000 deaths annually. Many groups—including racial and ethnic groups, people experiencing low socioeconomic status, residents of rural areas, members of the LGBTQ+ community, personnel and veterans from the military, workers not covered by smokefree workplace laws, people with behavioral health conditions, people with disabilities, and youth of school-age—continue to experience higher rates of tobacco use, secondhand smoke exposure, tobacco industry targeting, and/or tobacco-related disease.

CDPH/CTPP recognizes that the time for incremental changes is over, and we are committed to transformational change to tackle the societal, economic, and environmental burden resulting from the tobacco industry's purposeful production of a highly addictive consumer product and the deceitful practices it uses to aggressively push its products on youth and other vulnerable communities.

4. Recognizing Traditional Tobacco Use

The term “tobacco” is used throughout this document to refer to products manufactured, marketed, distributed, and sold by the tobacco industry and its subsidiaries. This usage is not intended to refer to or infringe upon the traditional or sacred use of tobacco by indigenous communities, such as tribes, tribal organizations, and other public health partners. In order to respect tribal sovereignty, this distinction acknowledges that each tribe defines its own culture, language, and terminology, and encourages the use of locally preferred language when engaging with tribal partners.

5. Authorizing Legislation

The enabling legislation for California's comprehensive tobacco prevention program is provided by the following: Assembly Bill (AB) 75 (Chapter 1331, Statutes of 1989), AB 99 (Chapter 278, Statutes of 1991), AB 816 (Chapter 195, Statutes of 1994), AB 3487 (Chapter 199, Statutes of 1996), Senate Bill (SB) 99 (Chapter 1170, Statutes of 1991), SB 960 (Chapter 1328, Statutes of 1989), SB 493 (Chapter 194, Statutes of 1995); the annual State Budget; Health and Safety (H&S) Code Sections 104350-104480, 104500-104545; and Revenue and Taxation Code Sections 30121-30130.

The enabling legislation for this initiative is Health and Safety Code (HSC) Section 104390 which authorizes CDPH/CTPP to fund contracts that provide program support services to local tobacco use prevention programs and include:

1. Data collection
2. Educational materials
3. Evaluation
4. Technical assistance
5. Training
6. Transfer of information among programs

ⁱ Fagan P, King G, Lawrence D, Petrucci SA, Robinson RG, Banks D, Marable S, Grana R. Eliminating tobacco-related health disparities: directions for future research. American Journal of Public Health. 2004;94(2):211-7. doi: 10.2105/ajph.94.2.211.

ⁱⁱ Garrett BE, Dube SR, Babb S, McAfee T. Addressing the Social Determinants of Health to Reduce Tobacco-Related Disparities. Nicotine and Tobacco Research. 2016; 17(8): 892–897. doi: 10.1093/ntr/ntu266

ⁱⁱⁱ Truth Initiative. Tobacco is a social justice issue: Racial and ethnic minorities. Assessed July 27, 2022. <https://truthinitiative.org/research-resources/targeted-communities/tobacco-social-justice-issue-racial-and->

[ethnic-minorities#:~:text=Tobacco%20use%20disproportionately%20affects%20many,targeted%20by%20the%20tobacco%20industry.](#)

iv U.S. Department of Health and Human Services. The Health Consequences of Smoking—50 Years of Progress: A Report of the Surgeon General. Atlanta: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2014.

B. Time Schedule

Below is the tentative time schedule for this procurement.

Event	Date	Time (If applicable)
RFP Released	Thursday, June 11, 2026,	by 3 PM (PT)
Deadline to Submit RFP Questions	Thursday, June 18, 2026,	by 3 PM (PT)
Responses to RFP Questions Posted	Thursday June 25, 2026,	by 5 PM (PT)
Mandatory Non-Binding Letter of Intent	Wednesday, July 8, 2026,	by 3 PM (PT)
Invitations sent to the State's File-Sharing Site	Thursday, July 9, 2026,	by 5 PM (PT)
Proposals Due Date	Thursday, July 23, 2026,	by 3 PM (PT)
Notice of Intent to Award Posted (Estimated)	Tuesday, August 18, 2026,	by 5 PM (PT)
Protest Final Filing Date (Estimated)	Tuesday, August 25, 2026,	by 5 PM (PT)
Final Announcement of Awards (Estimated)	Friday, August 28, 2026	
Estimated Contract Start Date	Thursday, October 1, 2026,	or upon final approval, whichever is later.

C. Contract Term

1. The term of the resulting agreement is expected to be from October 1, 2026, or upon final approval, whichever is later, to June 30, 2029. The agreement term may change if CDPH makes an award earlier than expected or if CDPH cannot execute the agreement in a timely manner due to unforeseen delays. CDPH reserves the right to extend the term via an amendment as necessary to complete or continue the services for up to one (1) additional year. Contract extensions are subject to satisfactory performance and funding availability.

2. The resulting contract will be of no force or effect until it is signed by both parties and approved by the Department of General Services, if required. The Contractor is hereby advised not to commence performance until all approvals have been obtained. If performance commences before all approvals are obtained, said services may be considered to have been volunteered.

D. Funding

1. Funding Amount

Up to **\$4,312,883.00 (***Four Million, Three Hundred Twelve Thousand, Eight Hundred Eighty - Three Dollars and Zero Cents***)** is available to fund the activities required in this Solicitation and detailed in the RFP Scope of Work. Proposals must be for the entire thirty-three (33) months and demonstrate an appropriate distribution of funds across the term of the contract. CDPH/CTPP is funded by a tobacco excise tax, which is a declining revenue source. Please be aware that there is no guarantee that the anticipated funds will be available through the term of the contract.

Table 1. Recommended Fiscal Year Award displays the recommended budget per fiscal year. While Proposers are encouraged to follow the recommended annual amounts, they may adjust funding across fiscal years as needed, provided that the total proposed budget is not exceeded. Unexpended funds do not carry over from one fiscal year to the next fiscal year. The state fiscal year begins July 1 and ends June 30 of the following year. Funding is contingent upon available revenues, appropriation by the Legislature and the Governor, multi-year spending authority, and CDPH/CTPP funding priorities and/or legal or administrative limitations. No legal liability on the part of the State for any payment may arise under the resulting contract until funds are made available through an annual appropriation in the Budget Act. Continued funding for the Agreement will be dependent upon successful Proposer performance. For more information, please see Section A – Purpose and Background.

Proposals must be for the entire thirty-three (33) month period and shall not exceed \$4,312,883.00

Table 1. Recommended Fiscal Year Award

Fiscal Year (FY)	Total Months	Recommended Budget Per FY
FY 26/27	9	\$1,392,750
FY 27/28	12	\$1,460,066
FY 28/29	12	\$1,460,067
Total Maximum Amount for 33 Months	33	\$4,312,883

2. Funding Source(s)

The source of funding is California Healthcare, Research & Prevention Tobacco Tax Act of 2016 (Proposition 56 [Prop 56]) and/or California Tobacco Tax and Health Protection Act of 1988 (Proposition 99 [Prop 99]). The funding appropriation will be Local Assistance.

3. Funding Restrictions

This Solicitation will not fund the following:

- Activities that supplant or duplicate existing programs or services funded by CDPH/CTPP or another source.
- Purchase or improvement of land, or building alterations, renovations, or construction.
- Fundraising activities.
- Lobbying or election-related activities.
- Reimbursement of costs incurred prior to the effective date of the Agreement.
- Reimbursement of costs currently covered by another CDPH/CTPP Grant Agreement or Contract.
- Reimbursement of professional licensure.
- Reimbursement of malpractice insurance.
- Reimbursement of costs that are not consistent or allowable according to local and state guidelines or regulations.
- Public Relations Services, including but not limited to, sponsorships, marketing, advertising, communications, promotional media, public outreach campaigns, media relations, non-technology web development, and graphic design, valued at \$100,000 or more for the entire contract term.

E. Reasonable Accommodations

For individuals with disabilities, the Department will provide assistive services such as reading or writing assistance, and conversion of the Request for Proposal, questions/answers, RFP Addenda, or other Administrative Notices into Braille, large print, audiocassette, or computer disk. To request copies of written materials in an alternate format, please call the number below to arrange for reasonable accommodations.

Timothy Henderson
Centralized Contracts Services Unit
Program telephone number 916-601-7241
(TTY) California Relay telephone number 711 - 1-800-735-2929

NOTE: The range of assistive services available may be limited if requestors cannot allow ten or more State working days prior to the date the alternate format material is needed.

F. Proposer Questions

Immediately notify CDPH if clarification is needed regarding the services sought or questions arise about the RFP and/or its accompanying materials, instructions, or requirements. Put the inquiry in writing and transmit it to CDPH as instructed below. At its discretion, CDPH reserves the right to contact an inquirer to seek clarification of any inquiry received.

Proposers that fail to report a known or suspected problem with the RFP and/or its accompanying materials or fail to seek clarification and/or correction of the RFP and/or its accompanying materials shall submit a proposal at their own risk. In addition, if awarded the contract, the successful Proposer shall not be entitled to additional compensation for any additional work caused by such problem, including any ambiguity, conflict, discrepancy, omission, or error.

Following the question submission deadline, CDPH will summarize all general questions and issues raised and post the responses to <https://caleprocure.ca.gov/event/4265/26-10016>.

If an inquiry appears to be unique to a single firm or is marked "Confidential", CDPH will mail, email, or fax a response only to the inquirer if CDPH concurs with the Proposer's claim that the inquiry is sensitive or proprietary in nature. If CDPH does not concur, the inquiry will be answered in the manner described herein and the Proposer will be so notified. Inquiries and/or responses that CDPH agrees should be held in confidence shall be held in confidence only until the Notice of Intent to Award is posted.

To the extent practical, inquiries shall remain as submitted. However, CDPH may consolidate and/or paraphrase similar or related inquiries.

1. What to include in an inquiry

- a. Inquirer's name, name of firm submitting the inquiry, mailing address, email address, and telephone number
- b. A description of the subject or issue in question or discrepancy found.
- c. RFP section, page number or other information useful in identifying the specific problem or issue in question.
- d. Remedy sought, if any.

A prospective proposer that desires clarification about specific RFP requirements and/or whose inquiry relates to sensitive issues or proprietary aspects of a proposal may submit individual inquiries that are marked "Confidential". The Inquirer must include with its inquiry an explanation as to why it believes questions marked "Confidential" are sensitive or surround a proprietary issue.

2. Question deadline

Regardless of delivery method, written inquiries must be received no later than the date and time stated in the section entitled, "**Section B. Time Schedule.**"

Notwithstanding the question submission deadline, CDPH will accept questions or inquiries about the following issues if such inquiries are received prior to the proposal submission deadline.

- a. DVBE participation requirements and how to complete the DVBE attachments, should be directed to: sbdvbe@cdph.ca.gov

- b. The reporting of RFP errors or irregularities.

3. How to submit questions

Submit inquiries using one the following method.

Email:
Subject: Questions RFP 26-10016 California Department of Public Health Kamilah Morton Centralized Contracts Services Unit Email: CCSU.Solicitations@cdph.ca.gov

4. Verbal Questions

Verbal inquiries are discouraged. CDPH reserves the right not to accept or respond to verbal inquiries. **Verbal remarks provided in response to inquiries are unofficial and are not binding on CDPH unless later confirmed in writing.**

G. Mandatory Non-Binding Letter of Intent

1. General information

Prospective proposers that intend to submit a proposal are **required** to indicate their intention to submit a proposal. Failure to submit the mandatory Letter of Intent will result in proposal rejection. The mandatory Letter of Intent is not binding, and prospective proposers are not required to submit a proposal merely because a Letter of Intent is submitted. **Use the Letter of Intent (Attachment 1) for this purpose.**

2. Submitting the Letter of Intent

The mandatory Letter of Intent must be received by the date and time stated in the section entitled, "Time Schedule."

Submit the Letter of Intent using the following method.

Email:
Subject: Letter of Intent RFP 26-10016 California Department of Public Health Kamilah Morton Centralized Contracts Services Unit Email: CCSU.Solicitations@cdph.ca.gov

H. Scope of Work

See Exhibit A entitled, "Scope of Work" that is included in the Sample Contract Forms and Exhibits section of this RFP. Exhibit A contains a detailed description of the services and work to be performed as a result of this procurement. This can be found alongside this solicitation within the file named "Sample Agreement and Exhibits" at <https://caleprocure.ca.gov/event/4265/26-10016>.

I. Use of GenAI

The State of California seeks to realize the potential benefits of GenAI, through the development and deployment of GenAI tools, while balancing the risks of these new technologies.

Bidder / Offeror must notify the State in writing if it: (1) intends to provide GenAI as a deliverable to the State; or (2), intends to utilize GenAI, including GenAI from third parties, to complete all or a portion of any deliverable that materially impacts: (i) functionality of a State system, (ii) risk to the State, or (iii) Contract performance. For avoidance of doubt, the term "materially impacts" shall have the meaning set forth in State Administrative Manual (SAM) § 4986.2 Definitions for GenAI.

Failure to report GenAI to the State may result in disqualification. The State reserves the right to seek any and all relief to which it may be entitled to as a result of such non-disclosure.

Upon notification by a Bidder / Offeror of GenAI as required, the State reserves the right to incorporate GenAI Special Provisions into the final contract or reject bids/offers that present an unacceptable level of risk to the State.

Government Code 11549.64 defines "Generative Artificial Intelligence (GenAI)" as an artificial intelligence system that can generate derived synthetic content, including text, images, video, and audio that emulates the structure and characteristics of the system's training data.

J. Qualification Requirements

Failure to meet the following requirements by the proposal submission deadline will be grounds for CDPH to deem a proposer nonresponsive. Evaluators may choose not to thoroughly review or score proposals that fail to meet these requirements. In submitting a proposal, each proposer must certify and prove that it possesses the following qualification requirements.

1. At least three (3) consecutive years of experience of the type(s) listed below. All experience must have occurred within the past five (5) years. It is possible to attain the experience types listed below during the same time period. Proposers must have experience:
 - a. developing and distributing linguistically and culturally tailored educational materials in diverse formats, including print and digital.
 - b. developing and disseminating educational materials that engages and energizes state and local partners to support tobacco prevention efforts.
 - c. creating educational materials, and trainings for diverse populations, including American Indian tribes/communities, African American/Black, Asian American/Native Hawaiian/Pacific Islander, Hispanic/Latino, LGBTQ+, rural, and low-income communities.
 - d. working with print and production vendors, including a description of how competitive pricing will be obtained.
 - e. providing technical assistance and training related to the development of educational materials that are culturally and linguistically appropriate.

- f. supporting statewide dissemination of educational materials tailored to diverse communities.
 - g. managing print production and fulfillment of educational and outreach materials.
2. Proposers must certify they have read and are willing to comply with all proposed terms and conditions addressed in the RFP section entitled, "Contract Terms and Conditions", including the terms appearing in the referenced contract exhibits.
 3. Corporations must certify they are in good standing and qualified to conduct business in California.
 4. Nonprofit organizations must certify their eligibility to claim nonprofit status.
 5. Proposers must have a past record of sound business integrity and a history of being responsive to past contractual obligations.
 6. Proposers must certify they are financially stable and solvent and have adequate cash reserves to meet all financial obligations while awaiting reimbursement from the State.
 7. Proposers must certify their proposal response is not in violation of the requirements of the Darfur Contracting Act of 2008, Public Contract Code Sections 10475, et seq.; Stats. 2008, Ch 272.
 8. Proposers must certify their proposal response is not in violation of Public Contract Code (PCC) Section 10365.5 and, if applicable, must identify previous consultant services contracts that are related in any manner to the services, goods, or supplies being acquired in this solicitation. Detailed requirements are outlined in **Attachment 17**.
 9. The winning Proposer must supply, before contract execution, proof of liability insurance that meets the requirements of Section 1 of Exhibit E entitled Additional Provisions. This can be found alongside this solicitation within the file named "Sample Agreement and Exhibits" at <https://caleprocure.ca.gov/event/4265/26-10016>.
 10. Proposers must agree to contain their indirect costs at a percentage rate not to exceed 15% of total direct expenses or 25% of total personnel.
 11. Proposers must certify and submit proof that no prohibited conflict of interest exists in **Attachment 19**.
 12. Proposers must certify and submit proof that it and any of its proposed subcontractors, employees, officers, and directors will not accept funding from nor have an affiliation, contractual relationship, or engage in a corporate responsibility with the tobacco industry, tobacco industry subsidiaries, electronic cigarette/vaping companies and cannabis companies, or related industries. Please see **Attachment 20**.

With regard to universities or colleges, the Principal Investigator (PI) of the university or college must certify that they or any of the investigators associated with the contract (either paid,

voluntary, or in-kind) have not received funding from nor had an affiliation or contractual relationship with a commercial tobacco company, electronic cigarette or cannabis company, any of its subsidiaries, or any company involved in the production, distribution or marketing of tobacco and electronic cigarette products, cannabis products, and related industries within the last five (5) years prior to the start date of the contract period. In addition, the PI of the university or college must certify that they or any of the investigators associated with this contract will not accept funding from, nor have an affiliation or contractual relationship with a tobacco company, any of its subsidiaries, or parent company during the term of the Agreement with CDPH/CTPP. The PI's certification to this effect is required at the time the proposal is submitted.

K. Proposal Format and Content Requirements

1. General instructions

- a. Each firm or individual may submit only one proposal.

For the purposes of this paragraph, "firm" includes a parent corporation of a firm and any other subsidiary of that parent corporation. If a firm or individual submits more than one proposal, CDPH will reject all proposals submitted by that firm or individual.

A firm or individual proposing to act as a prime contractor may be named as a subcontractor in another Proposer's proposal. Similarly, more than one proposer may use the same subcontractors and/or independent consultants.

- b. Develop proposals by following all RFP instructions and/or clarifications issued by CDPH in the form of question-and-answer notices, clarification notices, Administrative Bulletins or RFP addenda.
- c. Before submitting a proposal, seek timely written clarification of any requirements or instructions that are believed to be vague, unclear or that are not fully understood.
- d. In preparing a proposal response, all narrative portions should be straightforward, detailed and precise. CDPH will determine the responsiveness of a proposal by its quality, not its volume, packaging or colored displays.
- e. Arrange for the timely electronic submission of the proposal via the State's File-Sharing Site. Do not delay until shortly before the deadline to submit the proposal.

2. Format requirements

- a. Submit one (1) original proposal electronically via the State's File-Sharing Site
 - 1) Each proposal must be complete including all required attachments and documentation.
- b. Format the narrative portion of the proposal as follows:

- 1) Use one-inch margins at the top, bottom, and both sides.
- 2) Use a font size of not less than 12 points.
- c. All RFP attachments that require a signature must be signed in ink, preferably in blue ink, or via e-signature.
 - 1) Have a person who is authorized to bind the proposing firm sign each RFP attachment that requires a signature. Signature stamps are not acceptable.
- d. Do not mark any portion of the proposal response, any RFP attachment, or other item of required documentation as "Confidential" or "Proprietary". CDPH will disregard any language purporting to render all or portions of a proposal confidential.

3. Content requirements

This section specifies the order and content of each proposal. Assemble the materials in each proposal set in the following order:

a. Proposal Cover Page

A person authorized to bind the Proposer must sign the Proposal Cover Page (**Attachment 2**). If the proposer is a corporation, a person authorized by the Board of Directors to sign on behalf of the Board must sign the Proposal Cover Page.

b. Table of Contents

Properly identify each section and the contents therein. Paginate all items in each section with the exception of those items placed in the Forms Section and Appendix Section.

c. Executive Summary Section

This section must not exceed five (5) pages in length. Evaluators may not review or evaluate excess pages.

In preparing the Executive Summary, do not simply restate or paraphrase information in this RFP. Describe or demonstrate, in the Proposer's own words, the following information.

- 1) An understanding of CDPH's needs and the importance of this project.
- 2) The tangible results that are expected to be achieved.
- 3) A sincere commitment to perform the Scope of Work in an efficient and timely manner.
- 4) How this project will be effectively integrated into the proposing firm's current obligations and existing workload.
- 5) Why the proposing firm should be chosen to undertake this work at this time.

- 6) How the Proposer's mission, programs, services, targeted audiences, and partners align with the goals of this Solicitation. Include details on how the Proposer's core values and commitment to health equity and social justice support both the goals identified in this Solicitation and the broader mission of CDPH/CTPP.

d. Agency Capability Section

This section must not exceed ten (10) pages in length, outside of the forms, examples, and samples detailed in this section. Evaluators may not review or evaluate excess pages.

- 1) Include a brief history of the proposing firm, including:
 - a) Date of establishment. If applicable, explain any changes in business history (i.e., name change, ownership, partnership arrangements, etc.) or organizational structure that will assist CDPH in determining the qualifications of the proposing firm.
 - b) A description of the proposing firm's goals that are relevant, closely related, or will complement this project.
 - c) Briefly describe any experience that demonstrates the proposing firm's ability to establish and maintain effective working relationships with government entities, local community-based organizations, and private nonprofit organizations.
- 2) Describe experience that qualifies the proposing firm to undertake this project. At a minimum, demonstrate the proposing firm possesses three consecutive years of experience of the types listed in this section. All experience must have occurred within the past five years. It is possible to attain the experience types listed below during the same time period. Proposers must have experience:
 - a) developing and distributing linguistically and culturally tailored educational materials in diverse formats, including print and digital.
 - b) developing and disseminating educational materials that engages and energizes state and local partners to support tobacco prevention efforts.
 - c) creating educational materials, and trainings for diverse populations, including American Indian tribes/communities, African American/Black, Asian American/Native Hawaiian/Pacific Islander, Hispanic/Latino, LGBTQ+, rural, and low-income communities.
 - d) working with print and production vendors, including a description of how competitive pricing will be obtained.
 - e) providing technical assistance and training related to the development of educational materials that are culturally and linguistically appropriate.
 - f) supporting statewide dissemination of educational materials tailored to diverse communities.

- g) managing print production and fulfillment of educational and outreach materials.
- 3) Using **Attachment 3** found at <https://caleprocure.ca.gov/event/4265/26-10016>, describe the accounts or work projects begun and/or completed in the past three years that involved services similar in nature or closely related to the Scope of Work in this RFP. For each account or project listed, include the following information:
- a) Name of agency or firm for whom services were performed,
 - b) Duration or length of the project,
 - c) Total cost or value of the project,
 - d) Indicate if the account or project is "active/open" or "closed/settled",
 - e) Describe briefly the type and nature of the services performed.
- 4) Provide three (3) examples of the Proposer's experience delivering technical assistance and training to community-based organizations, stakeholders, and partners. Each example should describe the type and method of support provided such as webinars, or group facilitation. and include the frequency and duration of the assistance. The narrative should explain how the effectiveness of the support was measured, including any tools, metrics, or evaluation methods used. The Proposer should describe how relationships with partners were established, nurtured, and sustained over time, and highlight any challenges encountered and how they were addressed. Each example must demonstrate alignment with the training and technical assistance expectations outlined in Exhibit A - Scope of Work, including the capacity to deliver at least 200 instances of technical assistance annually and conduct 12 to 25 virtual or in-person trainings per year.
- 5) Provide two (2) samples of health communications work produced within the last five (5) years (e.g., community presentation, educational material, etc.) related to health education and prevention; public health policy, system, and environmental change.
- 6) Provide two (2) samples of health communications work produced within the last five (5) years (e.g., fact sheet, infographic, resource guide, educational presentation, community forum packet, etc.) demonstrating the Proposer's experience to work in a culturally competent manner with American Indian tribes/communities, cities and counties, African American/Black, Asian American/Native Hawaiian/Pacific Islander, Hispanic/Latino, LGBTQ+, Rural, and low-income populations.
- 7) Submit three (3) letters of recommendation. Letters must be written to the Proposer. Do not include letters of recommendation from any person or organization within the Proposer's proposal, including the Proposer's proposed co- proposer/consortium partners, subcontractors, or consultants.

Each letter must include the Solicitation name and number and be on the recommendation provider's letterhead (including address, telephone, e-mail, name, and title of the letter's author).

Each letter should demonstrate the Proposer's ability to establish and maintain positive collaborative relationships with organizations and include a description of the capacity in which the recommendation provider worked with the Proposer.

In addition, any one of the three letters should:

- Include a description outlining similar work experience with the prescribed SOW. For reference see Exhibit A – Scope of Work.
- Include a description of the Proposer's ability to fulfill the fiduciary and grants management functions.

e. Project Personnel Section

This section must not exceed ten (10) pages in length, outside of the forms, documents, and resumes detailed in this section. Evaluators may not review or evaluate excess pages.

- 1) In this section, describe the proposed staffing plan using **Attachment 5** found at <https://caleprocure.ca.gov/event/4265/26-10016>. In creating the staffing plan, include at a minimum the staffing requirements found in Exhibit A: Scope of Work, Item 6: Staffing Requirements and the following details:
 - a) Position titles for all proposed employees (persons on the proposing firm's payroll).
 - b) Number of personnel in each position.
 - c) By position, indicate the full time equivalent (FTE) or percentage of staff time devoted to this project (e.g., full time = 1.0, 1/2 time = .50, 3/4 time = .75, 1/4 time = .25, projected number of hours, if hourly, etc.).
 - d) Monthly salary rate or wage range for each position title. It is the Proposer's responsibility to project annual merit increases and/or cost of living increases into each wage rate.

Note: Salary rates paid to contract staff should not normally exceed the rates paid to State personnel holding comparable classifications or performing duties with a comparable level of responsibility. See Appendix 2: Comparable State Civil Service Classifications. CDPH reserves the right to require substantiation of any proposed cost of living percentage/rate increase that exceeds those anticipated to be granted to California state civil service employees during the resulting contract term. CDPH further reserves the right to negotiate a lower cost of living percentage increase/amount if CDPH determines the proposed cost of living percentage/rate increase is less than fully justified or is excessive.

- e) Identify by name and/or position title, each key staff person that will have primary responsibility for managing, directing, overseeing and/or coordinating the work of assigned staff, subcontractors and/or independent consultants and who will maintain effective communications with CDPH (i.e., Project or Program Manager, Project or Program Director, Contract Manager, etc.).
 - i. Briefly, describe each person's expertise, capabilities, and credentials.
 - ii. Emphasize any relevant past experience in directing, overseeing, coordinating, or managing other government projects.
- f) Include a job description or duty statement for each position title or classification that will perform work under this project. The job descriptions must indicate the typical tasks and responsibilities that will be assigned to the position and may include desired or required education and experience. **If extra space is needed, please place all job descriptions or duty statements at the end of the Project Personnel Section.**

2) *Program Staff and Subcontractor(s) Qualifications/Hiring Plan*

Describe the qualifications of the proposed project staff and key subcontractors (if applicable) including:

- The formal educational background, training, and professional experience of staff and subcontractors;
- The Project Director/Project Coordinator's ability to provide overall programmatic management and administrative oversight, their qualifications to oversee evaluation activities, and their ability to ensure the work is conducted in a professional and timely manner.

If new staff will be hired for this project post- award, the Proposer should describe the educational and professional experience desired, a recruitment and hiring plan to ensure that staff with the desired skill set will be identified to fill the vacancies, a timeline for filling vacant positions, and the proposed structure of support and supervision for new staff.

3) *Project Evaluator Qualifications*

Demonstrate the engagement of a qualified Project Evaluator who has:

- Completed at least one course in study design or at least one year of experience determining the study design for an evaluation.
- Completed one course in program evaluation or one year of planning and implementing a program evaluation.
- Completed at least two intermediate courses in statistics.

- Has intermediate or higher proficiency in calculating sample size, developing a sampling scheme, and determining appropriate data collection methods.
 - Has intermediate or higher proficiency in evaluating behavior change, policy, or media interventions.
 - Has intermediate or higher expertise in using statistical software packages to analyze and interpret quantitative data.
- 4) Include a one to two (1-2) page resume for each key staff person (professional, managerial or supervisory) that will exercise a major administrative, policy, or consulting role in carrying out the project work. **Place staff resumes in the Appendix Section.** To the extent possible, resumes should not include personal information such as a social security number, home address, home telephone number, marital status, sex, birth date, age, etc.
- 5) Briefly, describe the administrative policies or procedures will be used to ensure that the proposing firm will recruit and select well-qualified, competent, and experienced in-house staff, subcontractors and/or independent consultants.
- a) If employee recruitment/selection policies or procedures are present in an operations manual, Proposers may cite excerpts from such manuals. Do not simply indicate that such policies exist and do not attach copies of any policies or manuals to the proposal. If deemed necessary, CDPH may request copies of the Proposer's existing manuals or policies.
- 6) Briefly, describe the processes or procedures that will be used to ensure that vacancies are filled expeditiously and that services are continued despite the presence of vacancies.
- 7) If subcontractors (including independent consultants) will be used to perform contract services, proposers must do the following at the time of proposal submission:
- a) Indicate if the Proposer has pre-identified any firms/persons to perform the work or if the Proposer will recruit them later.
- i. For each pre-identified subcontractor and independent consultant include:
- A. Full legal name.
- B. A job description or duty statement that outlines the duties and functional responsibilities that will be assigned to the subcontracted firm or independent consultant.
- C. A brief explanation as to why the subcontracted firm or independent consultant was chosen. Stress things such as applicable skills, knowledge, capabilities, past experience or accomplishments, availability, reasonableness of rates, notoriety in a field or specialty, etc.

- D. A one to two (1-2) page resume for each pre-identified subcontractor and independent consultant. **Place all subcontractor and/or consultant resumes in the Appendix Section.** To the extent possible, resumes should not include personal information such as a social security number, home address, home telephone number, marital status, sex, birth date, age, etc.
- E. A letter of agreement, signed by an official representative of each subcontracted firm or independent consultant. **Place all subcontractor and/or consultant letters of agreement in the Appendix Section.**

Specific subcontractor and/or independent consultant relationships proposed in response to this RFP (i.e., identification of pre-identified subcontractors and independent consultants) shall not be changed during the procurement process or prior to contract execution. The pre-identification of a subcontractor or independent consultant does not affect CDPH's right to approve personnel or staffing selections or changes made after the contract award.

- ii. For subcontractors and/or independent consultants that cannot be identified when the proposal is submitted to CDPH or are to be determined (TBD) after the contract is executed, include:
 - A. An identification of the functions, activities, and responsibilities that will be assigned to each subcontractor and/or independent consultant.
 - B. A description of the process that will be used to obtain CDPH approval of each subcontractor and/or independent consultant selection along with approval of their budgeted costs and assigned responsibilities.
- f. Work Plan Section

This section must not exceed ten (10) pages in length. Evaluators may not review or evaluate excess pages.

1) Overview

Proposers are required to use the prescribed SOW intervention and evaluation activities. Please view **Exhibit A, Attachment 1: Services To Be Performed**. The prescribed activities are comprehensive and designed to support the objective. Proposers may propose one or more additional activities that are not listed in the applicable prescribed SOW in the Agency Capability section. Please note that it is not guaranteed that any proposed activity will be accepted. A proposed additional activity cannot be used as a substitution for any of the required activities in the SOW and cannot be used as a method to augment available funds. The Proposer is not required to submit an additional activity for consideration. Justification must be provided for all additional activities proposed and will be evaluated based on the relevance of the activity to the SOW and on how well it contributes to achieving the overall asset objective.

2) Rejection of tasks, activities or functions

- a) If full funding does not become available, is reduced, or CDPH determines that it does not need all of the services described in this RFP; CDPH reserves the right to offer an amended contract for reduced services.
- b) If the Work Plan contains proposed methods or approaches; functions, tasks, or activities known by CDPH to be ineffective or determined to be unacceptable, CDPH reserves the right to require the substitution of comparable items that can be performed at the same or similar cost.

3) Work Plan content

- a) Explain or describe the overall approach and/or methods that will be used to accomplish intervention activities detailed in Exhibit A – Scope of Work, particularly how the Proposer will sequence the community engagement, community organizing, education, outreach, training and technical assistance activities to achieve the objective. Explain how CDPH/CTPP-funded projects, as well as other state, regional, and local partners will be engaged and how activities will be tailored to advance tobacco prevention efforts statewide.
- b) Explain or describe the overall approach and/or methods that will be used to accomplish intervention activities detailed in Exhibit A – Scope of Work, particularly the plan to disseminate evaluation findings to CDPH/CTPP-funded partners, community organizations, and/or stakeholders. Include information about the intended participants, the anticipated number of participants, and the frequency of evaluation activities.
- c) Explain how this project will provide customized educational materials, outreach efforts, skill-building and training.
- d) Describe how this project will benefit the entire geographic area of the State.
- e) Explain why the particular approaches and methods that are proposed were chosen (e.g., proven success or past effectiveness, etc.).
- f) If applicable, explain what is unique, creative, or innovative about the proposed approaches and/or methods.
- g) If any major complications or delays are envisioned at any stage of performance, describe those complications or delays and include a proposed strategy for overcoming those issues. Likewise, indicate if no major complications or delays are anticipated.
- h) Identify the specific tasks/activities and functions that will be performed in the order they are likely to occur. Include the following in-depth information for each task/activity or function in the prescribed Scope of Work:

- i. Indicate who will have primary responsibility for performing each major task/activity or function. If known, identify the name and position title of all key personnel, subcontractors, and/or consultants that will perform the work.

If the responsible party is unknown or not yet identified, identify a staff position title or project name/title and indicate "TBD" which is the abbreviation for "to be determined".

- ii. Include a performance timeline for each major task/activity or function. Indicate the approximate beginning and ending month and year. If a task/activity or function will only occur in one fiscal period or year, indicate the beginning and ending month and year.

If desirable, in addition to start and end dates, proposers may use other terms such as start-up, on-going, continuous, take-over, turn-over, etc. to describe the performance timeline. In doing so, proposers must define the meaning of each unique term that is used.

- iii. Explain/describe how the proposer intends to measure or prove successful completion of each major task, function, or activity.

If applicable, identify the key events or outcomes that will signify completion or identify tangible items (deliverables) that will result at the conclusion of the various tasks/activities or functions.

i) Take-Over Plan

Describe an initial overall plan and/or approach for coordinating the take-over of existing activities from the current contractor. Address any foreseeable transition complications and potential methods for dealing with or resolving transition complications to minimize the disruption of existing services. Proposers must submit a finalized take-over plan to the State for approval within 30 days after the contract start date.

g. Management Plan Section

This section must not exceed five (5) pages in length, outside of the organizational chart detailed in this section. Evaluators may not review or evaluate excess pages.

- 1) Describe how the proposing firm will effectively coordinate, manage, and monitor the efforts of the assigned staff, including subcontractors and/or consultants, if any, to ensure that all tasks, activities, and functions are completed effectively and in a timely manner.
- 2) Describe the fiscal accounting processes and budgetary controls that will be employed to ensure the responsible use and management of contract funds and accurate invoicing. Include at a minimum, a brief description of all of the following:

- a) How the costs incurred under this project will be appropriately accounted for and only applicable project expenses will be billed to CDPH (e.g., use of unique account/project codes, etc.).
 - b) The proposing firm's fiscal reporting and monitoring capabilities (e.g., spread sheets, automated fiscal reports, quality controls, checks and balances, etc.) to ensure contract funds are managed responsibly.
 - c) Proposed billing or invoicing frequency (not more frequently than once per month).
 - d) Identify the documentation that will be retained on file or submitted to CDPH upon request to prove, support, and/or substantiate the expenses that are invoiced to CDPH.
- 3) Include an organization chart. Instructions are explained in the Appendix Section. **Place the organization chart in the Appendix Section of the proposal.**
 - 4) Demonstrate fiscal stability to manage payments in arrears; no major negative audit findings; and submission of Franchise Tax Board Entity Status Letter.
- h. Facilities and Resources Section

This section must not exceed five (5) pages in length. Evaluators may not review or evaluate excess pages.

Describe the following as it relates to the Proposer's capacity to perform the Scope of Work:

- 1) The ability to provide at least 50 percent of resources to support the project in the form of office furniture; communication and computer equipment; Internet access; hard drive encryption and antivirus software; computer software application access to support email, word processing, spreadsheets, PowerPoint and databases.
 - 2) The ability to begin implementing activities within six (6) weeks of the contract start date.
 - 3) The ability to maintain readiness to deliver services Monday- Friday, 8am-5pm.
 - 4) Identify any inventory of CDPH/CTPP funded equipment purchased under the respective contract. The inventory should detail each item as: item description (including manufacturer's name, model, type), unit cost, original purchase date, and current working status.
- i. Cost Section
- 1) Basic content

The Cost Section will consist of the following documents:

- a) Budget Proposal (**Attachment 6**).

- b) Budget Detail Work Sheet(s) (**Attachment 7**) for each budget period.
- c) Subcontractor Budget Detail Work Sheet(s) (**Attachment 8**) for any budget period.
- d) Required cost justification and documentation described later in this section.

2) General instructions

- a) All cost forms (Budget Proposal form and Budget Detail Work Sheets/Subcontractor Budget Detail Work Sheets) must be typewritten or completed in ink. Errors, if any, should be crossed out and corrections should be printed in ink or typewritten adjacent to the error.
- b) On the Budget Proposal form, indicate the annual cost for each full or partial budget period and include a total cost.
- c) When completing the cost forms, include all estimated costs to perform the services for the entire term, including applicable annual rate adjustments attributable to merit increases, profit margins, and inflation or cost of living adjustments.

3) Budget Proposal Form

Proposers should assign hours and rates with the Budget Proposal (**Attachment 6**) that align with stated goals with the Scope of Work. All hourly rates must be fully loaded, including but not limited to, operating expenses, labor, equipment costs, supplies, overhead, annual inflation costs/rate adjustments, profit margin, taxes, shipping, etc. The total amount for the Budget Proposal should match the total of both Budget Detail Work Sheets (**Attachment 7**).

4) Required Budget Detail Work Sheets

- a) Include with the Budget Proposal (**Attachment 6**), a Budget Detail Work Sheet(s) (**Attachment 7**) and Subcontractor Budget Detail Work Sheet(s) (**Attachment 8**) for each state fiscal year or budget period.
- b) The total amount within the Budget Proposal (**Attachment 6**) should match the total of all Budget Detail Work Sheets (**Attachment 7**). The amounts for Subcontractor Budget Detail Work Sheets (**Attachment 8**) should become line items within the Budget Detail Work Sheets (**Attachment 7**).
- c) On each Budget Detail Work Sheet, provide specific cost breakdowns for the budget line items identified in this section.
- d) All unit rates/costs, if any (i.e., square footage, salary rates/ranges, hourly rates, etc.), must be multiplied out and totaled for each budget period.
- e) When completing the Budget Detail Work Sheet(s) and Subcontractor Budget Detail Work Sheet(s) Proposers may create like images or computerized reproductions of

the Budget Detail Work Sheets and Subcontractor Budget Detail Work Sheet(s) included in this RFP. Use as many pages as are necessary to display the detailed budgeted costs. The Budget Detail Work Sheet attachments included alongside this RFP (<https://caleprocure.ca.gov/event/4265/26-10016>) are not intended to dictate the specific costs that are to be reported but are intended to show the required format for reporting proposed budget detail.

f) The total cost breakdown of the project, which should include:

- Identification of position/classification titles funded.
- Salary rates or ranges.
- Percentage of time devoted to the work.
- Fringe benefits.
- Operating expenses.
- Travel and per diem expenses.
- Overhead or indirect costs.
- Subcontractors with the same type of cost details.
- Other costs.

5) Required cost justification/documentation

In the Cost Section of the proposal, include the following facts and information to explain the reasonableness and/or necessity of the proposed budgeted costs within the Budget Detail Worksheets (**Attachments 7 and 8**).

- a) Explain the necessity of each expense item and how the amount was determined. This includes justifying the need for project-funded staff, subcontractors, consultants, travel expenses, and other costs, as well as providing details on how fees, wages, and rates were established.
- b) Outline how salary rates and subcontractor fees are determined, considering market rates, past history, industry standards, and any additional factors like expertise. Additionally, explain cost of living and merit adjustments, including criteria and frequency.
- c) Include any additional information that helps CDPH understand the basis and justification for the proposed costs. Explain any unusually high or disproportionate costs in any budget line item not covered elsewhere in this section.

j. Appendix Section

Place the following documentation in the Appendix Section of the proposal in the order shown below.

1) **Proof of Corporate status**

If the Proposer is a Corporation, submit **either** a copy of the proposing firm's most current Certificate of Status issued by State of California, Office of the Secretary of State **or** submit a downloaded copy of the proposing firm's on-line status information from the California Business Portal website of California's Office of the Secretary of State. Include

an explanation if this documentation cannot be submitted. Unless otherwise specified, do not submit copies of the proposing firm's Bylaws or Articles of Incorporation.

2) **Proof of Nonprofit status**

Nonprofit organizations must prove they are legally eligible to claim "nonprofit" and/or tax-exempt status by submitting a copy of an IRS determination letter indicating nonprofit or 501 (3) (c) tax-exempt status. Submit an explanation if this documentation cannot be supplied.

3) **An organization chart**

Submit an organizational chart that fully illustrates the proposed staffing structure (including subcontractors), full-time equivalencies (FTE), and supervisory relationships.

4) **Staff resumes**

Resume specifications appear in the Project Personnel Section. To the extent possible, resumes should not exceed 1-2 pages in length per person and should not include personal information such as a social security number, home address, home telephone number, home email address, marital status, sex, birth date, age, etc.

Subcontractor/Consultant resumes

Submit a resume for each pre-identified subcontractor or independent consultant, if any, as discussed in the Project Personnel Section. To the extent possible, resumes should not exceed 1-2 pages in length per person and should not include personal information such as a social security number, home address, home telephone number, home email address, marital status, sex, birth date, age, etc.

5) **Subcontractor/Consultant letters of agreement**

For each pre-identified subcontractor and independent consultant that will be used to perform services under the resulting contract, submit a letter of agreement to work on this project.

A letter of agreement must be signed by an official representative of each subcontracted firm or independent consultant, indicating his or her acknowledgement of being named as a subcontractor or consultant, their availability to work on this project and acknowledgement that they have read or been made aware of the proposed contract terms, conditions and exhibits. Include an explanation if a letter of agreement cannot be obtained from each pre-identified subcontractor and consultant and indicate when a letter of agreement will be forthcoming.

6) **Conflict of Interest Compliance Certificate**

- a) Any firm that intends to submit a proposal is required to submit Attachment 19 certifying that the proposing firm understands that the conflict-of-interest requirements shall remain in effect for the entire term of the resulting agreement.

- b) If a conflict of interest is determined to exist that cannot be resolved to the satisfaction of CDPH, before the award of the contract, the conflict will be grounds for deeming a proposal nonresponsive.
- c) Proposers must assess their own situation according to the Conflict-of-Interest Compliance Certification information in **Attachment 19**. Complete, sign, and attach any required documentation according to the instructions on the attachment.
Place Attachment 19 and any accompanying documentation in the Appendix Section of the proposal.

k. Forms Section

Complete, sign, and include the forms/attachments listed below. When completing the attachments, follow the instructions in this section and any instructions appearing on the attachment. After completing and signing the applicable attachments, assemble them in the order shown below. Files can be found alongside this Solicitation at <https://caleprocure.ca.gov/event/4265/26-10016>:

Attach. #	Name, or Documentation	Instructions
9	Required Attachment / Certification Checklist	1) Check each item with "Yes" or "N/A", as applicable, and sign the form. If necessary, explain the choices. 2) If a vendor marks "Yes" or "N/A" and makes any notation on the checklist and/or attaches an explanation to the checklist to clarify their choice, CDPH considers this a "qualified response". Any "qualified response", determined by CDPH to be unsatisfactory or insufficient to meet a requirement, may cause a proposal to be deemed nonresponsive.
10	Business Information Sheet	Complete and sign this form.
11	Payee Data Record & Supplement (STD 204 & STD 205)	Complete and sign STD 204 and STD 205, if necessary.
12	Bidder Declaration (GSPD-05-106)	Complete and sign this form.
13	Commercially Useful Function (CUF) Certification	Complete and sign this form.

Attach. #	Name, or Documentation	Instructions
14	Disabled Veteran Business Enterprise Declarations	Complete and sign this form, if necessary.
15	Target Area Contract Preference Act (TACPA)	Complete and sign this form, if necessary.
16	Contractor Certification Clauses (CCC 04/2017)	Complete and sign this form indicating a willingness and ability to comply with the Contractor Certification Clauses appearing in this Attachment. The attachment supplied in this bid represents only a portion of the contractor information in this document. Visit this web site to view the entire document: https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language .
17	Follow-On Consultant Contract Disclosure	Complete and sign this form.
18	Contractor Confidentiality Statement	Complete and sign this form.
19	Conflict of Interest Compliance Certification Form	Complete and sign this form.
20	Certification or Non-Acceptance of Tobacco Funds	Complete and sign this form.
21	Darfur Contracting Act of 2008	Complete and sign this form.
22	California Civil Rights Laws Attachment	Complete and sign this form.

Attach. #	Name, or Documentation	Instructions
23	Iran Contracting Act Verification Form	Complete and sign this form.

L. Proposal Submission

1. General Instructions

- a. Proposers that submit a Mandatory Non-Binding Letter of Intent shall receive an email invitation to the State's file sharing site named CDPH SFT. It is the Proposer's responsibility to follow the email instructions and register for the SFT account. A separate file location will be created for each Proposer accessible only to the Proposer Contact(s).

It is the Proposer's responsibility to confirm receipt of the invitation with the California Department of Public Health, Centralized Contract Services Unit.

The file sharing site does not allow access from outside the Continental United States.

- b. The file sharing site will provide a primary folder for each Proposer to submit their proposal. The Proposer contact(s) will be required to upload a complete copy of the Proposer's proposal to the appropriate folder.
- c. To obtain access to the State's file sharing site, Proposers must sign and submit the Mandatory Non-Binding Letter of intent to the Centralized Contract Services Unit. A username and password will be emailed back to the Proposer's contact no later than the date and time stated in the section entitled, "**Section B. Time Schedule**".
- d. It is highly recommended that Proposers upload a test MS Word, MS Excel, and PDF file at least five (5) calendar days prior to the due date to test access to the State's file sharing site. Upon successful upload, notify the Centralized Contract Services Unit (CCSU) and the test file will be deleted. It is the Proposer's responsibility to gain access to the file-sharing site to submit their proposal.
- e. If a file is uploaded in error to a file sharing site folder, the Proposer may submit a request by email to CCSU.Solicitations@cdph.ca.gov prior to the last day to submit responses.

Do not upload compressed files (.zip files) onto the file sharing site.

2. Proof of timely receipt

- a. To be timely, CDPH's Centralized Contract Services Unit must receive each proposal **no later than 3 PM** on the proposal submission due date. Proposals must be received no later than the date and time specified in **Section B. Time Schedule**.

- b. CDPH will deem late proposals nonresponsive.

3. Proposer costs

Proposers are responsible for all costs of developing and submitting a proposal. Such costs cannot be charged to CDPH or included in any cost element of a Proposer's price offering.

M. Evaluation and Selection

A multiple stage evaluation process will be used review and/or score technical proposals. CDPH will reject any proposal that is found to be nonresponsive at any stage of evaluation.

1. Stage 1 – Required Attachment / Certification Checklist review

- a. Shortly after the proposal submission deadline, CDPH staff will convene to review each proposal for timeliness, completeness, and initial responsiveness to the RFP requirements. This is a pass/fail evaluation.
- b. In this review stage, CDPH will compare the contents of each proposal to the claims made by the Proposer on the Required Attachment / Certification Checklist to determine if the Proposer's claims are accurate.
- c. If deemed necessary, CDPH may collect additional documentation (i.e., missing forms, missing data from RFP attachments, missing signatures, etc.) from a Proposer to confirm the claims made on the Required Attachment / Certification Checklist and to ensure that the proposal is initially responsive to the RFP requirements.
- d. If a Proposer's claims on the Required Attachment / Certification Checklist cannot be proven or substantiated, the proposal will be deemed nonresponsive and rejected from further consideration.

2. Stage 2 – Narrative proposal evaluation/scoring

- a. Proposals that appear to meet the basic format requirements, initial qualification requirements and contain the required documentation, as evidenced by passing the Stage 1 review, will be submitted to a rating committee.
- b. Raters will individually and/or as a team review, evaluate and numerically score proposals based on the proposal's adequacy, thoroughness, and the degree to which it complies with the RFP requirements.
- c. CDPH will use the following scoring system to assign points. Following this chart is a list of the considerations that raters may take into account when assigning individual points to a technical proposal.

Points (10)	Interpretation	General basis for point assignment
0	Non-Responsive	Proposal response (i.e., content and/or explanation offered) does not speak to the question.
2	Inadequate	Proposal response (i.e., content and/or explanation offered) is inadequate or does not meet CDPH's needs/requirements or expectations. The omission(s), flaw(s), or defect(s) are significant and unacceptable.
4	Barely Adequate	Proposal response (i.e., content and/or explanation offered) is barely adequate or barely meets CDPH's needs/requirements or expectations. The omission(s), flaw(s), or defect(s), are inconsequential and acceptable.
6	Moderately Adequate	Proposal response (i.e., content and/or explanation offered) is moderately adequate or somewhat meets CDPH's needs/requirements or expectations. The omission(s), flaw(s), or defect(s), are inconsequential and acceptable.
8	Fully Adequate	Proposal response (i.e., content and/or explanation offered) is fully adequate or fully meets CDPH's needs/requirements or expectations. The omission(s), flaw(s), or defect(s), if any, are inconsequential and acceptable.
10	Excellent or Outstanding	Proposal response (i.e., content and/or explanation offered) is above average or exceeds CDPH's needs/requirements or expectations. Weaknesses are minimal and not material in nature. Proposer offers one or more enhancing feature, method or approach that will enable performance to exceed CDPH's basic expectations.

- d. In assigning points for individual rating factors, raters may consider issues including, but not limited to, the extent to which a proposal response:
- 1) Is lacking information, lacking depth or breadth or lacking significant facts and/or details, and/or
 - 2) Is fully developed, comprehensive and has few if any weaknesses, defects or deficiencies, and/or
 - 3) Demonstrates that the Proposer understands CDPH's needs, the services sought, and/or the contractor's responsibilities, and/or
 - 4) Illustrates the Proposer's capability to perform all services and meet all Scope of Work requirements, and/or

- 5) If implemented, will contribute to the achievement of CDPH's goals and objectives, and/or
 - 6) Demonstrates the Proposer's capacity, capability and/or commitment to exceed regular service needs (i.e., enhanced features, approaches, or methods; creative or innovative business solutions).
- e. Below are the point values and weight values for each rating category that will be scored.
Proposals, excluding the Cost Section, will be scored on a scale of 0 to 485 points, as follows:

<u>Rating Category</u>	<u>Points</u>	<u>X</u>	<u>Weight</u>	<u>=</u>	<u>Total</u>	<u>Narr. %</u>
Executive Summary	60	X	0.5	=	30	6.2%
Agency Capability	140	X	1.75	=	245	50.5%
Project Personnel	60	X	2.0	=	120	24.8%
Work Plan	80	X	0.5	=	40	8.2%
Management Plan	30	X	1.0	=	30	6.2%
Facilities and Resources	20	X	1.0	=	20	4.1%
Narrative Grand Total					485	100.0%

- 2) CDPH will consider a proposal technically deficient and not responsible if the proposal earns a score that is less than **340** points. **Proposals that are deemed not responsible will not advance to Stage 3.**

3. Stage 3 –Scoring the Cost Section

- a. Proposers that earned a passing score in Stage 2 will have the Cost Section of their proposal scored and/or evaluated according to the process described herein.
- b. The proposal offering the lowest total cost earns **210** Cost points. The remaining proposals earn cost points through the cost conversion formula shown below. Final calculations shall result in numbers rounded to two decimal places.

$$\frac{\text{Lowest Cost}}{\text{Another Cost}} \times 210 \text{ (Possible cost points)} = \text{Cost score of the Other Proposal}$$

- c. **Example for illustration purposes:**

Lowest cost earns 210 points.

$$\frac{\$4,069,440.00 \text{ (lowest cost)}}{\$4,320,000.00 \text{ (another proposal cost)}} = .9420$$

$$.9420 \times 210 \text{ points} = 197.82 \text{ (Cost Section Score of another proposer)}$$

4. Stage 4 – Adjustments to Score Calculations for Bidding Preferences

- a. CDPH will determine which firms, if any, are eligible to receive a bidding preference (i.e., small business or non-small business subcontractor preference).

- b. To confirm the identity of the highest scored responsive Proposer, CDPH will adjust the total score for applicable claimed preference(s) for those Proposers eligible for bidding preferences. CDPH will apply preference adjustments to eligible Proposers according to State regulations following verification of eligibility with the appropriate office of the Department of General Services. More information about the allowable bidding preferences appears in the RFP section entitled, "Preference Programs".

c. Small Business Preference Scoring

Preference will be calculated as follows (as described in State Contracting Manual Volume 1, Section 8.21):

- i. Calculate the "earned" score for all Proposers.
- ii. If the highest scored proposal is from a non-certified small business or microbusiness, then:
 - a) Calculate 5% of the highest responsible Proposer's total score.
 - b) Add the amount calculated above to the score of each of the certified small business or microbusinesses. This new amount is the total score.
 - c) Award of the contract must go to the Proposer with the highest point count.
 - d) An **example** of applying the small business preference to an RFP Secondary follows:

Proposers (*Indicates certified small business)	Max Points	A*	B
Stage 2 - Narrative Score	510	470	500
Stage 3 - Cost Score	220	187.80	187.80
(cost points awarded are based on these bid amounts)		(\$4.1M)	(\$4.1M)
Total "earned" points for each Proposer	730	657.80	687.80

Proposer B's was the highest scored proposal, a non-certified small business or microbusiness. Therefore, points must be re-apportioned after application of the 5% calculation of B's point score. B's bid received 687.80 points. 5% of 687.80 is 34.39. All bids from certified small business or microbusinesses will receive 34.39 additional points. **All bids from eligible non-small businesses will receive 34.39 additional points (see subsections d and e below).**

Point awards prior to preference points	657.80	687.80
<i>Small Business Preference points*</i>	34.39	
New Total after SB/Non-SB/NVSA Preference	692.19*	687.80

d. Nonprofit Veteran Service Agency Certification Scoring

Scoring is same as the Small Business Preference disclosed in Section c above. (SCM V1 Section 8.20.G)

e. Non-Small Business Preference Scoring

Scoring is same as the Small Business Preference disclosed in Section c above. This preference is awarded to a non-small business Proposer that commits to small business or microbusiness subcontractor participation of 25% of its bid price. Vendors committing this amount shall receive 5% of the highest responsive, responsible Proposer's total score before award preferences. **A non-small business, which qualifies for this preference, may not take an award away from a certified small business.** The small business regulations are located at 2 CCR 1896. (SCM V1 Section 8.22)

f. Disabled Veteran Business Enterprise Scoring

In accordance with section 999.5(a) of the Military and Veterans Code, an incentive will be given to Proposers who exceed the DVBE program requirement. For evaluation purposes only, the State shall apply an incentive to bids that propose California certified DVBE participation as identified on the Bidder Declaration GSPD-05-105 (**Attachment 12**) and confirmed by the State. The incentive points for awards based on high score awards are included in the sum of non-cost points and cannot be used to achieve any applicable minimum point requirements (SCM V1 Section 8.17).

Confirmed DVBE Participation of:	Calculation
5% or Over	5% x 485 = 24.25
4% to 4.99% Inclusive	3% x 485 = 14.55
3.5% to 3.99% Inclusive	1% x 485 = 4.85

g. Target Area Contract Preference Act (TACPA) Scoring

Preference will be calculated as follows (as described in State Contracting Manual Volume 1, Section 8.30):

- i. The TACPA preference will be scored through the following conditions:
 - a) 9% (combination of the 5% Worksite Preference with the maximum 4% Work Force Preference) up to \$50,000
 - b) Corresponding preference percentage of the price offered by the lowest responsible bid or the lowest responsible proposal.
 - c) The TACPA preference notice and request form STD 830 and the DGS/PD 526 must be included in all IFBs and RFPs when the estimated cost exceeds \$100,000, unless the worksite is specified in the contract. To receive the preference, the Proposer must complete the forms and certify to perform the contract work as specified. This commitment must be enforced through conditions contained in the contract (GC § 4535).

5. Stage 5 – Final Score Calculation

CDPH will use the formula shown below to calculate final proposal scores and to determine the highest scored proposal.

	Narrative Proposal Score (Stage 2)	Max 485 Points
+	Cost Section Score (Stage 3)	Max 210 Points
+	Bidding Preferences (Stage 4)	TBD
=	Total Score	Max 695 Points

N. Narrative Proposal Rating Factors

Raters will use the following criteria to score the narrative portion of each proposal.

1. Executive Summary (30 Points after a Multiplier of 0.5)

- a. To what extent did the Proposer express, in its own words, its understanding of CDPH's needs and the importance of this project? (10 points)
- b. To what extent did the Proposer demonstrate the tangible results that it expects to achieve? (10 points)
- c. To what extent did the Proposer express a sincere commitment to perform this work in an efficient and timely manner? (10 points)
- d. To what extent did the Proposer demonstrate that it can effectively integrate this project into its current obligations and existing workload? (10 points)
- e. To what extent did the Proposer adequately explain why it should be chosen to undertake this project at this time? (10 points)
- f. To what extent did the Proposer detail how their core values and commitment to health equity and social justice support both the goals identified in this Solicitation and the broader mission of CDPH/CTPP. (10 points)

2. Agency Capability (245 Points after a Multiplier of 1.75)

- a. Upon reviewing the Proposer's description of its business history, to what extent are the Proposing firm's goals relevant, closely related, or will their goals complement this project? (10 points)
- b. From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in developing and distributing linguistically and culturally tailored educational materials in diverse formats, including print and digital? (10 points)
- c. From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in developing and disseminating educational materials supporting a cohesive tobacco prevention movement that engages and energizes state and local partners to support tobacco prevention efforts? (10 points)

- d. From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in creating educational materials, and trainings for diverse populations, including American Indian tribes/communities, African American/Black, Asian American/Native Hawaiian/Pacific Islander, Hispanic/Latino, LGBTQ+, rural, and low-income communities? (10 points)
- e. From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in working with print and production vendors, including a description of how competitive pricing will be obtained? (10 points)
- f. From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in providing technical assistance and training related to the development of educational materials that are culturally and linguistically appropriate? (10 points)
- g. From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in supporting statewide dissemination of educational materials tailored to diverse communities? (10 points)
- h. From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in managing print production and fulfillment of educational and outreach materials? (10 points)
- i. Based on a review of the Proposer's information about its prior accounts or work projects in the past 3 years, to what extent did the Proposer demonstrate that it has performed services that were similar in nature or closely related to the RFP Scope of Work? (10 points)
- j. To what extent did the Proposer demonstrate that it has had experience establishing and maintaining effective working relationships with government entities, local community-based organizations, and private nonprofit organizations? (10 points)
- k. To what extent did the examples of the Proposer's experience delivering technical assistance and training to community-based organizations, stakeholders, and partners demonstrate that it has had experience with similar services to what is described in the RFP Scope of Work? (10 points)
- l. To what extent did the Proposer's samples of health communications work produced within the last five (5) years (e.g., community presentation, educational material, etc.) related to health education and prevention; public health policy, system, and environmental change demonstrate that it has had experience with similar services to what is described in the RFP Scope of Work? (10 points)
- m. To what extent did the Proposer's samples of health communications work produced within the last five (5) years (e.g., fact sheet, infographic, resource guide, educational presentation, community forum packet, etc.) demonstrate the Proposer's experience to work in a culturally competent manner with American Indian tribes/communities, cities and counties, African American/Black, Asian American/Native Hawaiian/Pacific Islander, Hispanic/Latino, LGBTQ+, Rural, and low-income populations? (10 points)

- n. To what extent did the Proposer's prior clients, as a whole, confirm their satisfaction with the Proposer's past work? (10 points)

3. Project Personnel (120 Points after a Multiplier of 2.0)

- a. Upon reviewing the Proposer's staffing plan, are the required staffing positions included and to what extent has the Proposer allocated a sufficient number of Full Time Equivalents (FTEs) in the appropriate position levels or classifications to perform the full range of services? (10 points)
- b. Upon reviewing the proposed salary rates or ranges and proposed duties for the proposed personnel, to what extent are the salary rates or ranges appropriate in relation to the assigned duties and level of responsibility? (10 points)
- c. Upon reviewing the proposed job descriptions or duty statements for the proposed personnel, to what extent has the Proposer reasonably assigned the job responsibilities and tasks among the different personnel to meet the required minimum duties? (10 points)
- d. Upon reviewing the proposed job descriptions or duty statements for the proposed personnel (including subcontractors and independent consultants), to what extent has the Proposer reasonably divided the work between its in-house resources and proposed subcontractors (including independent consultants)? (10 points)

If no subcontracting or use of consultants is proposed, up to 10 points will be assigned based on the effectiveness of the Proposer's allocation of tasks to its in-house personnel.

- e. Upon reviewing the job descriptions and resumes of the proposed staff [excluding the project director(s)/administrator(s) or project coordinator(s)], to what extent do the proposed personnel possess the qualifications and expertise needed to perform the assigned duties? (10 points)
- f. Upon reviewing the job descriptions and resumes of the proposed project director(s)/administrator(s) or project coordinator(s), to what extent do the proposed personnel possess the qualifications, past experience and expertise needed to carry out their assigned responsibilities? (10 points)

4. Work Plan (40 Points after a Multiplier of 0.5)

- a. To what extent are the Proposer's overall approaches and/or methods comprehensive and/or technically sound? (10 points)
- b. To what extent did the Proposer offer a rational basis for choosing its particular approaches and methods (i.e., proven success or past effectiveness)? (10 points)
- c. To what extent are the proposed procedures, methods and approaches appropriate and reasonable (i.e., if implemented are they likely to produce the desired results)? (10 points)

- d. To what extent does the Proposer describe in detail the specific actions (i.e., tasks/activities and functions) that the Proposer will perform to fulfill all Scope of Work requirements? (10 points)
- e. To what extent will the Proposer perform the tasks/activities and functions in a logical order? (10 points)
- f. To what extent are the proposed performance timelines realistic and achievable? (10 points)
- g. To what extent did the Proposer adequately demonstrate how it will measure and/or prove the completion of major tasks, functions, or activities (i.e., identification of key events/outcomes or deliverables)? (10 points)
- h. To what extent can the Proposer implement a smooth transition of activities with little or no disruption to ongoing services? (10 points)

5. Management Plan (30 Points after a Multiplier of 1.0)

- a. To what extent has the Proposer demonstrated its capability to effectively coordinate, manage and monitor the efforts of assigned staff (including subcontractors and consultants) to ensure that work is effectively completed and timely? (10 points)
- b. Upon reviewing the Proposer's description of its fiscal accounting processes and budgetary controls, to what extent are the fiscal processes and controls appear adequate to ensure the responsible use and management of contract funds and accurate invoicing? (10 points)
- c. Upon reviewing the Proposer's description of its fiscal accounting processes and budgetary controls, to what extent can the Proposer properly account for state project costs to ensure that only appropriate costs are billed to CDPH? (10 points)

6. Facilities and Resources (20 Points after a Multiplier of 1.0)

- a. To what extent does the Proposer possess or have access to the following specific resources needed to ensure successful performance of services described in the Scope of Work and Work Plan? (10 points)
- b. To what extent does the Proposer possess the ability to begin implementing activities within six (6) weeks of the contract start date? (10 points)

O. Bid Requirements and Information

1. Nonresponsive proposals

In addition to any condition previously indicated in this RFP, the following occurrences **may** cause CDPH to deem a proposal nonresponsive.

- a. Failure of a Proposer to:

- 1) Meet proposal format/content or submission requirements including, but not limited to, the timely and proper submission of proposals.
 - 2) Pass the Required Attachment / Certification Checklist review (i.e., by not marking "Yes" to applicable items or by not appropriately justifying, to CDPH's satisfaction, all "N/A" designations).
 - 3) Submit a **mandatory** Letter of Intent in the manner required.
 - 4) Submit a **mandatory** Conflict of Interest Compliance Certificate in the manner required.
- b. If a Proposer submits a proposal that is conditional, materially incomplete or contains material defects, alterations or irregularities of any kind.
 - c. If a Proposer supplies false, inaccurate or misleading information or falsely certifies compliance on any RFP attachment.
 - d. If CDPH discovers, at any stage of the bid process or upon contract award, that the Proposer is unwilling or unable to comply with the contract terms, conditions and exhibits cited in this RFP or the resulting contract.
 - e. If other irregularities occur in a proposal response that is not specifically addressed herein (i.e., the Proposer places any conditions on performance of the Scope of Work, submits a counter proposal, etc.).

2. Proposal modifications after submission

- a. All proposals are to be complete when submitted. However, an entire proposal may be withdrawn, and the Proposer may resubmit a new proposal.
- b. To withdraw and/or resubmit a new proposal, follow the instructions appearing in the RFP section entitled, "Withdrawal and/or Resubmission of Proposals".

3. Proposal mistakes

If prior to contract award, award confirmation, or contract signing, a proposer discovers a mistake in their proposal and/or cost offering that renders the proposer unable or unwilling to perform all Scope of Work services as described in its proposal response for the price/costs offered, the proposer must immediately notify CDPH and submit a written request to withdraw its proposal following the procedures set forth below in this Section P.4.b.

4. Withdrawal and/or Resubmission of Proposals

- a. Withdrawal deadlines

A proposer may withdraw a proposal at any time before the proposal submission deadline.

- b. Submitting a withdrawal request

- 1) Submit a written withdrawal request, signed by an authorized representative of the Proposer.
- 2) Label and submit the withdrawal request using the following method.

Email:
Withdrawal RFP 26-10016
California Department of Public Health Centralized Contract Services Unit
Email: CCSU.Solicitations@cdph.ca.gov

c. Resubmitting a proposal

After withdrawing a proposal, Proposers may resubmit a new proposal according to the proposal submission instructions. Replacement proposals must be received by the proposal due date and time.

5. Contract award and protests

a. Contract award

- 1) Award of the contract, if awarded, will be to the responsive and responsible Proposer, who earns the highest total score. The highest scored proposal will be determined after CDPH adjusts Proposer scores for applicable bidder preferences.
- 2) CDPH shall award the contract only after CDPH posts a Notice of Intent to Award for five (5) working days. CDPH expects to post the Notice of Intent to Award before the close of business on the date and time stated in the section entitled, "Time Schedule" in a Contract Award Notices Binder which will be available for viewing by the public during normal business hours, at the following location:

California Department of Public Health
Centralized Contract Services Unit
1616 Capitol Avenue, First Floor Guard Station
Sacramento, CA 95814
- 3) CDPH will mail, email, or fax a written notification and/or a copy of the Notice of Intent to Award to all firms that submitted a proposal.
- 4) CDPH will confirm the contract award to the winning Proposer after the protest deadline if no protests are filed or following the Department of General Service's resolution of all protests. CDPH staff may confirm an award verbally or in writing.

b. Settlement of ties

- 1) In the event of a precise total high score tie between a responsive proposal submitted by a certified small business or microbusiness and a responsive proposal submitted by a certified DVBE that is also a certified small business, the contract will be awarded to the DVBE firm per Government Code Section 14838(f) et seq.

- 2) In the event of a precise total high score tie between a responsive proposal submitted by a firm that was granted non-small business subcontractor preference and a responsive proposal submitted by a certified small business or microbusiness, the contract will be awarded to the certified small business or microbusiness.
- 3) In the event of a precise total high score between a responsive proposal submitted by a nonprofit veteran service agency (NVSA) that is a certified small business and a responsive proposal submitted by a certified DVBE that is also a certified small business, the contract will be awarded to the certified DVBE.
- 4) In the absence of a California law or regulation governing a specific tie, CDPH will settle all other precise total high score ties by making an award to the Proposer who earns the highest narrative or Technical Proposal score. If narrative or Technical Proposal scores are also tied, CDPH will settle the tie in a manner that CDPH determines to be fair and equitable (e.g., coin toss, lot drawing, etc.). In no event will CDPH settle a tie by dividing the work among the tied Proposers.

c. Appeals

1) Who can appeal

Any proposer who submits a proposal may file appeal if the Proposer believes its proposal is responsive to all RFP requirements.

2) Grounds for appeal

CDPH will not make an award until all appeals are withdrawn by the appealing proposer, denied, or resolved by the top appealing arbitrator.

At the sole discretion of the Assistant Deputy Director over Operations at the Center for Healthy Communities, or his/her designee, a hearing may be held. The decision of the Assistant Deputy Director over Operations at the Center for Healthy Communities or his/her designee shall be final. There is no further administrative appeal. Appellants will be notified of decisions regarding the appeal in writing within 15 working days of the hearing date or the consideration of the written material submitted, if no hearing is conducted.

3) Appeal timelines

- a. If an eligible Proposer wishes to appeal the intended contract award, the Proposer must file a "Notice of Intent to Appeal" within five working days after CDPH posts the Notice of Intent to Award. The Notice of Intent to Appeal may be quite brief. Any Notice of Intent to Appeal filed more than five working days after CDPH posts the Notice of Intent to Award shall be untimely.
- b. Within five calendar days after filing a "Notice of Intent to Appeal", the appealing proposer must file with CDPH a full and complete written appeal statement identifying the specific grounds for the appeal. The statement must contain, in

detail, the reasons, law, rule, regulation, or practice that the appealing proposer believes CDPH has improperly applied in awarding the contract.

4) Submitting an appeal

Appeals must be filed with the California Department of Public Health. Proposers may hand deliver, mail or fax an appeal.

Label, address, and submit the initial appeal notice and detailed appeal statement using one of the following methods.

U.S. Mail, Hand Delivery or Overnight Express:	Fax:
Appeal to CDPH RFP 26-10016 California Department of Public Health Centralized Contract Services Unit Mail Station 1802 P.O. Box 997377 1616 Capitol Avenue Sacramento, CA 95899-7377	Appeal to CDPH RFP 26-10016 California Department of Public Health Centralized Contract Services Unit Fax: 916-650-0110

For faxed appeals

Faxed appeals must be followed up by sending an original signed appeal, with all supporting material, within one (1) calendar week of submitting the faxed appeal.

Call the telephone numbers below to confirm receipt of a fax transmission:

California Department of Public Health 916-650-0100

6. Disposition of proposals

- a. All materials submitted in response to this RFP will become the property of the California Department of Public Health and, as such, are subject to the Public Records Act (Government Code Section 7920.000, et seq.). CDPH will disregard any language purporting to render all or portions of any proposal confidential.
- b. Upon posting of a Notice of Intent to Award, all documents submitted in response to this RFP and all documents used in the selection process (e.g., review checklists, scoring sheets, letters of intent, etc.) will be regarded as public records under the California Public Records Act (Government Code Section 7920.000 et seq.) and subject to review by the public. However, proposal contents, proposer correspondence, selection working papers, or any other medium shall be held in the strictest confidence until the Notice of Intent to award is posted.
- c. CDPH may return a proposal to a Proposer at their request and expense after CDPH concludes the bid process.

By submitting a proposal, Proposers agree to authorize CDPH to:

- a. Verify any and all claims made by the Proposer including, but not limited to verification of prior experience and the possession of other qualification requirements, and
- b. Check any reference identified by a Proposer or other resources known by the State to confirm the Proposer's business integrity and history of providing effective, efficient and timely services.

7. CDPH Rights

In addition to the rights discussed elsewhere in this RFP, CDPH reserves the following rights.

a. RFP corrections

- 1) CDPH reserves the right to do any of the following up to the proposal submission deadline:
 - a) Modify any date or deadline appearing in this RFP or the RFP Time Schedule.
 - b) Issue clarification notices, addenda, alternate RFP instructions, forms, etc.
 - c) Waive any RFP requirement or instruction for all proposers if CDPH determines that the requirement or instruction was unnecessary, erroneous or unreasonable.
 - d) Allow Proposers to submit questions about any RFP change, correction or addenda. If CDPH allows such questions, specific instructions will appear in the cover letter accompanying the document.
- 2) If deemed necessary by CDPH to remedy an RFP error or defect that is not detected in a timely manner, CDPH may also issue correction notices or waive any unnecessary, erroneous, or unreasonable RFP requirement or instruction after the proposal submission deadline.
- 3) To reduce State costs of mailing procurement corrections to persons and entities that do not intend to bid, CDPH will mail, email, or fax written clarification notices and/or RFP addenda only to those persons and entities that submit a timely mandatory Letter of Intent.

If CDPH decides, just before or on the proposal due date, to extend the submission deadline, CDPH may choose to notify persons or entities who submitted a timely mandatory Letter of Intent of the extension by fax, email, or by telephone. CDPH will follow-up any verbal notice in writing by fax, email, or by mail.

b. Collecting information from Proposers

- 1) If deemed necessary, CDPH may request a Proposer to submit additional documentation before or during the proposal review and evaluation process. CDPH will advise the Proposers orally, by fax, email, or in writing of the documentation that is

required and the timeline for submitting the documentation. CDPH will follow-up oral instructions in writing by fax, email, or mail. Failure to submit the required documentation by the date and time indicated may cause CDPH to deem a proposal nonresponsive.

- 2) CDPH, at its sole discretion, reserves the right to collect, by mail, email, fax or other method; the following omitted documentation and/or additional information.
 - a) Signed copies of any form submitted without a signature.
 - b) Data or documentation omitted from any submitted RFP attachment/form.
 - c) Information/material needed to clarify or confirm certifications or claims made by a Proposer.
 - d) Information/material or form needed to correct or remedy an immaterial defect in a proposal.
- 3) The collection of proposer documentation may cause CDPH to extend the date for posting the Notice of Intent to Award. If CDPH changes the posting date, CDPH will advise the Proposers, orally, via email, or in writing, of the alternate posting date.

c. Immaterial proposal defects

- 1) CDPH may waive any immaterial defect in any proposal and allow the Proposer to remedy those defects. CDPH reserves the right to use its best judgment to determine what constitutes an immaterial deviation or defect.
- 2) CDPH's waiver of an immaterial defect in a proposal shall in no way modify this RFP or excuse a Proposer from full compliance with all bid requirements.

d. Correction of clerical or mathematical errors

- 1) CDPH reserves the right, at its sole discretion, to overlook, correct or require a Proposer to remedy any obvious clerical or mathematical errors occurring in the narrative portion of a proposal, on a Budget Proposal form or on a Budget Detail Work Sheet.
- 2) If the correction of an error results in an increase or decrease in the total price, CDPH shall give the Proposer the option to accept the corrected price or withdraw their proposal.
- 3) Proposers may be required to initial corrections to costs and dollar figures on the Budget Proposal form or a Budget Detail Work Sheet if the correction results in an alteration of the annual costs or total cost offered.
- 4) If a mathematical error occurs in a total or extended price and a unit price is present, CDPH will use the unit price to settle the discrepancy.

e. Right to remedy errors

CDPH reserves the right to remedy errors caused by:

- 1) CDPH office equipment malfunctions or negligence by agency staff,
- 2) Natural disasters (i.e., floods, fires, earthquakes, etc.).

f. Contract award or RFP cancellation

The issuance of this RFP does not constitute a commitment by CDPH to award a contract. CDPH reserves the right to reject all proposals and to cancel this RFP if it is in the best interests of CDPH to do so.

g. Contract amendments after award

As provided in the Public Contract Code governing contracts awarded by competitive bid, the CDPH reserves the right to amend the contract after CDPH makes a contract award.

h. Proposed use of subcontractors and/or independent consultants

Specific subcontract relationships proposed in response to this RFP (i.e., identification of pre-identified subcontractors and independent consultants) shall not be changed during the procurement process or prior to contract execution. The pre-identification of a subcontractor or independent consultant does not affect CDPH's right to approve personnel or staffing selections or changes made after the contract award.

i. Staffing changes after contract award

CDPH reserves the right to approve or disapprove changes in key personnel that occur after CDPH awards the contract.

P. Bidding Certification Clauses

1. Certificate of Independent Price Determination

a. The prospective proposer certifies that:

- 1) The prices in this bid or proposal have been arrived at independently without any consultation, communication or agreement with any other proposer or competitor for the purpose of restricting competition relating to:
 - a) The prices or costs offered,
 - b) The intention to submit a bid or proposal,
 - c) The methods or factors used to calculate the costs or prices offered.

- 2) The prices in this bid or proposal have not been and will not be knowingly disclosed by the proposer, directly or indirectly, to any other proposer or competitor before the Budget Proposal opening date or date of contract award posting, unless otherwise required by law.
 - 3) No attempt has been made or will be made by the proposer to induce any other firm or entity to submit or not to submit a bid or proposal for the purpose of restricting competition.
- b. Each signature appearing on the documents contained in this bid package/proposal is considered to be a certification by the signatory that the signatory:

Is the person in the Proposer's organization that is either responsible for determining the prices offered in this bid or proposal and/or is designated to complete the bid or proposal forms on behalf of the bidding firm, and the signatory has not participated and will not participate in any action contrary to all subsections of paragraph a.

Q. Preference Programs

To confirm the identity of the highest scored responsive Proposer, CDPH will adjust the total point score for applicable claimed preference(s). Bidding preferences shall not be applied to proposals that fail to pass the Checklist Review or fail to earn a minimum passing score during the narrative proposal scoring process. CDPH will apply preference adjustments to eligible Proposers according to State regulations following on-line or personal verification of eligibility with the appropriate office of the California Department of General Services.

1. Small Business / Microbusiness Preference

- a. A responsive California small business or microbusiness proposer claiming preference and verified as a certified small business or microbusiness in a relevant business category or type will be granted a preference of five percent (5%) of the total point score earned by the responsive/responsible proposer with highest combined score, if the highest scored proposal is submitted by a non-small business. Non-small business means a responsive/responsible proposer that is not certified by the California Department of General Services as a California small business or microbusiness in a relevant business category or type. The "service" category or business type will most likely apply to this procurement. Nonprofit Veteran Service Agencies (NVSA) are to view the instructions in provision 3 of this section (Preference Programs).
- b. To be certified as a California small business or microbusiness and eligible for a bidding preference the business concern must meet the State's eligibility requirements and must have submitted an application for small business status no later than 5:00 p.m. on the proposal submission deadline.
- c. Firms desiring small business or microbusiness certification must obtain the appropriate Small Business Certification Application (STD 812 or other form) from the appropriate office of the California Department of General Services, fully complete the application, and submit it to the California Department of General Services as instructed in the application.

Prospective proposing firms desiring small business certification assistance, may contact the California Department of General Services by the following means:

- 1) Internet address: caleprocure.ca.gov or
- 2) Fax: 916-375-4950, or
- 3) Email: osdchelp@dgs.ca.gov

2. Non-Small Business Subcontractor Preference

- a. Non-small business means a responsive/responsible proposer that is not certified by the California Department of General Services as a small business or microbusiness.
- b. If the responsive proposer earning the highest total score is not a certified small business/microbusiness, a bid preference up to five percent (5%) is available to a responsive non-small business proposer committing twenty-five percent (25%) small business subcontractor use of one or more small businesses. When applicable, the preference points will be calculated pursuant to the regulations in Title 2, California Code of Regulations (CCR) § 1896.8 and will be added to total score of an eligible non-small business. This preference is authorized pursuant to Title 2, CCR § 1896.2 et seq., and Government Code § 14835 et seq.
- c. If a proposer claims the non-small business subcontractor preference, the proposal response must identify each proposed small business subcontractor that will be used, the participation percentage and dollar amount committed to each identified small business subcontractor, and substantial proof to enable verification of each subcontractor's small business status. The total small business subcontractor use must equal no less than twenty-five percent (25%) of the total cost offered.
- d. To be granted preference, each proposed small business subcontractor must possess an active small business certification issued by the California Department of General Services, must perform a "commercially useful function" under the contract and the basic functions to be performed must be identified at the time of proposal submission.
- e. Complete the Bidder Declaration GSPD-05-106 (**Attachment 12**) to request the non-small business subcontractor preference.
- f. Refer to the RFP section entitled, "Settlement of ties" to learn how tied scores will be resolved.

3. DVBE Bid Incentive

In accordance with section 999.5(a) of the Military and Veterans Code, an incentive will be given to Proposers who meet or exceed the DVBE program requirement. For evaluation purposes only, the State shall apply an incentive to bids that propose California certified DVBE participation as identified on the Bidder Declaration GSPD-05-106 (**Attachment 12**) and confirmed by the State. The incentive points for awards based on high score awards are included in the sum of non-cost points and cannot be used to achieve any applicable minimum point requirements.

Confirmed DVBE Participation of:	Calculation
5% or Over	$5\% \times 485 = 24.25$
4% to 4.99% Inclusive	$3\% \times 485 = 14.55$
3.5% to 3.99% Inclusive	$1\% \times 485 = 4.85$

4. Nonprofit Veteran Service Agency (NVSA) Small Business Preference

- a. Pursuant to Military and Veteran Code Section 999.50 et seq., responsive/responsible nonprofit veteran service agencies (NVSAs) claiming small business/microbusiness preference and verified as such in the relevant category or business type prior to the proposal submission due date will be granted a preference up to five percent (5%) of the highest score, if the highest scored responsive proposal is submitted by a proposer not certified as a small business/microbusiness. The "service" category is the business type that will most likely apply to this procurement.
- b. To be eligible for the NVSA small business preference, the business concern must:
 - 1) Request small business preference at the time of proposal submission, and
 - 2) Become certified as a small business by the appropriate office of the California Department of General Services (DGS) prior to the proposal submission due date.
- c. Refer to the RFP section entitled, "Settlement of ties" to learn how tied proposals will be resolved.

5. Target Area Contract Preference Act and Enterprise Zone Act

- a. Government Code (GC) Section 4530 (TACPA) provide that California based companies shall be granted a 5% preference whenever a state agency prepares a solicitation for **services** in excess of \$100,000. The preference(s) shall apply if the worksite is not fixed by the government agency and the proposer can demonstrate and certify, under the penalty of perjury, that at least 90% of the total labor hours required to perform the services shall be performed at an identified worksite located in a distressed area (TACPA). TACPA preferences will only be applied if this procurement results in more than one responsive proposal receiving a passing narrative proposal score.
- b. Additional work force preferences ranging from 1% to 4% can be earned by eligible proposers that agree to hire 5% to 20% of persons with a high risk of unemployment or those living in a targeted employment area or that are enterprise zone eligible to perform a specified percentage of the contract work.
- c. The granting of TACPA preference cannot displace an award to a certified small business.
- d. Proposers seeking TACPA preference must submit a completed STD 830 - Target Area Contract Preference Act Preference Request, Bidders Summary (DGS-PD-526), and

Manufacturers Summary (DGS-PD-525) (**Attachment 15**) with their proposal. The applicable preference request form must include the following:

- 1) All appropriate certifications. (TACPA). The proposing firm's name and the name of all suppliers and subcontractors that will work with the proposer to fulfill the terms of the contract along with the addresses of each of the worksite(s) and estimated labor hours. (TACPA)
 - 2) County census tract number and block group number. (TACPA)
 - 3) Proposer's original signature. (TACPA)
 - 4) A checkbox marked to identify the additional 1% to 4% preference sought for hiring persons with a high risk of unemployment. (TACPA)
- e. TACPA preference cannot be granted if:
- 1) The lowest proposed cost does not equal or exceed \$100,000 for the entire term, **or**
 - 2) The work site or any part thereof is fixed or preset by the State, **or**
 - 3) The services involve construction or a public works project **or**
- f. A proposer who has claimed a TACPA preference and is awarded the contract will be obligated to perform in accordance with the preference(s) requested, provided the preference was granted in obtaining the contract. Firms receiving preference must:
- 1) Report their labor hours to the State and
 - 2) Reference the state contract on which the award is based for the specific reporting requirements.
- g. Proposers wishing to learn more about TACPA requirements, designated work site(s) or in California should contact the appropriate office of the California Department of General Services at tacpa@dgs.ca.gov. DGS will attempt to determine TACPA eligibility within 5 working days.

6. Combined preferences

The maximum preference or score addition that any proposer may be granted for preference, non-small business subcontractor preference, DVBE Incentive, TACPA preference, preference combined is 15% of the bid amount or \$100,000, whichever is less.

Any firm that claims and is granted non-small business subcontractor preference, DVBE Incentive, TACPA preference cannot displace an award to a certified small business or microbusiness.

R. Contract Terms and Conditions

The winning Proposer must enter a written contract that may contain portions of the Proposer's proposal (i.e., Budget Detail Work Sheets, Work Plan), Scope of Work, standard contract provisions, the contract form, and the exhibits found alongside this solicitation within the file named "Sample Agreement and Exhibits" at <https://caleprocure.ca.gov/event/4265/26-10016>. Other exhibits, not identified herein, may also appear in the resulting contract.

The exhibits identified in this section contain contract terms that require strict adherence to various laws and contracting policies. A Proposer's unwillingness or inability to agree to the proposed terms and conditions shown below or contained in any exhibit identified in this RFP may cause CDPH to deem a Proposer non-responsible and ineligible for an award. CDPH reserves the right to use the latest version of any form or exhibit listed below in the resulting agreement if a newer version is available.

The exhibits identified below illustrate many of the terms and conditions that may appear in the final agreement between CDPH and the winning Proposer. Other terms and conditions, not specified in the exhibits identified below, may also appear in the resulting agreement. Some terms and conditions are conditional and may only appear in an agreement if certain conditions exist (i.e., contract total exceeds a certain amount, federal funding is used, etc.).

In general, CDPH will not accept alterations to the General Terms and Conditions (GTC), CDPH's Special Terms and Conditions, the Scope of Work, other exhibit terms/conditions, or alternate language that is proposed or submitted by a prospective contractor. CDPH may consider a proposal containing such provisions "a counter proposal" and CDPH may reject such a proposal as nonresponsive.

1. Sample contract forms / exhibits

Exhibit Label	Exhibit Name
	Standard Agreement
Exhibit A	Scope of Work
Exhibit A-1	Services To Be Performed
Exhibit B	Budget Detail and Payment Provisions
Exhibit B-1	Budget Proposal
Exhibit C	General Terms and Conditions (GTC 02/2025). View or download at this Internet site: https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language?search=GTC
View on-line.	
Exhibit D	Special Terms and Conditions

Exhibit Label	Exhibit Name
Exhibit E	Additional Provisions
Exhibit F	Information Privacy and Security Requirements
Exhibit G	Contractor's Release

2. Resolution of language conflicts (RFP vs. final agreement)

If an inconsistency or conflict arises between the terms and conditions appearing in the final agreement and the proposed terms and conditions appearing in this RFP, any inconsistency or conflict will be resolved by giving precedence to the final agreement.