



Request for Proposal 08-85023

Fiscal, Development and Personnel Services to Support
The *Network for a Healthy California* Social Marketing Campaigns

California Department of Public Health
Cancer Prevention and Nutrition Section
MS Code 7204
1616 Capitol Avenue, Suite 74.516
P. O. Box 997377
Sacramento, CA and 95899-7377

[Do not submit to the above address]

Principle funding is from the United States Department of Agriculture's (USDA) Food Stamp Program (FSP) through the *Network for a Healthy California*, which is an initiative of the California Department of Public Health (CDPH). These institutions are equal opportunity providers and employers.

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Q. Required Attachments

<u>Attachment #</u>	<u>Attachment Name</u>
Attachment 1	Proposal Cover Page
Attachment 2	Required Attachment / Certification Checklist
Attachment 3	Business Information Sheet
Attachment 4	Client References
Attachment 5	RFP Clause Certification
Attachment 6	CCC 307 - Certification
Attachment 7	Payee Data Record
Attachment 8	Follow-on Consultant Contract Disclosure
Attachment 9	DVBE Instructions / Forms
Attachment 9a	Actual DVBE Participation
Attachment 9b	Good Faith Effort Record
Attachment 10	Non-Small Business Subcontractor Preference Instructions
Attachment 10a	Non-Small Business Subcontractor Preference Request
Attachment 10b	Small Business Subcontractor/Supplier Acknowledgment
Attachment 11	DVBE Subcontractor Incentive Instructions
Attachment 11a	DVBE Subcontractor Incentive Request
Attachment 11b	DVBE Subcontractor/Supplier Acknowledgement
Attachment 12	Allowable and Unallowable Costs Chart
Attachment 13	Work Plan
Attachment 14	Cost Proposal Form
Attachment 15	Budget Detail Work Sheet (Year 1)
Attachment 16	Subcontractor Budgets (Year 1)
Attachment 17	Budget Detail Work Sheet (Year 2)
Attachment 18	Subcontractor Budgets (Year 2)

<u>Attachment #</u>	<u>Attachment Name</u>
Attachment 19	Budget Detail Work Sheet (Year 3)
Attachment 20	Subcontractor Budgets (Year 3)
Attachment 21	Budget Detail Work Sheet (Year 4)
Attachment 22	Subcontractor Budgets (Year 4)
Attachment 23	Budget Detail Work Sheet (Year 5)
Attachment 24	Subcontractor Budgets (Year 5)
Attachment 25	Budget Detail Work Sheet (Year 6)
Attachment 26	Subcontractor Budgets (Year 6)
Attachment 27	Mandatory Letter of Intent
Attachment 28	Duty Statement Template
Attachment 29	Resume Format

R. Sample Contract Forms / Exhibits

<u>Exhibit #</u>	<u>Exhibit Name</u>
Exhibit A1	Standard Agreement
Exhibit A	Scope of Work
Exhibit B1	Sample Work Authorization
Exhibit B	Budget Detail and Payment Provisions
Exhibit C	General Terms and Conditions (GTC 307) View on-line: http://www.ols.dgs.ca.gov/Standard%20Language/default.htm
Exhibit D(F)	Special Terms and Conditions
Exhibit E	Additional Provisions
Exhibit F	Contractor's Release
Exhibit G	Travel Reimbursement Information
Exhibit H	Contractor Equipment Purchased With CDPH Funds (Form)
Exhibit I	Inventory/Disposition of CDPH-Funded Equipment (Form)

<u>Exhibit #</u>	<u>Exhibit Name</u>
Exhibit J	Annual DVBE Report (Form)
Exhibit K	HIPAA Business Associate Addendum
Exhibit L	Information Confidentiality and Security Requirements
Exhibit M	Information Systems Security Requirements for Projects (ISO/SR1)

S. Program Appendices

Appendix #	Appendix Name
Appendix 1a	Comparable State Classifications
Appendix 1b	Website for State Personnel Classification and Salary Ranges
Appendix 1c	State Standard Support Costs
Appendix 2a	Materials Online Ordering Site
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Appendix 3	Sample Invoices
Appendix 4	Sample Warehouse Annual Expenditures
Appendix 5	Budget Justification / USDA Share Funds
Appendix 6	Social Ecological Model
Appendix 7	Website References
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A. Purpose, Funding Limit, Background and Description of Services

1. Purpose

The California Department of Public Health (CDPH), Cancer Prevention and Nutrition Section, (CPNS) is soliciting proposals from firms that are able to provide comprehensive, coordinated assistance and technical expertise for social marketing campaigns, communications, public relations, research, evaluation, and administrative services using strategic approaches that will enable CPNS to continue CDPH's mission of protecting and improving the health of all Californians through the *Network for a Healthy California (Network)* campaigns. It is expected that no one agency has all the expertise required to conduct all aspects of the social marketing campaign and that subcontractors/consultants will be needed. Proposals must address all of the services described in Exhibit A entitled, "Scope of Work".

CPNS intends to make a single award to the most responsive and responsible firm earning the highest score. This Request for Proposal (RFP) #08-85023 is open to all eligible firms and/or individuals that meet the qualification requirements, including commercial businesses, nonprofit organizations, State or public universities (including auxiliary organizations) and other entities.

2. Funding Limit

A maximum of \$100,000,000 is anticipated to be made available to obtain the services described in the RFP. Funding for these services may be limited to the following amounts per budget period:

- A. \$15,000,000 for the budget period of 01/01/2009 to 09/30/2009
- B. \$20,000,000 for the budget period of 10/01/2009 to 09/30/2010
- C. \$20,000,000 for the budget period of 10/01/2010 to 09/30/2011
- D. \$20,000,000 for the budget period of 10/01/2011 to 09/30/2012
- E. \$20,000,000 for the budget period of 10/01/2012 to 09/30/2013
- F. \$5,000,000 for the budget period of 10/01/2013 to 12/31/2013

Funding for each state fiscal year is subject to an annual appropriation by the State Legislature or Congress. If full funding does not become available, CDHP will either cancel the resulting agreement or amend it to reflect reduced funding and reduced activities. Continuation of services beyond the first state fiscal year is also subject to the contractor's successful performance. Without prior CDPH authorization, contractors may not expend funds set aside for one budget period in a subsequent budget period.

3. Background

CPNS operates the *Network*, a social marketing initiative principally funded through the United States Department of Agriculture's (USDA) Food Stamp Program (FSP). CPNS operates in coordination with the California Department of Social Services (CDSS) (See <http://www.cdss.ca.gov/foodstamps/>) and in cooperation with the University of California Davis—Food Stamp Nutrition Education Program (UCD/FSNEP; See <http://fsnep.ucdavis.edu/uc-fsne-program>) to implement Food Stamp Nutrition Education (FSNE), an optional administrative activity that targets low-income households. Funding is made possible by in-kind contributions from governmental and non-profit entities that qualify for federal financial participation (FFP) reimbursement funding from USDA/FSP.

The mission of the *Network* is to create innovative partnerships that empower FSNE-eligible Californians to increase fruit and vegetable consumption, physical activity and food security with the ultimate goal of preventing obesity and other diet and physical activity-related chronic diseases.

The *Network* accomplishes this mission by implementing programming and social marketing efforts that address its four pillars, or key program goal areas, as follows:

- 1) Increase daily consumption of fruits and vegetables to recommendations found in the 2005 Dietary Guidelines for Americans (for more information on the recommended dietary and activity guidelines visit www.mypyramid.gov),
- 2) Increase daily physical activity to a minimum of 30 minutes for adults and a minimum of 60 minutes for children,
- 3) Increase food security, including full participation in federal nutrition assistance programs by eligible persons, especially Food Stamps, and
- 4) Work with USDA and other partners toward preventing obesity and other diet and physical activity-related chronic diseases.

As depicted in the following graphic, three overarching characteristics are central to the implementation of the *Network's* key program goals statewide:

Empowerment - We will give help to FSNE-eligible Californians by providing the tools, resources, messages, and inspiration to help themselves.

Champions - We will work tirelessly on their behalf to make sure their voices are heard and needs are addressed.

Agents for Change - We will always seek innovative means to create more desirable ends for the people we serve, the environment they live in and the systems that support them.

Figure 1: Network Brand Architecture

Intended Audience of the Network

According to USDA's definition, the intended audience for FSNE activities is people who are recipients of or likely eligible to receive food stamps (i.e., their income is less than 130 percent of the federal poverty level (FPL), and similar potentially eligible households living at or below 185 percent of FPL (referred to as FSNE-eligible). USDA requires *Network*-funded projects to document that over 50 percent of their audiences meet these income criteria. Audience income eligibility is confirmed through the use of census tract data identifying their demographic (income and ethnicity) make-up (See <http://www.cnngis.org/>). School meal eligibility criteria may also be utilized to meet this requirement for school sites if at least 50 percent of the student population qualifies for free or reduced price meals (FRPM) (See <http://www.cde.ca.gov/ds/sh/cw/filesafdc.asp>). Other eligible persons may also include the service populations of other programs and community sites serving low-income Californians, such as the Head Start and Women's, Infants, and Children's program, as well as food banks/pantries and public housing, as identified by USDA.

The priority audience segments for the *Network* are California's seven million FSNE-eligible, low-income parents and children (especially school-aged children). Further priority is placed on low-income African American, Latino, and Caucasian Californian's due to the disproportionate impact of diet and physical activity related chronic diseases experienced by these groups.

Reaching the Intended Audience

To effectively serve and work in partnership with FSNE-eligible Californians, the *Network* has established the Social-Ecological Model (SEM) (see Appendix 6) as its scientific underpinning

(Figure 2). Based on the FSNE white paper published in the *Journal of Nutrition Education (Supplement, Sept. 2001)*, *Network* programs promote positive change for healthy eating and physical activity in five spheres of behavioral influence that influence dietary and physical activity behaviors: individual, interpersonal, institutional/organizational, community, and social / policy / systems.

Figure 2. California’s Social-Ecological Model for Nutrition, Physical Activity and Obesity Prevention Program Design and Evaluation



Using both direct service and targeted, large-scale approaches to organize integrated, complementary interventions that facilitate healthier eating and physical activity, the *Network* reaches eligible Californians in five ways: (1) in the 1,300+ low-income census tracts where about a third of FSNE-eligible persons live; (2) in California’s 5,100+ low-resource schools; (3) in service sites that serve low-income populations (e.g., Food Stamp offices, shelters, food banks, and job training centers); (4) through “earned media” events and public relations that secure free or public service media coverage; and (5) through paid advertising time in English and Spanish language media outlets where over half the impressions reach FSNE-eligible adults. To extend its reach, the *Network* continuously works with community partners and USDA to find new ways, especially through mass communications, to reach FSNE-eligible people where they live, work, go to school, socialize, worship, buy food, and get physical activity.

History and Brand

In 1986, a technical capacity grant, funded by the National Cancer Institute (NCI), laid the groundwork for the *California 5 a Day for Better Health! Campaign (5 a Day Campaign)*. In partnership with California’s fruit and vegetable industry, a statewide mass media public service communications campaign was undertaken in 1988 with the goal of increasing fruit and vegetable consumption. The media and the state’s largest 18 supermarket companies eagerly embraced the *5 a Day Campaign*. Interest spread across the country and around the

globe. In 1991 California's *5 a Day* prototype was licensed to and adopted by NCI and the Produce for Better Health Foundation, a new industry group with which government entities could work. With the newly established National 5 A Day Program, NCI committed \$16 million to related research, funding nine intervention trials. NCI also licensed State health departments to lead their own voluntary 5 A Day Program efforts.

An external evaluation concluded that, although funded modestly, the 5 A Day Program had been successful and should be expanded. Starting in the mid-1990s, the California Department of Health Services (CDHS, now CDPH) began extending the *5 a Day Campaign* to reach specific low-income population segments and channels, resulting in campaigns targeting 9- to 11-year-old children, Latino adults, and African American adults, as well as programs aimed at the retail and worksite channels.

In 1998, CDHS also launched the *California Nutrition Network for Healthy, Active Families (Network)*, funded by USDA's FSP, which uses social marketing approaches to increase healthy eating and physical activity among low-income families with school-age children. The *Network* grew from funding just four local agencies in 1996 to over 150 public and nonprofit agencies in 2008—from just under \$3 million to more than \$100 million in local and state resources, earning an equal amount of federal reimbursement dollars to support additional activities. This expansion allowed the *Network* to model itself after California's successful Tobacco Control Program, using a multi-level, comprehensive approach that stresses the changing of social norms to influence individual behavior through education, marketing, systems, policy, and environmental changes. In total, more than a dozen different intervention channels are being used to reach low-income families, including mass media, local health departments, school districts, festivals and flea markets, churches, community colleges, and low-wage worksites. In 2003, evaluation of these efforts showed an increase in the proportion of the population believing that at least 5 daily servings of fruits and vegetables are needed for good health (California Dietary Practices Data Tables, CPNS, unpublished).

In May 2007, the *Network* adopted a new organizational name and launched a new brand, Champions for Change, the culmination of a year-long review of the organization's strategic purpose in light of the release of the 2005 Dietary Guidelines for Americans (which nearly doubled the recommended number of servings of fruits and vegetables) and the need to continue effectively engaging families potentially eligible for food stamps and the intermediaries that serve them beyond the traditional approach of nutrition education. In doing so, the *Network* also brought the former *5 a Day Campaign* and the *California Nutrition Network for Healthy, Active Families* together under one brand. The *Network* is focused on creating change and helping our fellow Californians live better, healthier, more fulfilling lives. The new brand design captures all that the *Network* represents – personal empowerment, agents for change, and champions.

(See <http://networkforahealthycalifornia.net/Library/docs/BrandingGuidelinesManual.pdf>).

Figure 5. The transition to the *Network for a Healthy California*



STATE LEVEL FUNCTIONS

Within the context of California's State Plan to USDA, the *Network* functions on a statewide basis, effecting healthy community change through the following major areas:

1. **Communications**—Houses a statewide, multi-media campaign reaching millions of low-income Californians annually; sustains and advances the *Network's* Champions for Change brand through a wide variety of venues, including television, radio, and outdoor advertising, a direct mail campaign reaching FSNE-eligible families in their homes, a toll-free consumer line, and a consumer website (www.cachampionsforchange.net); and employs broad-based public relations strategies to further extend *Network* messages statewide.
2. **Research and Evaluation**—Operates the State's largest surveillance system focused exclusively on healthy eating and physical activity with a focus on low-income Californians; develops and maintains data collection systems for state and federal uses; collects and analyzes program data to assess impact; implements program evaluations; and provides evaluation consultation to State staff, *Network*-funded projects, and partners statewide.
3. **Community Development**—Supports and monitors the program activities of nearly 100 Local Incentive Awardee (LIA) contractors conducting nutrition education, physical activity promotion, and food stamp promotion for low-income communities statewide; provides ongoing technical assistance and training; identifies and disseminates effective models for community organizations and coalitions to deliver nutrition education and physical activity promotion; coordinates with *Network*-funded campaigns and programs and other partners statewide; and coordinates and oversees the work of locally-funded projects in 11 specific channels, of which schools/school districts and local health departments comprise the two largest groups.

4. Partnerships, Training and Special Projects—Implements annual trainings/workshops/conferences for new and continuing *Network*-funded partners on administrative and programmatic subjects. The objective is to assist partners in a fuller and more effective implementation of the *Network*'s key goal areas (e.g., fiscal policies and procedures, sustainability, nutrition education, community engagement, best and promising nutrition education and physical activity promotion practices, partnership development, etc.); convenes the *Network* Steering Committee (which includes Action Teams and an Operations Subcommittee) to maximize the planning and coordination of the *Network*'s activities and partnerships statewide. These activities support and monitor statewide leadership and special projects designed to enhance the delivery of nutrition education services to FSNE-eligible Californians through work with physicians, farm-to-school partners, food stamp promotion and food security programs, early childhood education/care providers, after-school/community youth organizations (including youth empowerment efforts), and other influential intermediaries.
5. Materials and Distribution—Develops, produces, and distributes a wide variety of educational materials [brochures, toolkits (including Harvest of the Month—www.harvestofthemonth.com), posters, educational or research briefs] for use with and by FSNE-eligible Californians; extends the *Network*'s messages and provides tangible tools and information to empower and engage FSNE-eligible Californians to pursue healthy changes for their families, schools, worksites, and communities; and operates an on-line ordering system to make the materials readily available to *Network*-funded projects (at no additional cost to the projects) and to other partners (at production cost), thereby increasing the potential reach and impact of these valuable educational resources.
6. Regional Networks—Refer to the 2008 California State Plan for FSNE link below for descriptive information.
7. Targeted Fruit and Vegetable, Physical Activity (FVPA) Campaigns and Programs— Refer to the 2008 California State Plan for FSNE link below for descriptive information.

Further descriptive information on each of the above mentioned areas can be found in the 2008 California State Plan for FSNE located at:

<http://ww2.cdph.ca.gov/programs/CPNS/Pages/CAStatePlanforFFY08.aspx>.

B. Time Schedule

Event	Date	Time (If applicable)
RFP Released	July 1, 2008	
Questions Due	July 14, 2008	3:00 p.m.
Mandatory Non-Binding Letter of Intent	August 1, 2008	3:00 p.m.
Proposal Due Date	August 27, 2008	4:00 p.m.
Notice of Intent to Award Posted	September 12, 2008	4:00 p.m.
Protest Deadline	September 18, 2008	
Contract Award Date	September 19, 2008	
Proposed Start Date of Agreement	January 1, 2009	

C. Contract Term

The term of the resulting agreement is expected to be sixty (60) months and is anticipated to be effective from January 1, 2009 through December 31, 2013. The agreement term and/or start date 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.

The resulting contract will be of no force or effect until it is signed by both parties and approved by DGS. The Contractor is hereby advised not to commence work until all approvals have been obtained. Work should not start before all approvals are obtained, said services may be considered to have been volunteered if all approvals have not been obtained. Contractor further agrees that the State is not obligated to pay for any work done before all approvals are obtained.

D. Proposer Questions

Immediately notify CDPH if clarification is needed regarding the services sought or questions arise pertinent to this RFP and/or its accompanying materials, instructions, or requirements. All inquiries shall be in writing and transmitted 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, CDHP will summarize all general questions and issues raised and mail, email, or fax the summary and responses to all persons who requested this RFP.

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, area code and telephone number, and fax 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, “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,
- b. The reporting of RFP errors or irregularities.

3. How to submit questions

Submit inquiries using one of the following methods.

<p>U.S. Mail, Hand Delivery or Overnight Express:</p>	<p>Fax:</p>
<p>Questions RFP 08-85023 California Department of Public Health Cancer Prevention and Nutrition Section Attn: Pamela Delapa Mail Station 7204 1616 Capitol Avenue, Suite 74.516 P.O. Box 997377 Sacramento, CA 95899-7377</p>	<p>Questions RFP 08-85023 California Department of Public Health Cancer Prevention and Nutrition Section Attn: Pamela Delapa</p> <p>Fax: (916) 449-5414</p>

Proposers submitting inquiries by fax are responsible for confirming the receipt of all faxed materials by the question deadline.

Call Pamela Delapa at (916) 449-5382 to confirm faxed transmissions.

4. Proposer warning

- a. CDPH internal processing of U.S. mail may add up to 48 hours or more to the delivery time. If questions are mailed, consider using certified or registered mail and request a receipt upon delivery.
- b. For hand deliveries, allow sufficient time to locate on street metered parking and to sign-in at the security desk. If detained at the security desk, ask security personnel to call Pamela Delapa at (916) 449-5382 to arrange for question pickup and receipt issuance by program staff.
- c. Courier service personnel must sign-in at the security station and must obtain an access key card. Couriers will then be able to access pre-determined areas. If detained at the security desk, ask security personnel to call Pamela Delapa at (916) 449-5382 to collect the question envelope and to issue a receipt.

5. Verbal questions

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

Direct all verbal requests for DVBE assistance to CDPH's Advocate Sandy Henderson at (916) 650-0117 up to the proposal deadline.

E. Reasonable Accommodations

For individuals with disabilities, CDPH 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 alternative format, please call the number below to arrange for reasonable accommodations.

Pamela Delapa
 California Department of Public Health
 Cancer Prevention and Nutrition Section
 Program telephone number (916) 449-5382
 (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 date the alternate format material is needed.

F. 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 27) for this purpose.**

2. Submitting the Letter of Intent

Regardless of delivery method, the mandatory Letter of Intent must be received by **3:00 p.m. on August 1, 2008.**

Submit the Letter of Intent using one of the following methods.

U.S. Mail, Hand Delivery or Overnight Express:	Fax:
Letter of Intent RFP 08-85023 California Department of Public Health Cancer Prevention and Nutrition Section Pamela Delapa Mail Station 7204 1616 Capitol Avenue, Suite 74.516 P.O. Box 997377 Sacramento, CA 95899-7377	Letter of Intent RFP 08-85023 California Department of Public Health Cancer Prevention and Nutrition Section Pamela Delapa Fax: (916) 449-5414

Proposers transmitting a Letter of Intent by fax are responsible for confirming the receipt of the faxed Letter of Intent by the stated deadline.

Call Pamela Delapa at (916) 449-5382 to confirm faxed transmissions.

3. Proposer warning

- a. CDPH's internal processing of U.S. mail may add up to 48 hours or more to the delivery time. If the Letter of Intent is mailed, consider using certified or registered mail and request a receipt upon delivery.
- b. For hand deliveries, allow sufficient time to locate on street metered parking and to sign-in at the security desk. If detained at the security desk, ask security personnel to call Pamela Delapa at (916) 449-5382 to arrange for Letter of Intent pickup and receipt issuance.
- c. Courier service personnel must sign-in at the security station and must obtain an access key card. Couriers will then be able to access pre-determined areas. If detained at the security desk, ask security personnel to call Pamela Delapa at (916) 449-5382 to have appropriate staff collect the Letter of Intent request and to issue a receipt.

G. 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 RFP.

H. 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 review or score proposals that fail to meet these requirements. By submitting a proposal, each proposer must certify and prove that the proposer possesses the following qualification requirements.

1. At least three consecutive years of experience of the type(s) listed below. 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. Implementing large-scale projects within 30 days of contract execution.
 - b. Managing at least one large statewide social marketing project requiring staff, fiscal, and reporting, research, media, and development services.
 - c. Administering state and/or federal government grants, contracts, and cooperative agreements including a full range of personnel, fiscal, marketing, media, and development services.
 - d. Working with diverse governmental or private agencies, public schools, food industry groups, agricultural organizations, and community-based coalitions to carry out social marketing campaigns and community interventions. Experience must include: use of a variety of implementation channels (i.e. media, schools, community, educational classes, etc.) channels, development of collateral materials for diverse audiences (including in Spanish, multiple Asian languages (e.g. Korean, Vietnamese, Hmong, Mandarin,

Cantonese, etc.) Translators or translation for specific language(s) will be determined based on communities served and program needs.

- e. Establishing, implementing, and evaluating a similar large-scale, large budget, and complex social marketing project aimed at modifying lifestyle practices of the general population.
 - f. Developing and delivering statewide training courses on topics related to formative research, developing educational materials and programs, media, public relations, and evaluation.
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. Non-profit 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. Proposer 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 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 8).

PCC Section 10365.5 generally prohibits a person, firm, or subsidiary thereof that has been awarded a consulting services contract from submitting a bid for and/or being awarded an agreement for, the provision of services, procurement of goods or supplies, or any other related action that is required, suggested, or otherwise deemed appropriate in the end product of a consulting services contract.

PCC Section 10365.5 does not apply to any person, firm, or subsidiary thereof that is awarded a subcontract of a consulting services agreement that totals no more than ten percent of the total monetary value of the consulting services agreement. Consultants and employees of a firm that provides consulting advice under an original consulting contract are not prohibited from providing services as employees of another firm on a follow-on contract, unless the persons are named contracting parties or named parties in a subcontract of the original contract.

PCC Section 10365.5 does not distinguish between intentional, negligent, and/or inadvertent violations. A violation could result in disqualification from bidding, a void contract, and/or imposition of criminal penalties.

8. Proposers must either achieve actual DVBE participation **or** make an adequate Good Faith Effort (GFE) to meet the DVBE participation requirements. (Detailed requirements are outlined in Attachment 9 (DVBE Instructions/ Forms). This requirement applies if the total cost or price offered equals \$10,000 or more.

9. The winning Proposer must supply, before contract execution, proof of liability insurance that meets the requirements of Exhibit E—Additional Provisions, Item 9. Insurance Requirements.
10. Proposers must agree to use their organizations federally negotiated rate. If one has not been negotiated, indirect costs must be contained at a percentage rate not to exceed 26 percent of the total Modified Direct Costs (Total Direct Cost less subcontractors and equipment) or 25 percent of Total Personnel Costs.

I. 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 requirement(s) 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 delivery of the proposal package(s) to the address specified in this RFP. Do not delay until shortly before the deadline to submit the proposal.

2. Format requirements

- a. Submit one (1) original proposal and seven (7) copies or sets.
 - 1) Write “Original” on the original proposal set.
 - 2) Each proposal set must be complete with a copy of all required attachments and documentation.
- b. Format the narrative portions 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.

- 3) Print pages single-sided on white bond paper.
 - 4) Sequentially paginate the pages in each section. It is not necessary to paginate items in the Forms Section or Appendix Section.
- c. Bind each proposal set in a way that enables easy page removal. Loose leaf or three-ring binders are acceptable.
- d. All RFP attachments that require a signature must be signed in blue ink.
- 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.
 - 2) Place the originally signed attachments in the proposal set marked "Original".
 - 3) The RFP attachments and other documentation placed in the extra proposal sets may use photocopied signatures.
- e. 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
The person authorized to bind the Proposer must sign the Proposal Cover Page (Attachment 1). If the proposer is a corporation, the person authorized by the Board of Directors must sign the Proposal Cover Page on behalf of the Board.
- 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 three (3) 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.

d. Agency Capability Section

- 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.
- 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) Implementing large-scale projects within 30 days of contract execution.
 - b) Managing at least one large statewide social marketing project requiring staff, fiscal, and reporting, research, media, and development services.
 - c) Administering state and/or federal government grants, contracts, and cooperative agreements including a full range of personnel, fiscal, marketing, media, and development services.
 - d) Working with diverse governmental or private agencies, public schools, food industry groups, foundations, agricultural organizations, and community-based coalitions to carry out social marketing campaigns and community interventions. Experience must include: use of a variety of implementation channels (i.e. media, schools, community, educational classes, etc.) channels, development of collateral materials for diverse audiences (including in Spanish, multiple Asian languages (e.g. Korean, Vietnamese, Hmong, Mandarin, Cantonese, etc.)). Translators or translation for specific language(s) will be determined based on communities served and program needs.
 - e) Establishing, implementing, and evaluating a similar large-scale, large budget, and complex social marketing project aimed at modifying lifestyle practices of the low income population.
 - f) Developing and delivering statewide training courses on topics related to formative research, developing educational materials and programs, media, public relations, and evaluation.
- 3) Briefly, 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) 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.
 - 5) Identify three client references that the proposing firm has serviced in the past five years that can confirm their satisfaction with the services and confirm if the proposing firm provided timely and effective services and/or deliverables. Use the Client References form (Attachment 4) for this purpose. **Place the completed Client References form in the Forms Section of the proposal.**
- e. Work Plan Section
- 1) Overview
 - a) CDPH is interested in proposals that provide well-organized, comprehensive, and technically sound business solutions. Vague explanations will undermine the proposing firm’s credibility and will result in reduced proposal scores.
 - b) The Work Plan must include an in-depth discussion and description of the methods, approaches, and step-by-step actions that will be carried out to fulfill all Scope of Work requirements.
 - c) If the nature of a task or function hinders specific delineation of in-depth methods and procedures (e.g., a task is dependent upon a future action or multiple approaches may be used), explain the probable methods, approaches, or procedures that will be used to accomplish the task or function. Also, describe, in this instance, how the proposing firm will propose the ultimate strategies and detailed plans to CDPH for full consideration and approval before proceeding to carry out the project.
 - 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.
 - 3) Work Plan content
 - a) The Work Plan must include projected performance time lines and a detailed description of the step-by-step actions, methods, and approaches used to fulfill all Scope of Work requirements.
 - b) Complete Work Plan (see sample in Attachment 13).

f. Management Plan Section

- 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 and allowable USDA project expenses will be billed to CDPH (e.g., use of unique account/project codes, accounting software, 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). Electronic billing is not possible. Each invoice requires an original signature on proposer letterhead.
 - 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 for this requirement are explained in the Appendix Section of the RFP subsection J(3), Page 27.
- 4) Include financial statements. Instructions for this requirement are explained in the Appendix Section of the RFP subsection J(4), Page 27.

g. Project Personnel Section

- 1) In this section, describe the proposed staffing plan. In the staffing plan, include at a minimum:
 - a) Position titles for all proposed employees (persons on the proposing firm's payroll).
 - b) Number of personnel in each position/classification and/or labor category.
 - 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 must not exceed the salary/rates paid to State personnel holding comparable classifications or performing duties with a comparable level of responsibility. In addition, proposed cost of living increases cannot exceed those increases granted annually to state employees.

See Appendix 1a Comparable State Classifications, and Appendix 1b Website for State Personnel Classification and Salary Ranges for a list of comparable State classification titles and monthly salary ranges. For additional information on specific State Classifications, refer to the State Personnel Board website at the following location: <http://www.spb.ca.gov/employment/spbpayrd.htm>.

- e) 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. **Place all job descriptions or duty statements at the end of the Project Personnel Section (see Attachment 28).**
 - f) 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.
 - g) 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. Resumes should not include personal information such as a social security number, home address, home telephone number, marital status, sex, birth date, age, etc. (See Attachment 29).
- 2) Briefly, describe the administrative policies or procedures that 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.
 - 3) Briefly, describe the processes or procedures or recruitment policy that will be used to ensure that vacancies are filled expeditiously and that services are continued despite existing vacancies.
 - 4) 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. Resumes should not include personal information such as a social security number, home address, home telephone number, marital status, sex, birth date, age, etc. (see Attachment 29).
- E. A letter of agreement, signed by an official representative of each subcontracted firm or independent consultant.

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 solicitation 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.

h. Facilities and Resources Section

Contract staff will be required to work side-by-side with State personnel. CDPH will provide State office facilities at the following location: 1616 Capitol Avenue, Suite 74.516, Sacramento, CA 95814. CDPH will provide the following shared support services to contract staff working in State office facilities: office furniture; standard office supplies; telecommunications equipment (telephones, fax); photocopying equipment; postage and mail handling services, including overnight mail services and reproduction services.

From time to time, shared facilities, support services, equipment, or supplies over and above those provided by CDPH may be required for joint projects, activities, and tasks. List additional office facilities, equipment and support services that will be available and accessible to perform the work, including, but not limited to:

- Clerical support services
- Shipping services
- Conference facilities
- Computer hardware & software
- Photocopying services
- Storage facilities
- Audio/visual equipment or services

It may be necessary for the Contractor to purchase equipment in addition to those provided by CDPH. In such instances, Contractor shall utilize the funds identified under the equipment line item. Contractor shall include a percentage or a fixed amount for each staff assigned to the project under the Equipment Line Item. These expenditures shall be shown as "Other Equipment Cost(s)". Such equipment may include but not limited to (e.g., computer, software, other electronic devices, etc.). Purchases indicated above shall be purchased on an as needed basis, and shall use funds allocated for each contract year. All Contractor purchases must adhere to Exhibit D(F) entitled Special Terms and Conditions, (4) Equipment Ownership/Inventory/Disposition.

All equipment purchased shall be appropriately tagged and Contractor shall follow CDPH equipment, inventory and control guidelines. On an annual basis, Contractor shall provide a detailed list of information (i.e., type of equipment, model, serial number, etc.) on equipment purchased for each contract year (see Exhibit H and I).

At the end of this agreement all equipment purchased shall be deemed CDPH property and the Contractor shall turn over such assets to CDPH equipment custodian.

i. Cost Section

1) Basic content

The Cost Section will consist of the following documents:

- a) Cost Proposal form (Attachment 14).
- b) Budget Detail Work Sheet(s) (Attachment 15, 17, 19, 21, 23, and 25) for each Federal Fiscal Year or budget period.
- c) Subcontractor Budgets (Attachment 16, 18, 20, 22, 24, and 26) for each Federal Fiscal Year or budget period.
- d) Required cost justification and documentation described later in this section.

2) General instructions

- a) All cost forms (Cost Proposal form and Budget Detail Work Sheets) and Subcontractor Budgets 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. The person who signs the Cost Proposal should initial all corrections in blue ink.
- b) On the Cost 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) Required Budget Detail Work Sheets

- a) Include with the Cost Proposal form (Attachment 14), a Budget Detail Work Sheet (Attachment 15, 17, 19, 21, 23, and 25) and Subcontractor Budgets (Attachment 16, 18, 20, 22, 24, and 26) for each state fiscal year or budget period.
- b) On each Budget Detail Work Sheet, provide specific cost breakdowns for the budget line items identified in this section.
- c) 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.
- d) Please report costs using **whole dollars only**. Round fractional dollar amounts or cents to the nearest whole dollar amount.
- e) When completing the Budget Detail Work Sheet(s) and Subcontractor Budgets, Proposers may create like images or computerized reproductions of the Budget Detail Work Sheets and Subcontractor Budgets included in this RFP. Use as many pages as necessary to display the detailed budgeted costs. The Budget Detail Work Sheet attachments included in this RFP 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) Identify the projected detailed expenses for each line item identified below by following the instructions herein.
 - i. Personnel costs
 - A. Identify each funded position title or classification.
 - B. Indicate the number of personnel in each position/classification.
 - C. Indicate the FTE or annual percentage of time/effort for each position (i.e., full time = 1.0, 1/2 time = .50, 3/4 time = .75, 1/4 time = .25, number of hours, if hourly, etc.).
 - D. Identify the monthly salary rate or range for each position/classification. Include paid leave benefits such as sick leave, vacation, annual leave, holiday pay, etc. in the salary rates or ranges.
 - E. Project an annual total for each position/classification.
 - F. If applicable, enter \$0 if no personnel costs will be incurred.
 - G. Enter the grand total for salary/wage expenses.
 - ii. Fringe Benefits

Include fringe benefit expenses including, but not limited to, costs for worker's compensation insurance; unemployment insurance, health, dental, vision and/or life insurance; disability insurance; pension plan/retirement benefits; etc.

- A. Display fringe benefit costs as a percentage rate of the total personnel costs.
 - B. If applicable, enter \$0 if no fringe benefit costs will be incurred.
- iii. Operating Expenses (also referred to as General expenses)
Identify all direct project costs. Direct project costs may include but are not limited to the following expense items:
- A. Facility rental (i.e., office space, storage facilities, etc.) should be included in the amount of \$8,700 per person for Budget Year 1. For subsequent Budget Years, this item should be budgeted at an increased rate of five percent per year. Include the amount of square footage and the rate per square foot.
 - B. Consumable office supplies should be included in the amount of \$3,600 per person per year.
 - C. Minor equipment purchases (i.e., items with a unit cost of less than \$5,000 and a useful life of one year or more).
 - D. Telecommunications (i.e., telephone or cellular telephones, fax, Internet service provider fees, etc.) should be included at \$2,500 per FTE per year.
 - E. Reproduction/printing/duplication should be included at \$1,500 per person per year.
 - F. Postage or messenger/delivery service costs.
 - G. Equipment/furniture rental/lease and maintenance.
 - H. Software (including license fees, upgrade/maintenance fees, etc.)
 - I. If applicable, enter \$0 if no operating expenses will be incurred.
- iv. Equipment Expenses
- A. CDPH will reimburse major equipment purchases under the resulting contract.
 - B. CDPH primarily classifies equipment as Major Equipment, Minor Equipment, and Miscellaneous Property. Major Equipment is defined as a tangible or intangible item with a base unit cost of \$5,000 or more and a life expectancy of one year or more that is purchased or reimbursed with agreement funds. Major equipment is budgeted in this expense line item. Minor Equipment is defined as a tangible item with a base unit cost of less than \$5,000 and a life expectancy of one year or more and is on CDPH's Minor Equipment List and that is purchased or reimbursed with agreement funds. Minor equipment is budgeted as an operating expense.
 - C. List each major equipment item the Proposer intends to purchase. Include the number of units and anticipated unit cost. Extend each unit cost to display applicable subtotals and show a total equipment cost.

D. Contractors may use their own purchasing system to obtain major equipment up to an annual limit of \$50,000. CDPH must arrange all equipment purchases above this limit. Unlimited purchase delegations exist for California State colleges, public universities, and other governmental entities.

E. If applicable, enter \$0 if no major equipment expenses will be incurred.

v. Subcontract Expenses

A. Specify a total cost for all subcontracted services (including those performed by independent consultants). Subcontractors include any persons/firms performing contract services that are not on the Proposer's payroll.

B. If a proposer intends to use subcontractors (including independent consultants), provide the information below depending on whether subcontractors are known/pre-identified or have yet to be determined.

1. For known/pre-identified subcontractors or independent consultants, identify each subcontractor/consultant by name and include a separate expense breakdown for each of the subcontractor's costs for personnel expenses including fringe benefits, operating or general expenses, travel, subcontracts, and indirect costs. **Use Attachments 16, 18, 20, 22, 24, and 26 if more than two subcontracts are anticipated.**
2. For unknown/unidentified subcontractors or independent consultant, list a title for each subcontracted activity/function and indicate a total projected cost for each activity/function to be out sourced.

C. If applicable, enter \$0 if no subcontract expenses will be incurred.

vi. Travel Expenses

A. Indicate the total cost for travel and per diem. Include costs for expenses such as airfare, mileage reimbursement, parking, toll bridge fees, taxicab fares, overnight lodging and meal expenses, etc.

B. Travel reimbursement and per diem expenses shall be at the rates currently in effect as established by the California Department of Personnel Administration for non-represented state employees.

C. If applicable, enter \$0 if no travel expenses will be incurred.

vii. Other Costs

A. Indicate here those direct project expenses that do not clearly fit into the other budget line items. Such costs may include, but are not limited to training/conference registration fees, publication production costs, costs for educational material development or other items unique to performance.

B. Itemize each expense item and its cost.

- C. If any service, product or deliverable will be provided on a fixed price or lump sum basis, name the items and/or deliverable and indicate “fixed price” or “lump sum” next to the item along with the price or fee.
- D. If applicable, enter \$0.

viii. Indirect Costs

- A. Express the indirect costs as a percentage rate.

Indirect Expenses are defined as expenses not directly associated with the project's deliverables. Examples are: management, fiscal, and personnel services; bookkeeping; payroll, janitorial, insurance and audit costs.

Proposers must agree to use their organizations federally negotiated rate. If one has not been negotiated, indirect costs must be contained at a percentage rate not to exceed 26 percent of the total Modified Direct Costs (Total Direct Cost less subcontractors and equipment) or 25 percent of Total Personnel Costs. CDPH will deem a proposal non-responsive if a Proposer offers an indirect cost rate that exceeds this limit.

- B. If applicable, enter \$0.

ix. Total Costs

Enter a total annual cost for the stated fiscal year or budget period. Make sure all itemized costs equal this figure when added together.

4) 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.

- a) Discuss how the number of project-funded staff, their proposed duties, and time commitments are sufficient to achieve the proposed services and activities.
- b) Include wage and/or salary justifications, including but not limited to:
 - i. How salary rates or ranges were determined.
 - ii. Explain any cost of living, merit or other salary adjustments that are included in the personnel line item. Explain how the amount of each adjustment was determined and explain the frequency or interval at which the adjustment is to be granted. **This only applies if the personnel expense line item includes merit increases, cost of living, or other salary adjustments.**

In light of the State's fiscal uncertainties, CDPH reserves the right to negotiate a lower cost of living percentage increase/amount or withhold approval of any projected cost of living increase for any contract budget year if the Proposer's projected increase exceeds the cost of living adjustment granted to civil service employees during the same fiscal period. Proposed cost of living increases cannot exceed those increases granted annually to state employees.

Note: The salaries paid to contractor and subcontractor personnel must not exceed rates paid to State civil service personnel performing comparable work. (See Appendix 1b <http://www.spb.ca.gov/employment/spbpayrd.htm>).

- c) Fringe benefit explanation. This requirement only applies if fringe benefit expenses are budgeted.
 - i. Identify and/or explain the expenses that make up fringe benefit costs. Typical fringe benefit costs can include worker's compensation insurance; unemployment insurance, health, dental, vision and/or life insurance; pension plan/retirement benefits; etc.
 - ii. If applicable, identify any positions that do not earn fringe benefits and/or that receive different benefit levels.
- d) Major equipment costs and explanation of purchasing system. This requirement only applies if major equipment expenses are budgeted.
 - i. For each major equipment item listed in an annual Budget Detail Work Sheet, explain why the equipment item is needed and how it will be used to carry out the work. If applicable, explain why a lease is not preferable to a purchase.
 - ii. Describe briefly, the proposing firm's purchasing system including how the Proposer will ensure that competitive prices are obtained and how the Proposer will insure that purchases are carried out responsibly.
- e) Subcontractor/independent consultant use and fees/rates and costs. This requirement only applies if subcontractor (including independent consultant) costs are budgeted.
 - i. Discuss the necessity of using each subcontractor and/or independent consultant. Explain what contributions their services and expertise will add to the funded project.
 - ii. Provide a justification for the fees/wages budgeted for known/pre-identified subcontractors (including independent consultants). Include information, such as, but not limited to, the subcontractor's or consultant's current pay rate, past wage/salary/fee history, standard industry rates paid for comparable/similar services. If applicable, explain other factors used to determine the proposed pay levels such as acknowledged pace-setter in a specific field, possession of expert credentials, etc. that explain the reasonableness of the proposed costs/fees or wage rates.
 - iii. For unknown/unidentified subcontractors (including consultants), explain how the budgeted amount for each proposed subcontracted activity or function was determined.
- f) Travel expense justification/explanation. This requirement only applies if travel expenses are budgeted.
 - i. If proposed travel expenses equal \$25,000 or more in any budget period, itemize all major travel and per diem expenses. At a minimum, include an

estimated number of trips, to and from destinations, length of travel per trip (i.e., number of days and nights), number of travelers, and mode of transportation.

Note: Travel reimbursement and per diem expenses shall be at the rates currently in effect as established by the California Department of Personnel Administration for non-represented state employees.

Expenses exceeding current State rates must have prior written approval by CDPH. Refer to the Travel Reimbursement Information (see Exhibit G).

State employees receive discounted lodging rates in many areas. In justifying per diem costs, indicate if the Proposer does not have access to the same discounted rates offered to State employees.

- ii. If travel expenses are less than \$25,000 in any budget period, briefly explain how the proposed travel costs were determined.
- g) Other costs explanation. This requirement only applies if “Other costs” are budgeted.
 - i. Itemize each expense item making up the “Other Costs” line item.
 - ii. Explain why each expense item is necessary. Also, explain how the amount of each expense was determined.
 - iii. If any services or deliverables are offered on a fixed price or lump sum basis, explain how the price or cost was determined.
- h) Indirect cost rate explanation. This requirement only applies if indirect costs are budgeted and the allowable reimbursement rate was not pre-set by CDPH.

Explain briefly, how the proposed indirect cost rate was determined (i.e., how the percentage was set and what administrative costs were considered in setting the rate).

- i) Include, at the Proposer’s option, any other information that will assist CDPH to understand how the proposed costs were determined and why the proposed costs are reasonable, justified, and/or competitive. Unless discussed elsewhere within this section, explain any unusually high or disproportionate cost elements appearing in any budget line item.
- 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 the 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. Also, include a copy of the proposing firm's Bylaws and 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 Internal Revenue Service (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

The organization chart must show the distinct lines of authority between and among the divisions that will perform the project work and the primary reporting relationships within the Proposer's organization. Show the relationships between management, key decision makers, supervisory personnel and subcontractors and/or independent consultants, if any.

4) Financial statements

Submit copies of financial statements for the past two years or most recent 24-month period.

- a) Annual income statement(s), and
- b) Quarterly **or** annual balance sheets

Audited statements are preferred, but not required. If audited financial statements are supplied, all noted audit exceptions must be explained. CDPH will accept financial statements prepared by a Proposer's financial accounting department, accounting firm or an auditing firm. A statement signed by a Proposer's Chief Financial Officer certifying that the financial statements are accurate and complete must accompany all financial statements.

5) 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. (see Attachment 29).

6) 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. (see Attachment 29).

7) 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.

All Letters of Agreement, Memorandum of Understanding, etc. with all pre-identified subcontractors will be required before a contract for this RFP is executed.

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.

Attachment #, Name, or Documentation	Instructions
1 - Proposal Cover Page	Self-explanatory
2 - Required Attachment / Certification Checklist	<p>Check each item with “Yes” or “N/A”, as applicable, and sign the form. If necessary, explain the choices.</p> <p>If a proposer 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.</p>
3 - Business Information Sheet	Completion of the form is self-explanatory.
4 - Client References	Identify three (3) clients serviced within the past five years that can confirm their satisfaction with the Proposer’s services and confirm that the Proposer provided timely and effective services or deliverables. If possible, identify clients whose needs were similar in scope and nature to the services sought in this RFP. List the most recent first.
5 - RFP Clause Certification	Complete and sign this form indicating a willingness and ability to comply with the contract certification clauses appearing in the RFP section entitled, “Bid Requirements and Information,” subsection “Bidding Certification Causes”.
6 - CCC 307 – Certification	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: http://www.ols.dgs.ca.gov/Standard+Language/default.htm .

Attachment #, Name, or Documentation	Instructions
7 - Payee Data Record	Complete and return this form, only if the proposing firm has not previously entered into a contract with CDPH. If uncertain, complete and return the form.
8 - Follow-on Consultant Contract Disclosure	Complete and sign this form. If applicable, attach to this form the appropriate disclosure information.
9 - DVBE instructions 9a - Actual DVBE Participation and applicable DVBE certification(s) and/or 9b - Good Faith Effort with required documentation	Read and carefully follow the completion instructions in Attachment 9. Attach the documentation that is required for the form(s) that are submitted. One and/or both of these two forms may be required. Submission of the forms identified here only applies to contract awards that will equal \$10,000 or more for the entire contract term. Actual DVBE Participation Good Faith Effort Record
10a - Non-Small Business Subcontractor Preference Request 10b - Small Business Subcontractor / Supplier Acknowledgement	Submission of these forms is optional. Read and carefully follow the completion instructions in Attachments 10, 10a, and 10b. Complete and return Attachments 10a and 10b <u>only</u> if the bidding firm is a not a certified small business but is requesting a subcontractor bidding preference by committing to use one or more certified small business subcontractors for an amount equal to at least 25 percent of the total bid price.
11 - DVBE Subcontractor Incentive Instructions 11a - DVBE Subcontractor Incentive Request 11b - DVBE Subcontractor/ Supplier Acknowledgement	Submission of these forms is optional. Read and carefully follow the completion instruction in Attachments 11, 11a, and 11b. Complete and return Attachments 11a and 11b <u>only</u> if the bidding firm is requesting a subcontractor bidding incentive by committing to use one or more certified DVBE business subcontractors in the amount indicated in the bid package.

J. Proposal Submission

1. General Instructions

- a. Assemble an original and eight (8) copies of the proposal together. Place the proposal set marked "Original" on top, followed by the eight (8) extra copies.
- b. Place all proposal copies in a single envelope or package, if possible. Seal the envelope or package.

If more than one envelope or package is submitted, carefully label each one as instructed below, and mark on the outside of each envelope or package "1 of X", "2 of X", etc.

- c. Mail or arrange for hand delivery of the proposal to the CDPH/Contract Management Unit (CMU). Proposals may not be transmitted electronically by fax or email.
- d. CMU must receive the proposal, regardless of postmark or method of delivery, by **4:00 p.m. on August 27, 2008**. Late proposals will not be reviewed or scored.
- e. Label and submit the proposal using one of the following methods.

Hand Delivery or Overnight Express:	U.S. Mail:
<p>Proposal RFP 08-85023 California Department of Public Health Contract Management Unit Mail Station 1802 1501 Capitol Avenue, Suite 71.5178 Sacramento, CA 95814</p>	<p>Proposal RFP 08-85023 California Department of Public Health Contract Management Unit Mail Station 1802 P.O. Box 997377 Sacramento, CA 95899-7377</p>

- f. Proposer warning
 - 1) CDPH’s internal processing of U.S. mail may add up to 48 hours or more to the delivery time. If the proposal is mailed, consider using certified or registered mail and request a receipt upon delivery.
 - 2) For hand deliveries, allow sufficient time to locate on street metered parking and to sign-in at the security desk. If detained at the security desk, ask security personnel to call the CDPH/CMU at (916) 650-0100 to arrange for proposal pickup and receipt issuance. Proposers are warned not to surrender their proposals in the care of a person other than CDPH/CMU staff.
 - 3) Courier service personnel must sign-in at the security station and must obtain an access key card. Couriers will then be able to access pre-determined areas. If detained at the security desk, ask security personnel to call CDPH/CMU at (916) 650-0100 to have a CMU staff member collect the proposal package(s) and to issue a receipt. Couriers are warned not to surrender proposals in the care of a person other than CDPH/CMU staff.

2. Proof of timely receipt

- a. CDPH staff will log and attach a date/time stamped slip or bid receipt to each proposal package/envelope received. If a proposal envelope or package is hand delivered, CDPH staff will give a bid receipt to the hand carrier upon request.
- b. To be timely, CDPH/CMU must receive each proposal at the stated delivery address **no later than 4:00 p.m.** on the proposal submission due date. Neither delivery to the department's mailroom, or to the CDPH program that issued this RFP, or a U.S. postmark will serve as proof of timely delivery.
- c. 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.

K. Evaluation and Selection

A multiple stage evaluation process will be used to 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.

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.

- b. 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	Interpretation	General basis for point assignment
0	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.
1	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.
2	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.
3	Excellent or Outstanding	Proposal response (i.e., content and/or explanation offered) is above average or exceeds CDPH's needs/requirements or expectations. Minimal weaknesses are acceptable. Proposer offers one or more enhancing feature, method or approach that will enable performance to exceed CDPH's basic expectations.

- c. In assigning points for individual rating factors, raters may consider issues including, but not limited to, the extent to which a proposal responds:
- 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).

d. Below are the point values and weight values for each rating category that will be scored.

1) Proposals, excluding the Cost Section, will be scored on a scale of 0 to 165 points, as follows:

<u>Rating Category</u>	<u>Points</u>	<u>X</u>	<u>Weight</u>	<u>=</u>	<u>Total</u>
Executive Summary	15	X	0.5	=	7.5
Agency Capability	33	X	1.5	=	49.5
Work Plan	24	X	2.0	=	48
Management Plan	24	X	1.0	=	24
Project Personnel	24	X	1.5	=	36

Grand Total 165

2) CDPH will consider a proposal technically deficient and nonresponsive if the proposal earns a score that is less than 140 points. Nonresponsive proposals 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 multi-phase cost scoring process described herein.
- b. The rating team will evaluate the merits and effectiveness of the Cost Section of each proposal and assign cost points as described below. A total of 30 points can be earned in the cost evaluation phase.

Cost Section Rating Factors	Points Possible	Points Earned
Upon reviewing the Budget Detail Work Sheets, has the Proposer made good use of the contract funds?	3	
Upon reviewing the Budget Detail Work Sheets, did the Proposer allocate sufficient funds to each of the budgeted line items?	3	
Upon reviewing the Budget Detail Work Sheets, did the Proposer allocate sufficient funds to support the major program objectives or elements?	3	
Upon reviewing the Budget Detail Work Sheets, are the amounts allocated to the individual line items reasonable with none of the line item totals appearing to be excessive?	3	
Do the budget justifications and explanation, supplied by the Proposer show that the costs are reasonable and/or appropriate?	3	
Upon reviewing the proposed salary/wage rates for in-house and subcontracted personnel, do the rates appear to be reasonable based upon the assigned level of responsibility and/or the person’s salary history?	3	

Cost Section Rating Factors	Points Possible	Points Earned
Is there an appropriate fiscal balance between the costs allocated for in-house staff versus subcontracted personnel? 2 points will be earned if in-house personnel costs exceed subcontracted costs by 50 percent or more. 3 points will be earned if subcontracted costs are 25 percent or less of the total personnel line item.	3	
Does it appear that the proposer’s Total Operating costs are reasonable and have been kept to a minimum?	3	
To what extent are the proposed “Equipment” expenses reasonable (i.e., only necessary items are scheduled, the unit rates are reasonable when compared to market prices, and the number of units is reasonable for the number of staff that will use the equipment)? Full points will be earned even if no equipment expenses will be incurred.	3	
To what extent does the proposed budget comply with USDA Guidelines? Are the proposed costs aligned with USDA’s allowable charges under FSNE, reasonable and necessary (see Attachment 12 - Allowable and Unallowable Costs Chart)? Are the proposed salaries within USDA’s minimum/maximum range? If not, does the proposer provide sustainable and defensible justification?	3	
Cost Evaluation Score		Points earned = _____

- c. Following the cost evaluation phase, each proposer’s cost shall be converted to a point score using the pre-defined formula shown below and the sum of both cost evaluation phases shall be tallied to arrive at a total cost score.
- 1) The proposal offering the lowest total cost earns 135 cost points plus the points earned for the cost evaluation score. The remaining proposals earn cost points through the cost conversion formula shown below. Final calculations shall result in numbers rounded to two decimal places.
 - a) $\frac{\text{Lowest Cost}}{\text{Another Cost}} = \text{Result 1}$
 - b) $\text{Result 1} \times (\text{multiplied by}) 135 (\text{cost points}) = \text{Result 2}$
 - c) $\text{Result 2} + (\text{added to}) 30 (\text{cost evaluation score}) = \text{Cost Section Score}$
 - d) Scoring example for illustration purposes only:

Example:
 Bidder #1 - Lowest bidder is given full 135 cost points but earns 28 out of 30 on the cost evaluation score:

Lowest price earns 135 points (cost points) + 28 (cost evaluation score) =163.

Bidder #2 - earns 21 points out of 30 as their cost evaluation score for the purpose of this example.

Bidder #2 earns (low cost) $\$100,000 \div (\text{another proposal cost}) \$127,000 = .7874$
 (Result 1)
 (Result 1) $.7874 \times 135 \text{ points (cost points)} = 106.30$ (Result 2)
 (Result 2) $106.30 + 21 \text{ (earned cost evaluation score)} = 127.3$

Bidder #1 (lowest bidder) earns a total of 163 total Cost Section Score compared to Bidder #2 who earns 127.3 total Cost Section Score.

4. Stage 4 – Combining Narrative Proposal Score and Cost Section Score

CDPH will combine the narrative proposal score to the final Cost Section score and will tentatively identify the firm with the highest combined proposal score from each of the earlier evaluation stage(s).

5. Stage 5 – 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 DGS. More information about the allowable bidding preferences appears in the RFP section entitled, "Preference Programs".

6. Stage 6 – Final Score Calculation

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

- a. Narrative Proposal Score x 60% = Technical Score
- b. Cost Section Score (including Interview points) x 40% = Cost Score
- c.

Technical Score	
+ Cost Score	
= Total Point Score	

L. Narrative Proposal Rating Factors

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

1. Executive Summary

Executive Summary Rating Factors [Not to exceed 3 pages]	Points Possible	Points Earned
To what extent did the Proposer express, in its own words, its understanding of CDPH needs and the importance of this project? Assign 1 point or 0 points if the Proposer restates or paraphrases information in the RFP.	3	

Executive Summary Rating Factors [Not to exceed 3 pages]	Points Possible	Points Earned
To what extent did the Proposer demonstrate the tangible results that it expects to achieve? Assign 1 point or 0 points if the Proposer restates or paraphrases information in the RFP.	3	
To what extent did the Proposer express a sincere commitment to perform this work in an efficient and timely manner?	3	
To what extent did the Proposer demonstrate that it can effectively integrate this project into its current obligations and existing workload?	3	
To what extent did the proposer explain why it should be chosen to undertake this project at this time? To what extent does the proposer provide a viable, reasonable, and effective transition plan which includes steps that will be taken to provide a smooth transition with minimal or no interruption of services to CPNS clients?	3	
Executive Summary Score	_____ Points earned X 0.5 = _____	

2. Agency Capability

Agency Capability Rating Factors	Points Possible	Points Earned
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?	3	
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in implementing a large-scale project within 30 days of contract execution?	3	
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in managing at least one large, statewide social marketing project requiring staff, fiscal reporting, research, media and development services?	3	
From the experience described in its proposal, to what extent does the Proposer have experience administering state and/or federal government grants, contracts, and cooperative agreements including a full range of personnel, fiscal, marketing, media, and development services?	3	

Agency Capability Rating Factors	Points Possible	Points Earned
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience (at least three years) in working with diverse governmental or private agencies, public schools, food industry groups, agricultural organizations, and community-based coalitions to carry out social marketing campaigns and community interventions. Experience must include: use of a variety of implementation channels (i.e. media, schools, community, educational classes, etc.) development of collateral materials for diverse audiences (including in Spanish, multiple Asian languages (e.g. Korean, Vietnamese, Hmong, Mandarin, Cantonese, etc.). Translators or translation for specific language(s) will be determined based on communities served and program needs?	3	
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience (at least three years) in establishing, implementing, and evaluating a similar large-scale, large budget and complex social marketing project aimed at modifying lifestyle practices in the low-income population?	3	
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in developing and delivering statewide training courses on topics related to formative research, developing educational materials and programs, media, public relations and evaluation?	3	
Based on a review of the Proposer's information about its prior accounts or work projects in the past three 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?	3	
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?	3	
To what extent did the Proposer's prior clients, as a whole, confirm their satisfaction with the Proposer's past work and did those clients indicate that they would use the Proposer's services again?	3	
To what extent did the Proposer's prior clients confirm the Proposer's ability to deliver timely and effective services and deliverables? Assign 1 point for on time delivery; 2 points for timely and exceeds minimum services and deliverables; and 3 points for exceeds and provides excellent (or above and beyond services) with excellent quality of deliverables.	3	
Agency Capability Score		_____ Points earned X 1.5 = _____

3. Work Plan

Work Plan Rating Factors	Points Possible	Points Earned
To what extent are the Proposer’s overall approaches and/or methods comprehensive and/or technically sound?	3	
To what extent did the Proposer offer a rationale basis for choosing its particular approaches and methods (i.e., proven success or past effectiveness)?	3	
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)?	3	
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?	3	
To what extent will the Proposer perform the tasks/activities and functions in a logical order?	3	
To what extent are the proposed performance time lines realistic and achievable?	3	
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)?	3	
To what extent can the Proposer implement a smooth transition of activities with little or no disruption to ongoing services?	3	
Work Plan Score		_____ Points earned X 2.0 = _____

4. Management Plan

Management Plan Rating Factors	Points Possible	Points Earned
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 in a timely manner?	3	
Upon reviewing the Proposer’s description of its fiscal accounting processes and budgetary controls, to what extent do the fiscal processes and controls appear adequate to ensure the responsible fiscal management of contract funds and accurate invoicing?	3	
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 and allowable USDA costs are billed to CDPH?	3	

Management Plan Rating Factors	Points Possible	Points Earned
Upon reviewing the Proposer’s description of its fiscal accounting processes and budgetary controls, to what extent are the Proposer’s fiscal reporting and monitoring capabilities adequate to ensure contract funds are managed responsibly?	3	
Upon reviewing the Proposer’s description of its fiscal accounting processes and budgetary controls, to what extent has the Proposer demonstrated that it will maintain appropriate documentation to prove, support, or substantiate the expenses invoiced to CDPH?	3	
Upon reviewing the Proposer’s organization chart in the Appendix Section, to what extent is the Proposer’s organizational structure sound with distinct lines of authority and reporting relationships between management and all staff including subcontractors and independent consultants?	3	
Upon reviewing the Proposer’s financial statements in the Appendix Section, to what extent is the Proposer financially stable and sound?	3	
Upon reviewing the Proposer’s financial statements in the Appendix Section, to what extent does the Proposer have access to appropriate fiscal resources to carry State expenses for several months while awaiting reimbursement?	3	
Management Plan Score	_____ Points earned X 1.0 = _____	

5. Project Personnel

Project Personnel Rating Factors	Points Possible	Points Earned
Upon reviewing the Proposer’s staffing plan, to what extent has the Proposer allocated a sufficient number of staff in the appropriate position levels or classifications to perform the full range of services?	3	
Upon reviewing the Proposer’s staffing plan, to what extent has the Proposer allocated ample FTEs or percentages of staff time for each position or classification?	3	
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?	3	
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?	3	

Project Personnel Rating Factors	Points Possible	Points Earned
<p>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)?</p> <p>If no subcontracting or use of consultants is proposed, up to 3 points will be assigned based on the effectiveness of the Proposer's allocation of tasks to its in-house personnel.</p>	3	
<p>Upon reviewing the job descriptions and resumes of the proposed staff <i>[excluding the project director(s)/administrator(s) or project coordinator(s)]</i>, to what extent do the proposed personnel possess the qualifications and expertise needed to perform the assigned duties?</p>	3	
<p>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?</p>	3	
<p>Upon reviewing the Proposer's administrative policies and procedures, to what extent will the policies/procedures lead to the recruitment and selection of qualified, competent and experienced staff, subcontractors and/or independent consultants for this project?</p>	3	
<p>Project Personnel Score _____ Points earned X 1.5 = _____</p>		

M. 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 DVBE participation goals or to demonstrate that a substantial GFE was made to meet those goals.
- 2) Meet proposal format/content or submission requirements including, but not limited to, the sealing, labeling, packaging, and/or timely and proper delivery of proposals.
- 3) 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).
- 4) Submit a mandatory Letter of Intent in the manner required, if applicable.
- 5) Submit a mandatory Conflict of Interest Compliance Certificate in the manner required, if applicable.

- 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 in Section M, Paragraph 4.

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 one of the following methods.

U.S. Mail, Hand Delivery or Overnight Express:	Fax:
<p>Withdrawal RFP 08-85023 California Department of Public Health Contract Management Unit Mail Station 1802 1501 Capitol Avenue, Suite 71.5178 P.O. Box 997377 Sacramento, CA 95899-7377</p>	<p>Withdrawal RFP 08-85023 California Department of Public Health Contract Management Unit</p> <p>Fax: (916) 650-0110</p>

- 3) **[For faxed withdrawal requests]** Proposers must call CDPH's CMU at (916) 650-0100 to confirm receipt of a faxed withdrawal request. Follow-up the faxed request by mailing or delivering the signed original withdrawal request within 24 hours after submitting a faxed request.

An originally signed withdrawal request is generally required before CDPH will return a proposal to a Proposer. CDPH may grant an exception if the Proposer informs CDPH that a new or replacement proposal will immediately follow the withdrawal.

- 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 at the stated place of delivery 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 most 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 September 12, 2008, 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
Contract Management Unit
1501 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 (DGS) 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 micro business 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 micro business, the contract will be awarded to the certified small business or micro business.

- 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. Protests

1) Who can protest

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

2) Grounds for protests

Protests are limited to the grounds described in Public Contract Code (PCC) Section 10345. CDPH will not make an award until all protests are withdrawn by the protestant, denied, or resolved to the satisfaction of DGS.

3) Protest time lines

- a. If an eligible Proposer wishes to protest the intended contract award, the Proposer must file a "Notice of Intent to Protest" with both CDPH/DGS within five working days after CDPH posts the Notice of Intent to Award. Any Notice of Intent to Protest 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 Protest", the protestant must file with both CDPH and DGS a full and complete written protest statement identifying the specific grounds for the protest. The statement must contain, in detail, the reasons, law, rule, regulation, or practice that the protestant believes CDPH has improperly applied in awarding the contract.

4) Submitting a protest

Protests must be filed with both DGS/CDPH. Proposers may hand deliver, mail, or fax a protest.

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

U.S. Mail, Hand Delivery or Overnight Express:	Fax:
Protest to CDPH RFP 08-85023 California Department of Public Health Contract Management Unit Mail Station 1802 P.O. Box 997377 1501 Capitol Avenue, Suite 71.5178 Sacramento, CA 95899-7377	Protest to CDPH RFP 08-85023 California Department of Public Health Contract Management Unit Fax: (916) 650-0110
Protest to CDPH RFP 08-85023 Department of General Services Office of Legal Services Attention: Protest Coordinator 707 Third Street, 7 th Floor, Suite 7-330 P.O. Box 989052 West Sacramento, CA 95798-9052	Protest to CDPH RFP 08-85023 Department of General Services Office of Legal Services Fax: (916) 376-5088

For faxed protests

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

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

Department of General Services	(916) 376-5080
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 CDPH and, as such, are subject to the Public Records Act (Government Code (GC) Section 6250, 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 (GC Section 6250 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.

7. Inspecting or obtaining copies of proposals

a. Who can inspect or copy proposal materials

Any person or member of the public can inspect or obtain copies of any proposal materials.

b. What can be inspected / copied and when

- 1) After CDPH releases the RFP, any existing Proposers List (i.e., list of firms or persons to whom this RFP is sent or released by the funding program) or information obtained from DGS on the firms or persons that downloaded this RFP from a DGS website is considered a public record and will be available for inspection or copying.
- 2) On or after the date CDPH posts the Notice of Intent to Award, all proposals, Proposers Lists, RFP download lists, conference sign-in/attendance sheet, letters of intent, checklists and/or scoring/evaluation sheets become public records. These records shall be available for review, inspection and copying during normal business hours.

c. Inspecting or obtaining copies of proposal materials

Persons wishing to view or inspect any proposal or award related materials must identify the items they wish to inspect and must make an inspection appointment by contacting Pamela Delapa at (916) 449-5382.

Persons wishing to obtain copies of proposal materials may visit CDPH or mail a written request to the CDPH office identified below. The requestor must identify the items they wish to have copied. Materials will not be released from State premises for the purposes of making copies.

Unless waived by CDPH, a check covering copying and/or mailing costs must accompany the request. Copying costs, when applicable, are charged at a rate of fifteen cents per page. CDPH will fulfill all copy requests as promptly as possible. Submit copy requests as follows:

Request for Copies - RFP 08-85023

Pamela Delapa
California Department of Public Health
Cancer Prevention and Nutrition Section
Mail Station 7204
1616 Capitol Avenue, Suite 74.516
P.O. Box 997377
Sacramento, CA 95899-7377

8. Verification of Proposer information

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

- b. 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

- c. 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.

9. 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.

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.

b. Collecting information from Proposers

- 1) If deemed necessary, CDPH may request a Proposer to submit additional documentation during or after 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 time line 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 an immaterial defect in a proposal, such CDPH waiver 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 Cost 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 Cost 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. No 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 PCC governing contracts awarded by competitive bid, 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.

N. Bidding Certification Clauses

1. Certificate of Independent Price Determination

a. The prospective proposer certifies that:

- 1) The prices in this 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 proposal,
 - c) The methods or factors used to calculate the costs or prices offered.
- 2) The prices in this proposal have not been and will not be knowingly disclosed by the proposer, directly or indirectly, to any other proposer or competitor before the bid/cost 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 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 proposal and/or is designated to complete the 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 2.a. below.

2. Debarment and Suspension Certification

a. The Contractor certifies to the best of its knowledge and belief, that it and its principals:

- 1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any federal department or agency;

- 2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - 3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in a.2) above of this certification; and
 - 4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
 - 5) It shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in such transaction, unless authorized by the State.
 - 6) It will include a clause entitled "Debarment and Suspension Certification" that essentially sets forth the provisions herein, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
- b. If the Contractor is unable to certify to any of the statements in this certification, the Contractor shall submit an explanation to the program funding this contract.

3. Lobbying Restrictions and Disclosure

- a. The Contractor certifies, to the best of its knowledge and belief, that:
- 1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Contractor, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
 - 2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Contractor shall complete and submit federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions (see Exhibit D(F)).
 - 3) The Contractor shall require that the contents of this certification be collected from the recipients of all subawards, exceeding \$100,000, at all tiers (including subcontracts, subgrants, etc.) and shall be maintained for three years following final payment/settlement of those agreements.

- b. This certification is a material representation of fact upon which reliance was placed when this contract was made and/or entered into. The making of the above certification is a prerequisite for making or entering into this contract pursuant to 31 U.S.C. 1352 (45 CFR 93). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
- c. The Standard Form-LLL may be obtained from various federal agencies, federally sponsored World Wide Web Internet sites, CDPH upon request or may be copied from Exhibit D(F) entitled, Special Terms and Conditions.

O. 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 DGS.

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 DGS 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. 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 located here: <http://www.documents.dgs.ca.gov/pd/smallbus/std812rev020107c.pdf>) from the appropriate office of DGS, fully complete the application, and submit it to DGS as instructed in the application. Prospective proposing firms desiring small business certification assistance, may contact the DGS by the following means:
 - 1) (916) 322-5060 (24 hour recording and mail requests), or
 - 2) (916) 375-4940 (Small business assistance) or (800) 559-5529 (live operator Central receptionist), or
 - 3) Internet address: <http://www.pd.dgs.ca.gov/smbus/default.htm> or
 - 4) Fax: (916) 375-4950, or
 - 5) 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 DGS 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 the total score of an eligible non-small business. This preference is authorized pursuant to Title 2, CCR § 1896.2 and Government Code § 14835.
- 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 DGS, 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 Attachment 10a (Non-Small Business Subcontractor Preference Request) and Attachment 10b (Small Business Subcontractor/Supplier Acknowledgement) to request the non-small business subcontractor preference.
- f. Refer to the RFP section entitled, "Settlement of ties" to learn how tied costs will be resolved.

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

- a. Pursuant to Military and Veteran Code Section 999.50 et seq., responsive/responsible NVSA 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 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.

4. Disabled Veteran Business Enterprise (DVBE) Bid Incentive

In accordance with Section 999.5(a) of the Military and Veterans code an incentive will be given to bidders who provide DVBE participation. For evaluation purposes only, CDPH shall apply an incentive to bids that propose California-Certified DVBE participation as identified on page 5 of Attachment 9a, CDPH 2349, Actual DVBE Participation form, and confirmed by CDPH. The incentive amount for awards based on low price will vary in conjunction with the percentage of DVBE participation. Unless a table that replaces the one below has been expressly established elsewhere with this solicitation, the following percentages will apply for awards based on low price.

CONFIRMED DVBE PARTICIPATION OF:	DVBE INCENTIVE:
3% and above	5%
2% to 2.99%	3%
1% to 1.99%	1%

P. Contract Terms and Conditions

1. Sample contract forms / exhibits

<u>Exhibit Label</u>	<u>Exhibit Name</u>
a. Exhibit A1	Standard Agreement
b. Exhibit A	Scope of Work
c. Exhibit B1	Sample Work Authorization
d. Exhibit B	Budget Detail and Payment Provisions
e. Exhibit C	General Terms and Conditions (GTC 307).
f. Exhibit D(F)	Special Terms and Conditions
g. Exhibit E	Additional Provisions
h. Exhibit F	Contractor's Release
i. Exhibit G	Travel Reimbursement Information
j. Exhibit H	Contractor Equipment Purchased With CDPH Funds (Form)
k. Exhibit I	Inventory/Disposition of CDPH Funded Equipment (Form)
l. Exhibit J	Annual DVBE Report (Form)
m. Exhibit K	HIPAA Business Associate Addendum
n. Exhibit L	Information Confidentiality and Security Requirements
o. Exhibit M	Information Systems Security Requirements for Projects (ISO/SR1)

2. Unanticipated tasks

In the event unanticipated or additional work must be performed that is not identified in this RFP, but in CDPH's opinion is necessary to successfully accomplish the scope of work, CDPH will issue Work Authorization (see Exhibit B1) for the purposes of paying for work specified in each Work Authorization. All terms and conditions appearing in the final contract including the salary/wage rates, unit rates and/or other expenses appearing on the Proposer's Budget Detail Work Sheets will apply to any additional work.

For the purposes of such unanticipated tasks, Proposer shall add a Work Authorization Budget Line item which shall not exceed \$1,000,000.00 (\$1 million) for each contract year (see Goal 1 - Activity 12 of Exhibit A—Scope of Work of this RFP).

3. 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.