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I. FUNDING OPPORTUNITY

A. Background

Proposition 56, which is an excise tax increase on tobacco products sold in the state of California was approved by state voters in November 2016. Funds in the amount of $700,000 of the projected tobacco sales revenue will be allocated for distribution to local law enforcement agencies via a grant program in conjunction with the California Department of Public Health (CDPH), Food and Drug Branch (FDB), Tobacco Enforcement Section (TES)/Stop Tobacco Access to Kids Enforcement Program (STAKE).

Provisions of the STAKE Act have been enforced by CDPH since 1995. The underlying goal is the reduction and elimination of illegal purchase and consumption of tobacco products by persons under 21 years of age in conjunction with the overall health and wellbeing of Californians. The 2016 Tobacco Tax Act furthers investment in reducing the usage of tobacco-based products.

The CDPH-Tobacco Enforcement Section (TES) is in the process of complying with the requirements of the 2016 Tobacco Tax Act by instituting a grant program. This grant program will employ the services of local law enforcement agencies to assist and participate in developing strategies to prevent and further curtail the illegal sale and marketing of tobacco products to minors to improve overall oral health for Californians.

CDPH-TES is encouraging all local law enforcement agencies interested in receiving funding for the training and enforcement of state and local laws related to the illegal sales of tobacco products to minors and other appropriate activities aimed to reduce illegal sales of tobacco products to minors to apply for the grant. Appropriate activities may include training both law enforcement personnel, community members, and/or tobacco retailers on youth-related tobacco laws; purchasing equipment and/or training materials needed for the training and/or enforcement of state and local tobacco laws. Examples of equipment and training materials may include surveillance equipment, cameras, signage, pamphlets and/or the leasing of vehicles. For more information on the grant program, check the California Department of Public Health website at [www.cdph.ca.gov](http://www.cdph.ca.gov). Interested local law enforcement applicants should submit creative goals and objectives outlining and addressing tobacco based product issues with the Request for Application (RFA).

All applications will be reviewed by a selection cadre. Applicants will be selected based on proposed goals, merits and objectives in line with the requirements of the
B. Funding Purpose

The purpose of this Request for Applications (RFA) is to fund multiple, qualified local law enforcement agencies with grants to support the training and enforcement of state and local laws related to the prevention of illegal sales of tobacco products to minors, increasing investigative activities, and compliance checks, and other appropriate activities to reduce illegal sales of tobacco products to minors. Appropriate activities may include training both law enforcement personnel, community members, and/or tobacco retailers on youth-related tobacco laws; purchasing equipment and/or training materials needed for the training and/or enforcement of state and local tobacco laws. Examples of equipment and training materials may include surveillance equipment, cameras, signage, pamphlets and/or the leasing of vehicles. The goal of the Food and Drug Branch (FDB), Tobacco Enforcement Section (TES) is to reduce the sale of tobacco products to all persons under 21 years of age. Additionally, it is the goal of the Department to create new and strengthen existing partnerships by networking with current and newly designated agencies to work on a shared agenda in the prevention of tobacco use and reduction in the usage of tobacco-based products by persons under 21 years of age.

Additionally, Applicants should remain aware that the usage of Prop 56 funds in conjunction with proposed activities and objectives in response to this RFA must remain consistent with the merits of the application.

II. APPLICATION SUBMISSION REQUIREMENTS

A. Resolution from Governing Body

Applicants selected for funding must provide a resolution of the applicant’s governing body authorizing the applicant to enter into a contract with the State and identifying the person authorized to execute the contract for the applicant. The resolution should expressly authorize future amendments, if any, for the purpose of increasing funding provided in the original contract, without an additional resolution from the governing body. Applicants selected for funding will be required to submit an original or a certified copy of the resolution.

Once notified of selection, the successful applicant should promptly request the resolution to avoid funding delays.
B. Memorandum of Understanding (MOU)

A Memorandum of Understanding (MOU) will be provided to applicants that are selected for funding. The MOU is the agreement between the applicant and the CDPH. The official signing of the MOU for the grantee must be the official authorized to sign the contract and designated by title in the resolution of the applicant’s governing body, which will also be required if the applicant is selected for funding.

C. Application Deadline

THE DEADLINE FOR RECEIPT OF ALL APPLICATIONS IS:

DATE: June 17, 2019
TIME: 5:00 p.m.

MAIL OR DELIVER APPLICATIONS TO:

California Department of Public Health
Food and Drug Branch
Tobacco Enforcement Section
STAKE Program
Attn: Hugo Cornejo, Section Chief
1500 Capitol Avenue, MS 7602
Sacramento, CA 95814

All applications are time stamped upon receipt by the CDPH. Applications received after the deadline will NOT be reviewed or considered. It is the responsibility of the applicant to submit and ensure that the application is received by the CDPH by the deadline specified in the RFA. CDPH will not be responsible for the late delivery of an application due to complications or delays by the applicant or postal carrier. A postmark is not sufficient. CDPH will not accept electronic documents, such as facsimiles or emails of the applications. CDPH will not notify applicants regarding omissions or accept any late additions to the applications. All applications will be scored and ranked on their merit.

D. Application Format

All grant applicants must adhere to the following:

- Each application must be completed by the applicant in its entirety.
- Applications must be typed or computer generated. Typed characters must be no smaller than the equivalent of 12-point font. Page size must not exceed standard 8 ½ x 11-inch paper.
- Three (3) copies of the application must be submitted; one (1) with original
signatures in addition to two (2) copies.

- The original and each copy of the application must be assembled separately from the other copies and individually fastened in the upper left-hand corner.

If the applicant does not adhere to the items listed above, the CDPH may disqualify the application.

**E. Application Components**

The original and each copy of the application must contain the following required components in the order listed below:

- Application Cover Sheet
- Applicant Capability
- Scope of Work
- Budget Detail

Failure to include all information will result in the rejection of the application. CDPH will not advise applicants that their application is incomplete prior to its rejection.

**III. APPLICATION PREPARATION**

**A. General**

When completed, the following documents become the application to be submitted to CDPH/FDB/TES for consideration: Application Cover Sheet, Applicant Capability, Scope of Work and Budget Detail.

**B. Application Cover Sheet**

The Application Cover Sheet is the cover page for the application and must contain signatures of those authorized to submit a grant application on behalf of the requesting agency. If this person differs from the grant contact person, a separate signature line must be included with his/her contact information and signature.

**C. Applicant Capability**

The Applicant Capability provides information regarding the applicant’s ability to successfully implement the proposed tobacco control project. The applicant needs to demonstrate its organizational capacity based on current and past successes, and lessons learned. Please respond by addressing the following:
1. Briefly describe how applicant’s mission, types of programs and services, targeted populations that the applicant works with are consistent with the goals and requirements of this RFA.
2. Demonstrated access and work with youth, communities in conjunction with the illegal sales of tobacco products.
3. Applicants program staffing should be able to demonstrate adequate skills and experience to satisfactorily manage and maintain all aspects of the grant requirements as it pertains to tracking measures, timeline management, invoicing, projected objective verification and other administrative and fiscal controls associated with the acceptance and management of government funds.
4. Applicant’s equipment needs should be adequately projected, outlined and detailed in reference to the training required that is commensurate with the current knowledge, skills and experience of the applicant’s personnel.
5. Applicant’s successes and accomplishments from previous program activities should be adequately summarized outlining previous program objectives and accomplishments.

D. Scope of Work (SOW)

The Scope of Work is the main body of information, which describes the applicant’s proposed use of funding and the plan to address a community’s problems/issues through appropriate and achievable objectives and activities. The Scope of Work should be a detailed description of the project, explaining how it is designed, how it will be implemented, who will be involved, and what results are expected. The Scope of Work must be no more than five (5) typewritten pages. Do not reduce standard 12-point font or standard paper size of 8 1/2" by 11". Reduction in print or paper size will be considered a violation of mandatory criteria and the application will be disqualified. When preparing the application, follow the format below and address each of the following five areas.

1. Summary
   a. Agency Description – Describe your agency, including size, structure, staffing, demographics of jurisdiction, and number of licensed tobacco retailers in your agency’s jurisdiction.
   b. Funding Requested – Dollar amount requested.
      1. Request should include a breakdown of funds requested by fiscal year.
   c. Goals and Objectives – List the goals and objectives of your project.
   d. Measureable outcomes – Describe your agency’s anticipated method to measure the success achieved through the use of these grant funds.

2. Problem Statement – Describe the issues or problems to be addressed with grant funds.
   a. Clearly identify the geographic area to be served, any specific problem
locations, the issues to be addressed, and any known factors that may be contributing to the problem.

3. **Project Description – What are the goals and objectives of the proposed project?**
   a. Describe in detail the goals and objectives you wish to accomplish during the grant period.
   b. Objectives should be measurable, concise, deal with a specific item, and be realistic with a reasonable probability of achievement.

4. **Project Personnel – Describe the staffing required to carry out the grant objectives as supported by the proposed budget.**
   a. Include the number of personnel, titles, and proposed duties of each proposed existing staff member.

**E. Budget Detail**

The budget is the basis for management, fiscal review, and audit. Project costs must be directly related to the objectives and activities of the project. The budget must be detailed and cover the entire grant period.

1. **Other Funding Sources**
   a. Describe other funds that your agency will contribute towards the success of this project, if any.

**IV. APPLICATION SELECTION PROCESS**

**A. Application Review Process**

1. **Administrative and Completeness Screening**
   b. The CDPH/FDB/TES cadre will review all applications for submission timeliness and compliance with administrative requirements and completeness.
   c. Late or incomplete applications will be disqualified and eliminated from further evaluation.
   d. Applications submitted from non-eligible entities will not be reviewed.
   e. Applications lacking requested and required information will be disqualified and eliminated.

2. **Application Scoring and Ranking**
   a. Each application passing the Administrative and Completeness Screening will be evaluated, scored and ranked based on selection criteria set forth by the application review cadre.
   2. Each application will be scored according to a 0 - 100 point scale.
3. To be eligible for funding, an application must have the minimum score of 70 points or more. Note: a score of 70 or more does not guarantee funding.

CDPH/FDB/TES reserves the right to not fund any of the applications received for this RFA. Funding decisions may also be made to ensure there is a balance regarding representation of the types of agencies or organizations funded.

B. Application Selection Criteria

a. Administrative Review
   a. All application submissions will be reviewed by administrative personnel to ensure that all requirements are met.
   b. This administrative review will render a pass or fail score.

b. Merit Review
   c. All grant applications that pass the administrative review will move forward to the Merit Review.
   d. The Merit Review will be comprised of CDPH/FDB/TES appointed selection cadre to read, evaluate, score and rank all applications.

c. Selection
   a. The selection cadre will submit recommendations for funding to the TES Section Chief or his designee for final selection.
   b. Note: grant funding will be dependent upon the amount requested in conjunction with the amount of funding that is available.

c. Eligibility Criteria

In accordance with the State Budget Act and Proposition 56, only local law enforcement agencies within the State of California are eligible to receive funds.

State of California law enforcement agencies at state universities, colleges, and community colleges are not eligible to apply for this grant.
V. AWARD ADMINISTRATION INFORMATION

A. Request for Application (RFA) Defined

The competitive method used for this procurement of services is a Request for Application (RFA). Applications submitted in response to this RFA will be scored and ranked based on selection criteria. Each application must establish in writing the Applicant’s ability to perform the RFA tasks.

This Request for Application (RFA) furnishes grant applicants with the procedures for preparing grant applications. Once an RFA is issued, official California Department of Public Health (CDPH) staff, may only answer questions about the RFA and Grantee Handbook. CDPH staff may not assist applicants with the preparation of their applications.

Applicants selected for funding must retain a copy of this RFA and the Grantee Handbook, as these materials are the requirements for the entire grant award period.

Information must be provided as directed. This includes following all instructions, the utilization of specific formats, and providing all information as requested. Failure to provide the required information or to provide the information in the manner directed may disqualify the application or result in a lower score/ranking.

B. RFA Cancellation and Addendums

If it is in the State’s best interest, CDPH/FDB/TES reserves the right to do any of the following:

1. Cancel this RFA,
2. Modify this RFA as needed,
3. Reject any or all applications received in response to this RFA.
4. If the RFA is modified, CDPH/FDB/TES will post an Addendum to the CDPH/FDB/TES website. Applicants are responsible for periodically checking the website for updates.

C. Grounds to Reject or Disqualify an Application

An Application shall be rejected if:

1. It is received after the exact date and time set forth for the receipt of applications. All applications are time stamped upon receipt by the CDPH.
2. It contains false or intentionally misleading statements or references which do not support and attribute or condition contended by the applicant.
3. The application is intended to erroneously and fallaciously mislead the State in its evaluation of the application and the attribute, condition, or capability is a requirement of this RFA.
4. A conflict of interest is realized.
5. It contains confidential information.
6. It is not submitted as outlined in the Submission of Applications section of the RFA.
7. It does not comply with the requirements of the RFA.
8. Applicant has been prohibited from contracting with agencies of the CDPH.
9. Applicant has been suspended or barred from RFA or contracting with the CDPH.
10. The applicant has received a substantive negative rating of contract performance from the State.

D. Funding Duration

Agencies selected for funding will be funded for 12-months dependent upon commitments and goals accomplished in adherence to the requirements specified in the RFA. This grant period will begin on July 1, 2019 and will end on June 30, 2020.

E. Notice of Awards

Upon successful completion of the application review process, CDPH/FDB/TES will send a selection notification letter to the applicant and post a notice of intent to award funds on the CDPH/FDB/TES website.

F. Notification of Grant Awards

The following are the steps CDPH/FDB/TES will take in processing grant awards:

1. Applicants submit applications to CDPH/FDB/TES.
2. CDPH/FDB/TES receives applications.
3. CDPH/FDB/TES provides administrative review.
4. Selection cadre reads, evaluates, scores and ranks applications.
5. Selection cadre submits recommendations to the CDPH/FDB/TES Section Chief for applications to be awarded and the amount of funding recommended.
6. CDPH/FDB/TES Section Chief (or his designee) makes final funding decisions.
7. CDPH/FDB/TES sends selection notification letter to all applicants, successful and unsuccessful.
8. CDPH/FDB/TES sends Memorandum of Understanding to successful grant applicants for signature and applicants execute and return the MOU to CDPH/FDB/TES, with the required resolution of the governing body.
9. CDPH/FDB/TES reviews completed MOUs from awarded agencies and finalizes
with CDPH signatures for completion.

10. CDPH/FDB/TES sends fully executed copy to applicant and instructs the State Controller’s Office to distribute funds for the current fiscal year.

VI. IMPORTANT ADMINISTRATION DETAILS

A. Awardee Requirements

1. Upon award of grant, the Awardee will be required to complete and submit the following:
   a. To determine if the Awardee is subject to state income tax withholding pursuant to California Revenue and Taxation Code Sections 18662 and 26131, the Payee Data Record (STD 204) must be completed and submitted.
   b. Page 1 of the Department of General Services Form, Contractor Certification Clauses (CCC) must be completed and submitted.
   c. Evidence of commercial general liability insurance.
   d. Establish the Headquarters for State Travel Reimbursement for budgeted staff.
   e. Board Resolution – All local government agencies are required to submit a Board Resolution with each grant. Resolutions must be submitted after notice of award and prior to full execution of grant. Resolutions must indicate local government approval of the grant.

2. Progress Reports
   a. Semi-annual progress reports are required to be completed and submitted by the Awardee.
   b. A final progress report will be due prior to the last day of the grant period. The final progress report should summarize the activities, outcomes and conclusions of the grant program objectives.
   c. CDPH/FDB/TES will withhold grant payments in the event there are delays in the submission of the progress reports.

3. Invoice Documentation
   a. Awardees are required to maintain copies of all expenditures. The invoice documentation shall be prepared in accordance with sound accounting principles.
   b. Awardees are required to submit invoices on a quarterly basis. CDPH/FDB/TES has the right to request documented invoices at any time.
B. Dispute Resolution, CDPH/FDB/TES Rights, Grant Termination

1. Dispute Resolution and Grant Termination
   a. If an inconsistency or conflict arises between the terms and conditions outlined in the grant and the terms/conditions proposed in this RFA, precedence will be given to the grant to resolve said issue/conflict.
   b. CDPH/FDB/TES reserves the right to modify any date or deadline specified in this RFA.
   c. CDPH/FDB/TES reserves the right TO fund or NOT TO fund any of the applications submitted in response to this RFA.
   d. CDPH/FDB/TES reserves the right to withdraw any award or to request modifications to the SOW and/or Budget of any application submitted in reference to this RFA as a condition of the grant award.
   e. CDPH/FDB/TES reserves the right to terminate the grant in the event the Awardee fails to perform as projected in application submitted.

C. Grant Modifications

CDPH/FDB/TES reserves the right to reject any proposed project or project component(s). Following the award notification, the Department may require modifications to the application as a condition of the award. The awardee is required to submit a detailed SOW, Budget and Budget Justification in accordance with RFA requirements, which will become part of the final grant. Upon completion and approval of these documents, the grant documents will be submitted to CDPH for execution. All grant document modifications must be complete and accepted by the designated due date or CDPH/FDB/TES may withdraw the grant award. Work may not commence until the grant is fully executed and any work done before the full execution of the grant will be deemed voluntary.

D. Appeal and Protest Process

A CDPH grievance process is available to applicants not funded and/or who wish to dispute their funding level. If grievances cannot be settled satisfactorily by CDPH and the applicant, then an appeal can be made to DGS’s Office of Administrative hearing, which will settle the matter.

A DGS protest process is available to applicants who believe CDPH did not follow the procedures outlined in the RFA. DGS settles all protests.
VII. ADDITIONAL DOCUMENTATION

A. Letters of Reference

Applicants are encouraged to provide Letters of Reference with their application outlining work performance and accomplishments conducted in conjunction with other governmental agencies. Letters should describe Applicant’s ability to establish and maintain positive collaborative partnerships with other governmental or organizational entities.

B. Summaries of Previous Grant Awards

Applicants are encouraged to provide brief summaries outlining previously awarded grants or contracts detailing projected objectives and outcomes.
VIII. REFERENCES

1. California Department of Public Health, Food, Drug and Cannabis Safety (https://www.cdph.ca.gov/Programs/CEH/DFDCS/Pages/DFDCS.aspx)
2. California Department of Public Health, Food and Drug Branch, Tobacco Enforcement Section – Stop Tobacco Access To Kids “STAKE” Program (https://www.cdph.ca.gov/Programs/CEH/DFDCS/Pages/FDBPrograms/STAKEProgram.aspx)
4. CDC Tobacco Use and Youth Fact Sheet (https://www.cdc.gov/tobacco/data_statistics/fact_sheets/youth_data/tobacco_use/index.htm)
5. California Tobacco 21 Law (https://www.cdph.ca.gov/Programs/CCDPHP/DCDIC/CTCB/Pages/Tobacco21.aspx)
7. CA Stake Act (http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=BPC&division=8.5.&title=&part=&chapter=&article)
8. Revenue and Taxation Code, Section 30130.50-30130.58 (http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=RTC&division=2.&title=&part=13.&chapter=2.&article=2.5)
9. CA Penal Code 308 (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN&sectionNum=308)