# California Department of Public Health
# Solicitation

## Request for Proposals 20-10219
## California Tobacco Control Program
## Public Relations Campaign

## June 23, 2020

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# I. INTRODUCTION

## A. Background, Purpose, Goals, and Objectives

### 1. Background and Authorizing Legislation

Background

The California Department of Public Health (CDPH), California Tobacco Control Program (CTCP) was established in 1989 after California voters passed the Tobacco Tax and Health Protection Act of 1988 (Proposition 99). Prop 99 added a 25-cent tax to each pack of cigarettes, and an equivalent amount on other tobacco products, a portion of which funds CTCP.

California voters renewed their support in the fight against tobacco use by passing the California Healthcare, Research and Prevention Tobacco Tax Act of 2016 (Proposition 56). This $2.00 tax per cigarette pack, and equivalent tax on other tobacco products including electronic smoking products, designates funding for California's comprehensive tobacco control program, tobacco-related research, and other health care and public health efforts.

Positive outcomes resulting from California's comprehensive efforts to prevent and reduce tobacco use include:

- 90 percent of Californians do not smoke cigarettes.[1]
- Lung cancer incidence rates are decreasing two times faster in California than in the rest of the country.[2]
- Youth electronic cigarette (e-cigarette) use is about half of the national youth use rate.[3]

California's efforts to prevent and reduce tobacco use have resulted in California having one of the lowest smoking rates in the nation[4]; however, tobacco use remains the leading preventable cause of death and disease. Tobacco use in California costs the state $18.1 billion in health care costs and lost productivity from illness and premature death.[5] Add to that the skyrocketing use of e-cigarette/vaping devices and products by teens, which has fueled a public health crisis of teen addiction at unprecedented levels. In 2018, the United States Surgeon General declared vaping a youth epidemic.[6] Furthermore, the tobacco industry continues to spend more than $1 million *an hour* in the U.S. to attract new users and keep customers addicted.[7]

[1] California Department of Public Health, 2018 Behavioral Risk Factor Surveillance Survey, California Tobacco Control Program, 2019.
[2] California Department of Public Health, California Tobacco Control Program. California Tobacco Facts and Figures 2018.
[3] California Student Tobacco Survey 2017-18. San Diego, California: Center for Research and Intervention in Tobacco Control, University of California, San Diego.
[4] California Department of Public Health, California Tobacco Control Program. California Tobacco Facts and Figures 2019.
[5] Max W, Sung HY, Shi Y, Stark B. The cost of smoking in California. Nicotine and Tob Res. 2016;18(5):1222-1229
[6] U.S. Surgeon General. *Surgeon General's Advisory on E-cigarette Use Among Youth*. *e-cigarettes*.surgeongeneral.gov. 2018
[7] Federal Trade Commission. *Federal Trade Commission Cigarette Report for 2018*. December 2018

Research shows the most effective anti-tobacco media efforts educate both tobacco users and nonusers about the impact of secondhand smoke/vape, highlight the tobacco industry's strategies to expand their customer base, and explain the overall magnitude of tobacco's harmful effects.

For additional information on CTCP and tobacco control, please refer to the CTCP Tobacco Control Funding Opportunities and Resources (TCFOR) website at: https://tcfor.catcp.org.

Authorizing Legislation

The enabling legislation for California's comprehensive tobacco control program is provided by the following: Assembly Bill (AB) 75 (Chapter 1331, Statutes of 1989), AB 99 (Chapter 278, Statutes of 1991), AB 816 (Chapter 195, Statutes of 1994), AB 3487 (Chapter 199, Statutes of 1996), Senate Bill (SB) 99 (Chapter 1170, Statutes of 1991), SB 960 (Chapter 1328, Statutes of 1989), SB 493 (Chapter 194, Statutes of 1995); the annual State Budget; Health and Safety Code 104375(b); and Revenue and Taxation Code Sections 30121-30130.

Health and Safety Code (H&SC) Section 104375 authorizes CDPH/CTCP to contract with qualified agencies for production and implementation of an ongoing public awareness of tobacco-related diseases by developing an information campaign using a variety of media approaches.

2. Purpose

The purpose of this solicitation is for CDPH/CTCP to solicit proposals from qualified public relations (PR) agencies in order to award a single contract to conduct the statewide CTCP PR campaign. The selected Contractor is expected to create a PR campaign based on the attached Scope of Work (SOW), which builds upon the strengths and current strategies of the long-running CTCP media campaign while introducing fresh, innovative ideas that will continue to move the campaign forward. The contract is awarded pursuant to H&SC Section 104375(e) (1) and exempt from Public Contract Code pursuant to Statutes of 1994, Chapter 195, Section 63 (AB816). This solicitation hereinafter will be referred to within this document and any appendices, as Request for Proposals (RFP) 20-10219, California Tobacco Control Program Public Relations Campaign.

3. Goals and Objectives

CTCP seeks a comprehensive PR agency with full-service capabilities, including, but not limited to: strategic planning; implementation and utilization of social and digital media; press event planning and execution; media relations expertise; crisis communication; outreach to multiple populations; spokesperson and media training; develop campaign related training curricula; strong writing and experience developing key messages, social media posts and website content such as copy and short educational videos; tracking and assessing campaign results; and account management.

The PR agency must also have strong project management skills; extensive knowledge of the diverse California media market; the ability to effectively utilize media relations to address CTCP's priorities; and the capacity to effectively address California's demographically, culturally, linguistically, and geographically diverse populations.

The PR agency must demonstrate the ability to integrate the efforts of CTCP's funded projects and statewide advertising within PR strategies, outreach and executions.

The RFP selection process will focus on the PR agency's overall capacity, cost efficiencies and the ability to target relevant populations through strategic PR efforts.

The selected Contractor will implement a statewide campaign that will target California's demographically, culturally, linguistically, and geographically diverse general market, as well as target markets specified by CTCP, in order to increase support for tobacco-free social norms. CTCP's target populations may include language-specific and/or culturally relevant populations, including Hispanic/Latino; Asian (Chinese, Korean, Vietnamese) and African American; Lesbian, Gay, Bisexual, and Transgender (LGBT); and rural populations. (Please note that PR and media activities addressing California's tribal and American Indian populations is administered by the Tribal Communities Statewide Coordinating Center, a project of ETR.) The Contractor may be required to implement activities to reach these markets and subcontractors, vendors, or consultants may be used if the proposer does not have the in-house capabilities.

The selected Contractor will work closely with CTCP on social media efforts. In addition, the Contractor may be asked to promote the California Smokers' Helpline (1-800-NO- BUTTS; 1-844-8-NO-VAPE) the state's free tobacco cessation telephone and online-counseling service.

## B. Who May Submit A Proposal

The minimum required qualifications for PR agencies include: a currently operating, full-service, California-based office that has been in business since January 1, 2015, or longer and has had minimum annual gross billings of **$2 million** in two of the past three years; evidence of financial stability; and no conflict of interest with the tobacco, e-cigarette, cannabis or related industries. A proposer must certify that it meets these preliminary eligibility requirements in its Stage 1 submission, as further described in Section II, Proposal Submission and Stages sections.

Each agency may submit only one proposal. More than one proposer with the same ultimate holding company will be allowed to compete as long as there is no collaboration on the proposals or any shared day-to-day management, staff, or supervisory relationship between the proposing PR agencies.

Any costs incurred by those participating at any stage of the RFP process are the sole responsibility of the proposer and will not be reimbursed by CDPH.

## C. Contract Term

1. The anticipated term of the resulting agreement is expected to be four years (48 months) and is anticipated to be effective from October 15, 2020, to October 14, 2024, with one (1), one-year optional extension. The contract term may change if CDPH makes an award earlier than expected or if CDPH cannot execute the agreement because of unforeseen delays.

2. The resulting contract will be of no force or effect until signed by both parties. The Contractor is hereby advised not to commence performance until the contract is fully executed. Should performance commence before all approvals are obtained, and the contract is not fully executed, said services may be considered to have been volunteered.

3. CDPH may extend the term of this contract via a formal amendment process, continuing with Exhibit A, SOW, for a period of no more than 12 months, contingent upon CDPH's determination that the Contractor's performance is satisfactory. Proposals should be based on a 60-month performance period, which includes the option period.

## D. Anticipated Funding Amount

1. It is anticipated that up to $1.2 million per year (12 months) will be available for the contract term. The estimated total contract amount is $6 million, if the one-year optional expansion period is exercised. *The actual contract award may be lower than the anticipated available funding*.

2. Funding for each fiscal year (FY) is subject to annual appropriation of revenues by the State Legislature and approval by the Governor. If full funding does not become available, CDPH will terminate or amend the agreement to reflect reduced funding and reduced deliverables.

3. If changes are required by legislation, court action, or other administrative action affecting CDPH, the contract, as applicable, will be amended or terminated accordingly in order to comply with these actions.

## E. Scope of Work

See Exhibit A, entitled "Scope of Work," for a detailed description of the services and work to be performed as a result of this RFP.

## F. Subcontractors

Proposers must highlight the strengths of their agency and not those of potential subcontractors in this RFP process. Proposers must make clear in their proposals

which components of the SOW, if any, would be performed under a subcontract. Following the contract award, the Contractor must conduct a separate competitive process for any proposed subcontractor not identified in the proposal.

If CDPH deems it necessary, the Contractor may be asked to conduct a subcontractor search if the Contractor does not demonstrate capabilities to fulfill all components of the SOW in-house.

CDPH reserves the right to deny any or all proposed subcontractors of the selected Contractor. Posting the "Notice of Intent to Award" does not imply CDPH's approval of proposed subcontractors.

CDPH's selection of a Contractor and posting a "Letter of Intent to Award a Contract" does not imply CDPH approval of proposed subcontractors.

## G. Nonexclusive Rights

CDPH does **not** grant the selected Contractor the exclusive rights to provide all PR services during the contract period. CDPH reserves the right to acquire PR services from other agencies without infringing upon, nor terminating, the awarded contract.

The successful proposer must collaborate with existing and future CDPH contractors, including PR and advertising agencies, subcontractors, and consultants.

## H. Key Action Dates

Below is the *tentative* schedule for this RFP:

| Event | | Date* | Time (Pacific) |
|---|---|---|---|
| RFP Released | | June 23, 2020 | - |
| Register to Attend and Email Advance Questions for Voluntary Pre-Proposal Webinar | | June 29, 2020 | 5:00 p.m. |
| Voluntary Pre-Proposal Webinar | | July 2, 2020 | 1:30 p.m. – 3:30 p.m. |
| Stage 1 | Proposals Due | July 16, 2020 | 5:00 p.m. |
| Stage 2 | Stage 2 Informational Webinar | July 27, 2020 | 1:30 p.m. – 2:30 p.m. |
| Stage 2 | (Remote) Site Visit, Agency Presentation and Account Staffing Proposal Due | August 12-13, 2020 | TBD |
| Stage 3 | Client References Due | August 14, 2020 | |

| | | | |
|---|---|---|---|
| Stage 3 | Financial Package Due | August 21, 2020 | 5:00 p.m. |
| Stage 3 | (Remote-TBD)<br>Oral Presentations | August 24, 2020 | TBD |
| Letter of Intent to Award Posted | | August 28, 2020 | - |
| Appeal Deadline | | September 4, 2020 | 5:00 p.m. |
| Expected Start Date of Contract | | October 15, 2020 | - |

**CDPH reserves the right to amend dates at any time during the RFP process.*
It is the proposers' responsibility to check for notices and addenda for this RFP on the **TCFOR** website throughout the RFP process. For assistance with the TCFOR website, please email CTCPMediaRFP@cdph.ca.gov.

## I. Voluntary Pre-Proposal Webinar

CDPH will conduct a **voluntary** Pre-Proposal Webinar on the date and time stated in the above timeline. Prospective proposers are not required, but are strongly encouraged, to participate. The purpose of the webinar is to review the RFP and to provide proposers with an opportunity to ask questions about preparing and submitting proposals, as well as to discuss the review process.

The webinar is expected to last two hours and will not be recorded. CDPH reserves the right not to repeat information for participants that join after the webinar has begun. The webinar materials will be posted at a later date on the TCFOR website. CDPH will not share the list of webinar attendees.

Prospective proposers can register for the webinar by emailing CTCPMediaRFP@cdph.ca.gov by **5:00 p.m. (Pacific) on June 29, 2020**, in order to receive the login information. The agency and contact person must be clearly identified.

Advance questions should be submitted via email to CTCPMediaRFP@cdph.ca.gov by **5:00 p.m. (Pacific) on June 29, 2020.** The email must clearly identify the person and agency submitting the question. At its discretion, CDPH may contact a proposer to clarify the meaning of any question received.

Remarks and explanations expressed during the webinar do not take precedence over the written provisions in the RFP documents posted on TCFOR, and will not be binding unless confirmed in writing by CDPH on the TCFOR website.

## J. News Releases

Proposers may **not** issue any news release nor make any statement to the news media pertaining to this RFP, any proposal, the contract, or resulting work, without first obtaining prior written approval by CDPH.

## II. PROPOSAL SUBMISSION AND STAGES

This section contains the RFP instructions for Stage 1 and general instructions for Stages 2 and 3. Review ALL of the instructions thoroughly. **See Section IV: Submission Requirements for instructions on formatting requirements.** At the completion of each stage, proposers will be notified both via phone and in writing, as to whether they qualify to continue to the next stage. Proposers who successfully complete Stage 1, with a minimum score of 60 points, will receive additional instructions to compete in Stages 2 and 3.

The agency with the highest cumulative score, from Stages 2 and 3 will be awarded the contract.

**Proposal Scoring Scale**

| Stage | Maximum Points Available | Maximum Points Available for the Cumulative Score |
|---|---|---|
| **Stage 1**:<br><br>Eligibility and Capabilities Requirements | 75 | 0 |
| **Stage 2**:<br><br>Site Visit, Agency Presentation and Account Staffing Proposal | 150 | 150 |
| **Stage 3:**<br><br>Financial Package, Oral Presentation and Client References | 175 | 325 |

See Section III, Evaluation Criteria, for details on the scoring criteria.

### A. Stage 1: Eligibility and Capabilities Requirements

Purpose: The purpose of Stage 1 is to identify PR agencies that meet the eligibility and capability requirements of the RFP.

Overall Stage 1 Instructions: Complete Items 1 through 6 as directed below. Provide one hard copy marked “original,” six bound copies, and one digital copy on a USB flash drive of all information requested below. Forms in the original hard copy must include **original signatures in blue ink**.

Scoring: The maximum score for Stage 1 is 75 points. Proposers receiving a minimum score of 60 points will advance to Stage 2.

Items 1 through 5 will be used to determine eligibility and will be scored on a pass/fail basis. Scoring measures for Item 6, “Agency Capabilities,” are provided in Section III, Evaluation Criteria. Complete and **sign in blue ink** the following forms:

1. Proposal Cover Page (Attachment 1)

   A person authorized to bind the proposer must sign the “Proposal Cover Page” with an original signature in **blue ink**. If the proposer is a corporation, a person authorized by the Board of Directors to sign on behalf of the Board must sign the “Proposal Cover Page.”

2. Certification of California Office and Gross Billings (Attachment 2)

   Complete and sign the “California Office and Gross Billings Certification” in **blue ink**, certifying that the proposer has a currently operating, full-service California- based office that has been in business since January 1, 2015, or longer, capable of providing services under the proposed contract for the term of the contract.

   Provide certification that the agency had **at least $2 million in gross billings** per year in two of the three years prior to 2020 from its California-based office that would provide services to CTCP, by completing and signing Attachment 2 in **blue ink**. The minimum gross billings must be *exclusively from PR services* and not combined with other agency services, such as media buying or advertising.

3. Guaranty (Attachment 3)

   Complete and sign the “Guaranty” from the agency or parent corporation if the agency is a subsidiary, which ensures that all obligations of a contract awarded from this RFP would be performed, the proposer is financially stable and solvent, and has adequate cash reserves to meet all financial obligations while awaiting reimbursement from the state.

4. Conflict of Interest Certification (Attachment 4)

   Each proposer should assess its own situation according to the “Conflict of Interest Certification” prior to signing. The proposer must certify that its agency or any affiliated agencies are not in a position to exchange information or work closely with the tobacco industry, tobacco industry subsidiaries, e-cigarette companies, cannabis companies, and related industries.

   If a conflict exists, the proposer must provide additional clarification and documentation regarding the nature and extent of the Conflict of Interest, which, upon CDPH’s sole review and discretion, is determined to satisfy the requirement to protect CDPH from a potential tobacco industry or related Conflict of Interest. Because of the complexities involved in defining potential conflicts of interest

with the mission of CDPH, CDPH reserves the right to request further information.

CDPH reserves the right to allow a proposer to advance to subsequent stages while requesting additional clarification and documentation regarding the Conflict of Interest requirement or any other RFP requirement. If the additional clarification and documentation do not, at CDPH's sole discretion, satisfy CDPH's requirement for protection from a potential Conflict of Interest, the proposer will be notified in writing and will be disqualified from the RFP process.

5. Public Relations Agency Fact Sheet (Attachment 5)

Under no circumstances may a proposer collaborate on this RFP process with any other competing proposer, including proposers owned by the same holding company.

6. Agency Capabilities Overview

Note: See Section IV, Submission Requirements, for narrative format requirements.

**Agency Experience and Strengths**

Instructions: Provide a narrative to the following items:

- Agency Strengths, Structure and Collaboration (four pages maximum)
- Social Media and Digital Strategy (two pages maximum)
- Multicultural and Priority Population Experience (two pages maximum)

1. Agency Strengths. Provide a summary explaining your agency's qualifications including previous accomplishments, unique services, leadership, and experience working on accounts with similar size and scope of this RFP. Describe your agency's capability and experience, on a local and statewide level, at press event planning and execution; California-specific media relations; crisis communication; outreach to demographically, culturally, linguistically, and geographically diverse populations; spokesperson and media training; develop campaign related training curricula; strong writing and experience developing key messages, social media posts and website content; tracking and assessing campaign results; and account management.

2. Agency Structure. Describe your agency structure and account team capacity and resources, including organizational efficiencies such as integrated social media or media relations teams, in-house digital production or creative development staffing.

3. Agency Collaboration. Summarize how your agency and the client would interact as part of the continuous planning, development and execution of account activities. Describe past examples of collaboration with other agencies and/or subcontractors.

4. Social Media. Describe your agency's experience developing both standalone and integrated social media campaigns. Describe any influencer programs and crisis communication strategy developed for social media; indicate whether you provided community management services, managed the channel for the client or assisted them.

5. Digital Strategy. Briefly outline your agency's experience developing digital strategy and execution, whether or not it was campaign related, topic driven or audience specific. Include relevant experience to developing website copy and content including topic articles, educational videos, contributed/byline articles, infographics, and/or photography.

6. Multicultural and Priority Population Experience. Describe your agency's experience reaching out to multicultural audiences or diverse communities in California, including working with in-language ethnic media outlets. Specifically highlight experiences that relate to the following populations: African American, Asian (Chinese, Korean, Vietnamese), Hispanic/Latino, LGBT and Rural. Include the approach to research, planning, and execution process as it relates to your clients' needs and objectives. If your agency does not have such experience in-house, describe how your agency would ensure ethnic markets would be addressed for the campaign.

7. Priority Population Project. Provide a brief description of a project implemented by your agency that emphasize working on behalf of one or more of the priority populations outlined above. Description should include:

    - Overview of program and/or project including sample media targets
    - Populations and/or communities served
    - Programmatic achievements and outcomes

    If your agency doesn't have specific experience working with priority populations, please include examples of a regional and statewide effort.

## B. Stage 2: Site Visit, Agency Presentation and Account Staffing Proposal

Purpose: The purpose of Stage 2 is for the CDPH Review Panel to:

- Attend (remotely) onsite presentation and meet personnel, specifically those who will be assigned to the account. Proposed subcontractors should **not** attend.
- Observe a presentation by the proposer's team that includes an agency overview, case study that highlights efforts from past work, and CTCP-related assignment presentation.

Overall Stage 2 Instructions: Each proposer that advances to Stage 2 will be contacted to schedule a time when the CDPH Review Panel can visit the agency.

The time limit for each **site visit is up to 2.5 hours**, including introductions, presentation and potential questions. **At least 15 minutes of the 2.5 hours must be allotted** at the end for the CDPH Review Panel to ask questions. Time limits will be strictly adhered to, and it is the responsibility of the proposer to monitor its time accordingly.

**CDPH reserves the right to conduct Stage 2 site visits through remote presentations due to current social distancing and/or travel restrictions due to the COVID-19 pandemic. In this event, specific instructions and logistics will be provided to agencies advancing to Stage 2.**

See Section IV, Submission Requirements, for narrative format requirements.

Scoring: The maximum score for Stage 2 is 150 points. Up to three of the highest scoring agencies will advance to Stage 3.

On-Site Agency Presentation

Instructions: Provide one hard copy marked "original" and six bound copies of the presentation and Proposed Account Staffing Chart (Attachment 6) printed on 8.5 by 11 inch paper. One digital copy on USB flash drive, with any audio or visual examples shown, must also be provided to CDPH at the site visit.

1. Agency Overview Presentation

   Instructions: Provide a presentation that highlights the capacity of the agency's California-based office(s), particularly those who would interact with CTCP or be assigned to the account. Team members should provide an understanding of the agency's style, strategic PR capabilities, and depth. In addition, the agency's philosophy, specific strengths and collaboration style with the client and other agencies (PR and/or advertising) should be discussed.

2. Case History Highlighting Media Event Presentation

   Instructions: Select one PR campaign event that a current California-based team created, planned, and executed. Present the details from beginning to end. The presentation must include:

   a. Details on the campaign planning, goals, and objectives. Note whether the campaign was proactive or reactive.

   b. Identification of target markets, including approximate audience size, age range, socioeconomic status, language, culture/ethnicity, and geographic location. Include how messages were tailored for the target audience(s).

   c. Identification of at least three campaign elements and strategy for inclusion.

   d. A media event/news conference with a total budget of $50,000 or less.

Include the media outreach plan/strategy, spokesperson(s), other briefing materials or assets, and secured coverage. Include a description of the level of client collaboration and participation.

e. Other considerations and details (total budget, timeline, competition, organizational and background research, and level of client involvement).

f. Campaign evaluation including Key Performance Indicators such as social media engagement, earned media coverage, message pull-through and/or media impressions.

3. PR Assignment Presentation

Instructions: An assignment to address specific challenges or issues in California's anti-tobacco education efforts will be sent separately by CTCP to all agencies that advance to Stage 2. See the **TCFOR website** for a list of tobacco control resources. Additional research will not be required.

A webinar for proposers participating in this stage will be held on **July 27, 2020**. Registration information will be sent prior to the webinar. No affirmations will be provided to the proposers concerning PR strategy. The webinar registration information will be sent to the Stage 2 proposers.

4. Complete the "Proposed Account Staffing Chart" (Attachment 6) of the proposed **primary** account staff *who will be assigned to the CTCP account, including proposed subcontractor staff*. Attachment 6 should be included with the presentation materials requested above, but is not required to be presented during the site visit.

Include the following information on the proposed account staff:

a. Brief description of duties as related to the CTCP account.

b. Proposed percentage of time to be dedicated to the CTCP account.

c. Specific training or expertise that is relevant and would be helpful to the CTCP account.

d. Identify any vacancies or positions which would be filled or created upon award of the CTCP account. Indicate percentage of time to be dedicated to the CTCP account and their role.

## C. Stage 3: Financial Package, Oral Presentation and Client References

Purpose: The purpose of Stage 3 is to allow CDPH to evaluate the proposer's:

- Additional discovery of agency capacity and capabilities based on oral presentation and client reference checks
- Cost-effectiveness and cost-competitiveness of the proposed campaign

- Financial stability
- Legal liabilities or risk that may impact CDPH

Overall Stage 3 Instructions: A general overview of the format and expectations of the Financial Package, Oral Presentation, and Client References are provided below.

Please note: The Client References (Attachment 7) is required immediately after notification that the proposer is a selected finalist. See instructions in #3 below.

Scoring: The maximum score for Stage 3 is 175 points. The final selected PR agency will be based on the highest cumulative score of stages 2 and 3.

1) Financial Package

Instructions: Each proposer must submit two copies of the financial documents in a separate, *sealed* envelope marked "Financial Records," the agency's name, and "Public Relations Campaign RFP 20-10219." CDPH reserves the right to require any additional information necessary to determine the financial integrity and stability of a proposer.

The maximum score for the "Cost Proposal Assignment" is 100 points. The required items (2b and 2c) will be scored on a pass/fail basis.

a. Cost Proposal Assignment

Instructions: Complete the "Public Relations Cost Proposal" (Attachment 8).

b. Financial Records

Instructions: Audited statements for the most recent calendar or FY are preferred, but not required. If audited financial statements are supplied, all noted audit exceptions must be explained. If audited financial statements are not available, CDPH will accept accrual basis financial statements prepared by a proposer's financial accounting department or an accounting firm along with copies of the federal tax return filed with the Internal Revenue Service for the most recent year. A statement signed in **blue ink** by a proposer's Chief Financial Officer certifying that the financial statements are accurate and complete must accompany all financial statements.

*Financial records of all proposers received by CDPH will be destroyed at the time of Contract Award.*

c. Required Information

Instructions: Complete the "Bankruptcy and Litigation Disclosure" (Attachment 9).

2) Oral Presentation

Instructions: Selected finalists will be contacted to schedule a time for the oral presentation. Detailed instructions will be provided to the invited participants upon notification that oral presentations are deemed necessary. This presentation will be done before a review panel.

**Please note: CDPH reserves the right to conduct Oral Presentations through remote presentations due to current social distancing and/or travel restrictions due to the COVID-19 pandemic. In this event, specific instructions and logistics will be provided to finalists.**

Scoring: The maximum score for “Oral Presentations” is 60 points.

3) Client References (Attachment 7).

Instructions: Attachment 7 is required immediately after the proposer is notified by CTCP that it is a selected finalist. List three clients served in the past three years for which your firm provided similar services. At least one must be of similar account size in billings. List the most recent first. CDPH may verify with CDPH offices to which you have provided services, currently or in the past. A negative reference may result in proposal rejection.

Scoring: The maximum score for “Client References” is 15 points.

## III. EVALUATION CRITERIA

This section contains the evaluation criteria and possible points that can be earned for each stage of the proposal requirements.

| Stage 1 Eligibility and Capabilities Requirements (75 points possible) | Points |
|---|---|
| **Agency Experience and Strengths** | |
| **Agency Strengths, Structure & Collaboration**<br>• The proposer demonstrates relevant capabilities, experience and leadership to provide a broad range of PR services, on a local and statewide level, including, but not limited to: strategic planning; implementation and utilization of social and digital media; press event planning and execution; media relations expertise; crisis communication; outreach to multiple populations; spokesperson and media training; develop campaign related training curricula; strong writing and experience developing key messages, social media posts and website content; tracking and assessing campaign results; and account management.<br>• The proposer demonstrates an efficient agency structure, and capacity of account teams, to potentially service CTCP.<br>• The proposer demonstrates experience working collaboratively with clients and/or other agencies or vendors, to plan, develop and execute account activities as required by CTCP.<br>• The proposer highlights key contributions that would be valuable to CTCP to advance its issues. | 20 |
| **Social Media and Digital Strategy**<br>• The proposer demonstrates an understanding and capability to develop and execute strategic social media campaigns and has used them in the past to enhance media relations efforts.<br>• The proposer demonstrates the ability to create engaging and dynamic social media content.<br>• The proposer demonstrates experience with community engagement and management, and channel oversight.<br>• The proposer demonstrates the understanding and capability to manage social media crises.<br>• The proposer has significant experience using social listening to gather insight and track campaign progress.<br>• The proposer demonstrates experience developing and executing a digital strategy; creating engaging and dynamic digital content; and developing web content including educational/short videos, contributed/byline articles, infographics, and/or photography. | 20 |
| **Multicultural and Priority Population Experience**<br>• The proposer demonstrates an understanding and capability to develop and execute strategic earned media campaigns designed to reach multicultural audiences and diverse communities throughout California.<br>• The proposer demonstrates experience in reaching multicultural audiences or diverse communities through ethnic or audience specific media outlets.<br>• The proposer demonstrates capability working on behalf of a priority population | 20 |

| | |
|---|---|
| through project experience.<br>• If the proposer doesn't have the capacity to perform services in-house that reach African American, Asian (Chinese, Korean, Vietnamese), Hispanic/Latino, LGBT, and Rural audiences or diverse communities, clearly identify how this will be achieved.<br>• The proposer demonstrates experience in coordinating community-based PR efforts. | |
| **PR Agency Fact Sheet (Attachment 5)** | |
| • The proposer demonstrates overall strong client retention.<br>• The proposer demonstrates adequate staffing with sufficient full-time employees assigned to existing and/or past accounts.<br>• The proposer describes experience in the last two years with accounts of similar size and services as CTCP. This includes personnel of the California office that would service this account.<br>• The proposer has a range of accounts with a specific focus on cause-related marketing, a health focus and/or targeted outreach. | 15 |
| **Eligibility and Capabilities Requirements (Total)** | **75** |

| Stage 2 Site Visit, Agency Presentation and Account Staffing Proposal (150 points possible) | Points |
|---|---|
| **Agency Overview Presentation** | |
| • The proposer demonstrates the capacity of its California-based office(s) and team who would be assigned to the CTCP account.<br>• The proposer displays its philosophy, strengths, and collaboration style with clients and other agencies compatible with CTCP. | 30 |
| **Case History Highlighting Media Event Presentation** | |
| • The proposer identifies the objectives, target markets and anticipated reach.<br>• The proposer considered cultural appropriateness and tailored messages for the target audience(s).<br>• The proposer's campaign is strategic and well-rounded with multiple elements, including social media.<br>• The proposer demonstrates strong capacity to strategize, plan, conduct, and complete a media event within the desired budget parameters.<br>• The proposer demonstrates strong media relations capabilities, the ability to achieve the desired results and appropriate client collaboration and participation.<br>• The proposer demonstrates additional reach of the campaign and the ability to strategically further the message.<br>• The proposer overall is strategic with achieving the campaign objectives and in line with reaching the goals and desired public impact. | 50 |
| **PR Assignment Presentation** | |
| • The proposer showcases the overall ability to develop, implement and evaluate a PR campaign for CTCP.<br>• The proposer demonstrates strategic abilities and utilization of innovative media relations skills.<br>• The proposer demonstrates the ability to maximize reach of the multicultural, general/ ethnic market campaigns, and other population focused campaigns within budget constraints.<br>• The proposer shows how it would leverage grassroots efforts and coordinate/collaborate with relevant partners to increase overall awareness of the issue. | 50 |
| **Proposed Account Staffing Chart** | |
| • The proposer demonstrates commitment to this campaign by identifying highly capable staff who have the expertise, training, skills, and experience consistent with the account | 20 |

| | |
|---|---|
| management and PR needs identified in the SOW.<br>• The proposed percentage of time dedicated to the CTCP account is sufficient to meet the needs identified in the SOW.<br>• The proposer clearly identifies vacancies that would be filled or positions that would be created to service the CTCP account, including the time dedicated and role. | |
| **Site Visit, Agency Presentation and Account Staffing Proposal (Total)** | **150** |

| **Stage 3 Financial Package, Oral Presentation and Client References (175 points possible)** | **Points** |
|---|---|
| **Cost Proposal Assignment** | |
| • The proposer demonstrates it provides the best value for the services through a Cost Proposal that is cost-effective and cost-competitive. Attachment 8<br>• Financial Records (pass/fail)<br>• Attachment 9 (pass/fail) | 100 |
| **Oral Presentation** | |
| • The proposer demonstrates a high level of strength in all aspects of PR capabilities, including research, strategic planning, execution, and evaluation.<br>• The proposer has the ability to sustain both short and long-term campaigns and capacity to innovate and adapt to the changing environment.<br>• The proposer has the ability to successfully outreach to socially, economically, and culturally diverse populations. | 60 |
| **Client References** | |
| • The proposer demonstrates overall client satisfaction and account management capabilities yielding satisfactory references from other agency clients of a similar size and scope. | 15 |
| **Financial Package, Oral Presentation and Client References (Total)** | **175** |

# IV. SUBMISSION REQUIREMENTS

## A. Format Requirements

1. Copies Required
   See each stage for the number of copies required. Write “Original” on the original proposal. Each copy of the proposal must be complete, including copies of all required attachments and documentation submitted in the original.

2. Narrative Format
   a. In preparing a proposal response, all narrative portions should be straightforward, detailed, and concise. Do not restate or paraphrase information in this RFP. CDPH will determine the responsiveness of a proposal by its quality, not its volume or packaging. The proposer may choose how to bind the proposal (stapled, spiral, etc.).

   b. Format the narrative portions of the proposal as follows. Failure to follow these requirements may disqualify your submission.

      1. Use Arial or Calibri font of at least 12-point size throughout. Exception: if a form is required by the State that contains a smaller font.

      2. Print pages single-sided on letter size (8.5 by 11 inches) white paper with 1.5 line spacing.

      3. Use one-inch margins at the top, bottom, and both sides.

      4. Sequentially number the pages in each section and clearly identify each section in the order requested. When a page limit is noted, pages exceeding the limit will not be scored. It is not necessary to paginate the required forms.

      5. Place the proposer’s name in a header or footer on every page. If the proposer's name is not already entered elsewhere on a completed certification or form, add it to a header, footer, or signature block.

      6. Have a person who is authorized to bind the proposing firm sign each RFP attachment that requires a signature in blue ink. Signature stamps are not acceptable.

      7. Place the original signed attachments in the proposal set marked “Original.” The additional copies may have photocopied signatures on attachments and throughout the document.

## B. Submission of RFP Materials

"RFP materials" means anything submitted by a proposer to CDPH in response to this RFP, including, but not limited to, written questions about this RFP, and responses to any stage. It is essential that proposers use the following address formats, exactly as shown, for submission of RFP materials:

| **Courier or Overnight Service** | **Email**<br>(for correspondence only) |
|---|---|
| Request for Proposals 20-10219<br>Public Relations Campaign<br>California Department of Public Health<br>California Tobacco Control Program<br>Attention: Frank Ruiz<br>1616 Capitol Avenue, Suite 74.516<br>MS 7206<br>Sacramento, CA 95814<br>Phone: (916) 449-5500 | Email:<br>CTCPMediaRFP@cdph.ca.gov |

## C. Importance of Meeting All RFP Deadlines

If utilizing overnight service, the **package tracking information must be emailed** to CTCPMediaRFP@cdph.ca.gov before the submission deadlines.

Proposers are responsible for the delivery of submissions to CDPH prior to the submission deadline. If the package tracking information indicates its arrival at CDPH by the deadline, the package will be considered to have arrived on time. Postal service postmarks, however, will not be accepted as proof of timely delivery. Faxed or electronic submissions will not be accepted.

All stages of this RFP have stated deadlines for submitting materials to CDPH and are strictly enforced. Submissions that are incomplete or received after the stated deadline will be returned to sender.

## D. Communication Between CDPH and Proposers

1. Proposer Questions
   Should any proposer need to communicate with CDPH regarding the RFP or the proposal review process, the proposer should do so in writing and send it by email to CTCPMediaRFP@cdph.ca.gov. *No phone calls will be accepted.* Immediately notify CDPH if you need clarification about the services sought or have questions about this RFP's instructions or requirements. At its discretion, CDPH reserves the right to contact an inquirer to seek clarification of any inquiry received. CDPH shall respond to all proposers.

2. Errors

   If a proposer discovers any ambiguity, conflict, discrepancy, omission, or other error in the RFP, the proposer shall immediately notify CDPH of such error in writing and request modification or clarification of the document by the deadline for the submission of the Stage 1 proposal. CDPH strives to correct any errors found. Modifications or clarifications will be given by written notice. CDPH shall not be responsible for failure to correct errors.

3. Deviations and Modifications

   All submissions must be complete when received at CDPH. No changes, modifications, corrections, or additions may be made once they are submitted to CDPH. An agency will be allowed to withdraw its proposal provided that the written request for such withdrawal is received in writing prior to the deadline for final submission. After withdrawing a proposal, proposers may resubmit a new proposal according to the proposal submission instructions and deadline.

   CDPH may, at its sole discretion, waive any immaterial deviation or defect in a submission. However, the waiver of an immaterial deviation or defect in a submission will in no way modify the document or excuse the proposer from full compliance with the RFP requirements if awarded the contract. Items may be considered “immaterial” by CDPH if, for example, they do not affect the amount of the Cost Proposal, or if allowing the deviation does not give a proposer an advantage or benefit that would not be granted to all other proposers.

   CDPH reserves the right to contact proposers at any stage of the proposal process to collect additional clarifying information, if deemed necessary.

## E. Property of CDPH

All submission materials will not be returned to the agency. All proposed ideas or adaptations of the ideas contained in any submission become the property of CDPH and CDPH reserves the right to use them. Acceptance or rejection of the submission will not affect this right in any way.

## F. Cost of Submissions

CDPH assumes no responsibility or liability for costs incurred by proposers. Costs of developing and delivering submissions and presentations will not be billable to the State of California or included in the Cost Proposal.

## G. Small Business and Disabled Veteran Business Enterprise (SB/DVBE) Participation Exemption

This procurement is exempt from Part 2 of Division 2 (commencing with Section 10100) of the Public Contract Code and therefore is not subject to SB/DVBE participation requirements.

# V. CONTRACT AWARD

## A. Notice of Intent to Award a Contract

Award of the contract will be to the most responsive and qualified proposer who earns the highest total RFP score in Stages 2 and 3. A Notice of Intent to Award a Contract identifying the selected contractor will be posted on the **TCFOR website**. All finalists that participated in the final stage held will be notified by email regarding the contract award decision.

## B. Confidentiality of Proposals

Financial records received by CDPH will be kept confidential and will be destroyed at the time of the Contract Award. All other portions of proposal responses not containing financial or specific client billing detail requested will be subject to disclosure in accordance with the California Public Records Act (Government Code, Section 6250 et seq.) and may be reviewed and copied by the public if formally requested after CDPH posts the Letter of Intent to Award a Contract, except those portions of the proposal that are exempt from disclosure as provided in the Public Records Act.

## C. CDPH Rights

1. Rejection of All Proposals

   Issuance of this RFP in no way constitutes a commitment by CDPH to award a contract. CDPH reserves the right to reject any or all proposals or portions of proposals received in response to this RFP, or to amend or cancel this RFP if it is in the best interest of the State. CDPH may, at its sole discretion, cancel this RFP after the receipt of Stage 1 submissions if the number of submissions is inadequate or if there is insufficient competition among qualified proposers. In the event of such cancellation, CDPH may reissue a new RFP at a later date.

2. Verification of Proposer Information

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

   a. Verify any and all claims made by the proposer including, but not limited to, verification of prior experience and the possession of other required qualifications.

   b. Check any reference identified by a proposer or other resources known by the State to confirm the proposer's business integrity and history of providing effective, efficient, competent, and timely services.

3. Nonresponsive Proposals

   A proposal may be deemed nonresponsive and subsequently rejected if any of the following occurs:

   a. At any time, a submission is received after the exact time and date set forth in Section I.H., “Key Action Dates,” for receipt of each submission.

   b. The proposer fails to meet any of the eligibility requirements as specified in Section II.A., “Stage 1: Eligibility and Capabilities Requirements.”

   c. The proposer fails to submit or fails to complete and sign required Attachments as instructed in this Solicitation.

   d. The submission contains false, inaccurate, or misleading statements or references.

   e. The proposer is unwilling or unable to fully comply with the proposed contract provisions.

   f. The proposer supplies conditional cost information, incomplete cost information, or cost information containing unsigned/un-initialed alterations or irregularities.

4. Proposer has been prohibited from contracting with the following Agencies:

   a. Franchise Tax Board

   b. California Department of Tax and Fee Administration (formerly known as the Board of Equalization)

   c. Department of Fair Employment and Housing

5. Proposer has been suspended or barred from contracting with the state at the following websites:

   a. Secretary of State

   b. Air & Water Polluters pursuant to GC section 4475-4482

   c. Plastic trash bag content noncompliance

   d. Federal excluded parties list

6. The Proposer has received a substantive negative contract performance from the State.

## D. Appeals

1. Eligible Proposers, prior to the award of a contract, may appeal the award, on the grounds that the Proposer would have been awarded the contract had CDPH/CTCP correctly applied the evaluation standard in the RFP. The contract shall not be awarded until either the appeal has been withdrawn or CDPH has decided the matter. It is suggested that the Proposer submit any appeal by certified or registered mail. Only those submitting a proposal consistent with the requirements of this RFP and who reach the final RFP stage may appeal the contract award. There is no appeal process for proposals that are submitted late, noncompliant, or incomplete. The awarded Proposer may not appeal the contract award-funding amount.

2. A Proposer may appeal the award decision. The Proposer must submit a notice of intent to appeal to CTCPMediaRFP@cdph.ca.gov by 5:00 p.m. PT on the date listed in I. Introduction, H. *Tentative RFP Timeline*. The Proposer shall then have five (5) calendar days to file a detailed written statement specifying the grounds for the appeal and send the Appeal Letter to:

| **U.S. Mail** | **Courier** (e.g., FedEx) |
|---|---|
| Maria Ochoa<br>Assistant Deputy Director Operations<br>Center for Healthy Communities<br>California Department of Public Health<br>P.O. Box 997377<br>MS 7206<br>Sacramento, CA 95899-7377 | Maria Ochoa<br>Assistant Deputy Director Operations<br>Center for Healthy Communities<br>California Department of Public Health<br>1616 Capitol Avenue, Suite 74.516<br>MS 7206<br>Sacramento, CA 95814 |

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

4. Upon resolution of any appeal and subsequent award of the contract, the Awardee will be required to complete and submit to CDPH/CTCP the required documents listed in Section G, Contractor Required Documents.

## E. Contracts

CDPH will confirm the contract award to the winning proposer after the appeal deadline, if no appeals are filed, or following the resolution of all appeals. The agency selected to provide PR services to CDPH will be required to sign a contract that details legal and programmatic obligations. The contract number will be 20-10219.

The successful proposer must enter into a formal contract with CDPH in order to receive payment for services rendered. The contract may incorporate, as an exhibit or by reference, portions of this RFP and responses to this RFP that directly identify

the work to be performed, performance time lines, methods and approaches, budget or cost details, or other mandatory contract and performance requirements.

The successful proposer should enter into a contract with CDPH no later than ten state working days after the proposer receives the contract from CDPH and must agree to the terms and conditions outlined in the contract language.

Submission of Invoices: Contractor must be able to fund up to 60 days of payroll, indirect expenses, and operating costs, as well as expenditures incurred by a subcontractor or consultant prior to reimbursement by the State. The Contractor incurs expenses for the previous work period and is then reimbursed by invoice(s) submitted to CDPH/CTCP no more than once per month, in arrears. The State has up to 45 days to pay invoices.

## F. Contract Forms and Exhibits

State contract forms and exhibits are available under “Contract Documents” in the funding section of the TCFOR website. Proposers should read these documents carefully to ensure that they will be able to comply with state contract terms. The terms and conditions in the contract forms and exhibits are not negotiable. The contract resulting from this RFP will be prepared on a “Standard Agreement” (Form STD 213).

CDPH reserves the right to adjust the language in the contract awarded from this RFP. Therefore, final contract language may deviate from the provisions provided. Changes after award of the contract will be accomplished by written amendment to the contract, agreeable to both parties.

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

## G. Contractor Required Documents

Upon award of the contract, the Contractor will be required to complete and submit:

- The Payee Data Record (STD 204), to determine if the Awardee is subject to state income tax withholding pursuant to California Revenue and Taxation Code Sections 18662 and 26131. No payment shall be made unless a completed STD 204 has been returned to CDPH/CTCP.
- Page one (1) of the Contractor Certification Clauses CCC
- Evidence of $1,000,000 commercial general liability insurance or a certification of self-insurance signed by the authority to bind the agency.
- Resumes of key employees to be part of Exhibit F.

## H. Audit Requirements

Prop 56, subsection 30130.56 (a) states that the California State Auditor shall at least biennially conduct an independent financial audit of the state and local agencies who are recipients of Prop 56 funds. As such, Contractors are to maintain fiscal and program records documenting expenditures and program implementation for three years beyond the term of the contract award.

## VI. ATTACHMENTS TABLE OF CONTENTS

To view the following documents, go to the **TCFOR website**, select the Funding Opportunities section, click on the link for RFP 20-10219 California Tobacco Control Program Public Relations Campaign, and open the selected Attachment documents.

**STAGE 1**

Attachment 1: Proposal Cover Page

Attachment 2: Certification of California Office and Gross Billings

Attachment 3: Guaranty

Attachment 4: Conflict of Interest Certification

Attachment 5: Public Relations Agency Fact Sheet

**STAGE 2**

Attachment 6: Proposed Account Staffing Chart

**STAGE 3**

Attachment 7: Client References

Attachment 8: Public Relations Cost Proposal

Attachment 9: Bankruptcy and Litigation Disclosure

## VII. EXHIBITS TABLE OF CONTENTS

To view the following documents, go to the TCFOR website, select the Funding Opportunities section, click on the link for RFP 20-10219 California Tobacco Control Program Public Relations Campaign, and open the selected Exhibit documents.

| | |
|---|---|
| STD 213: | Standard Agreement Form |
| Exhibit A: | Scope of Work |
| Exhibit A: | Attachment 1: Work Order Sample |
| Exhibit B: | Budget Detail and Payment Provisions |
| Exhibit B: | Attachment 1A: Hourly Rates |
| Exhibit B: | Attachment 1B: Budget Summary |
| Exhibit C: | General Terms and Conditions GTC 307 |
| Exhibit D: | Special Terms and Conditions |
| Exhibit E: | Additional Provisions |
| Exhibit F: | Résumés |
| Exhibit G: | Contractor's Release Form Post |
| Post-Award Documents: | Payee Data Record, STD 204 |
| | Page one (1) of the CCC |