Request for Proposals
CTCP 09-11390

California Tobacco Control Program
Advertising Campaign

March 18, 2009

California Department of Public Health
California Tobacco Control Program
MS 7206
P.O. Box 997377
Sacramento, CA 95899-7377
www.cdph.ca.gov/programs/Tobacco

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APPENDIX ..... See Application Information section at http://tcfor.catcp.org.

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I. INTRODUCTION

A. Purpose and Background

1. Purpose

The purpose of Request for Proposals (RFP) CTCP 09-11390 is for the California Department of Public Health (CDPH), California Tobacco Control Program (CTCP) to solicit proposals from qualified full-service advertising agencies in order to award a single contract to conduct the statewide paid CTCP Media Campaign in the general market and other ethnic and priority population markets. The successful proposer is expected to create a media campaign that builds upon the strengths and strategies of California's long-running tobacco control media campaign, as well as to introduce innovation that will continue to move the campaign forward.

2. Goals and Objectives

This RFP seeks to identify an advertising agency that has strong strategic planning capabilities and creative breadth which can produce an effective advertising campaign. The agency must have strong project management skills, the ability to manage a team of subcontractors (if subcontractors are necessary to cover all components of the Scope of Work [SOW]), and the ability to manage advertising development, testing, production, and placement best suited to address CDPH priorities. The review process for this RFP will focus on proposers' organizational and strategic planning capabilities, creative breadth as exhibited from existing or past campaigns, proposed cost efficiency, and the ability to target relevant populations through a strategic media plan.

Beyond the general market media campaign, the successful agency may be expected to provide language-specific, culturally sensitive, and relevant messages for California's Hispanic/Latino, African American, and Asian communities (Cantonese, Mandarin, Vietnamese, and Korean, at minimum), and any other target populations deemed appropriate by CDPH. In addition, the agency will be required to promote the State's free tobacco cessation counseling service, the California Smokers' Helpline (1-800-NO-BUTTS), and the CTCP Web site (www.TobaccoFreeCA.com).

3. Background

a. CTCP Progress and Challenges

In November 1988, California voters approved Proposition (Prop) 99, which added a 25-cent tax to each pack of cigarettes, a portion of which funds CTCP. California's successful comprehensive tobacco use prevention effort is seen as a model program both nationally and internationally. Positive

results can be seen throughout the state: 86 percent of Californians do not smoke; California has the lowest per capita cigarette consumption in the country; and youth smoking prevalence is one of the lowest in the nation.

While there have been many successes, much work remains to be done. Tobacco use is still the single most preventable cause of illness, disability, and premature death in the United States (U.S.) and California. There are still almost four million adult and youth smokers in California—more than the entire population of Oregon—and the tobacco industry continues to spend billions to influence new smokers and keep current customers.

Research has shown that the most effective anti-tobacco media advertisements (ads) educate smokers and nonsmokers about the impact of secondhand smoke and the tobacco industry's strategies to maintain and enhance their customer base.

Integrated efforts supported by the media campaign and CTCP's priorities aimed at changing the broad social norms around the use of tobacco are described further in Appendix A.

B. **Who May Submit a Proposal**

Each agency may submit only one (1) proposal. More than one (1) proposer with the same ultimate holding company will be allowed to compete as long as there is no collaboration on the proposals and no shared day-to-day management, staff, or supervisory relationship between the proposing advertising agencies.

The minimum qualifications for advertising agencies include a currently operating, full-service, California-based office with minimum annual gross billings of $40 million, financial stability, and no conflict of interest with the tobacco industry. These preliminary eligibility requirements must be certified by the proposer in Stage 1 as further described in Section II, Proposal Submission and Stages.

C. **Contract Period**

1. The anticipated contract term is 36 months—September 1, 2009 through August 31, 2012. The contract term may change if CDPH makes an award earlier than expected or if CDPH cannot execute the agreement because of unforeseen delays. CDPH may extend the term of this contract, continuing with the same SOW, for a period of no more than 24 months, contingent upon CDPH's determination that the contractor's performance is satisfactory.

2. Proposals should be based on a 60-month performance period, which includes the option period.

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

D. **Anticipated Funding**

1. Approximately $20 million is estimated to be available annually to be awarded to obtain the services described in this RFP. The estimated total contract amount is $100 million, if the full option period is exercised.

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

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

4. Funding for each year of the contract will be dependent upon successful contractor performance. After the completion of the first 12 months, and annually thereafter, CDPH may conduct performance reviews. Each review will determine whether the contractor is performing to the satisfaction of CDPH, meeting expectations and deadlines, and abiding by the terms of the contract, and should therefore be recommended for continuation of the contract.

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 procurement.

F. **Subcontractors and Nonexclusive Rights**

Proposers are not required to subcontract components of the campaign if they possess the capability to accomplish the entire SOW in-house. However, proposers must make clear in their proposals which components of the SOW, if any, would be performed under a subcontract. For those proposers who include subcontracts, identification of the subcontractors is optional with the exception that any general market media buying subcontractors must be named. Selection of an agency as the successful proposer and posting of Intent to Award does not imply CDPH approval of proposed subcontractors.

Proposers should highlight the strengths of their agency and not those of potential subcontractors in this RFP process. After the contract award, for any proposed

subcontractor, a separate competitive review process will be conducted by the contractor. Agencies may also be asked to demonstrate in-house capabilities for any component of the SOW and may be requested to conduct a subcontractor search to fulfill a component if it is determined necessary by CDPH. Subcontracts will be subject to review by CDPH and CDPH reserves the right to reject a proposed subcontractor.

CDPH does not grant the successful proposer the exclusive right to provide all advertising and media services during the contract period. CDPH reserves the right to acquire advertising and media services from other agencies without infringing upon, nor terminating, the awarded contract.

It is expected that the successful proposer will collaborate with existing and future CDPH contractors, including public relations and advertising agencies and consultants. CDPH periodically conducts independent evaluations of its media campaign and expects the successful proposer to cooperate in the process.

G. **Tentative Time Schedule for RFP Stages**

It is the proposer's responsibility to check for notices and addenda for this RFP at www.cdph.ca.gov/programs/Tobacco throughout the RFP process. CDPH reserves the right to amend dates at any time during the RFP process.

The procurement process will consist of four (4) stages. Proposing agencies must pass each stage in order to participate in the following stage and to continue to receive written notification of any RFP changes or clarification.

Below is the **tentative** time schedule for this procurement:

Event	Date	Time PST (if applicable)
RFP Released	March 18, 2009	-
Fax RFP Questions for Bidders' Conference	March 27, 2009	5:00 p.m.
Bidders' Conference	April 2, 2009	1:30 p.m.
Stage 1 - Preliminary Eligibility and Capabilities Requirements Due	April 16, 2009	5:00 p.m.
Stage 2 - Site Visit and Agency Presentation	April 28-May 1, 2009	TBD
Stage 3 - Advertising Assignment and Financial Package Due	May 28, 2009	5:00 p.m.
Stage 4 - Oral Presentation	June 22-23, 2009	TBD

Event	Date	Time PST (if applicable)
Notice of Intent to Award Posted	TBD	-
Notice of Intent to Protest Deadline	TBD	5:00 p.m.
Contract Negotiations	TBD	-
Proposed Start Date of Contract	September 1, 2009	-

H. **Bidders' Conference**

A voluntary Bidders' Conference will be held at:

California Department of Public Health
1500 Capitol Avenue, Suite 72.167
Sacramento, CA 95814

Prospective proposers intending to submit a proposal are strongly encouraged to participate. The purpose of the Bidders' Conference is to review the RFP and to provide proposers with an opportunity to ask questions about the preparation and submission of proposals, as well as the review process. The conference is expected to take approximately two hours, depending on the number of questions received.

Questions submitted in advance and during the Bidders' Conference should be in writing and should clearly identify the person and agency submitting the question. Proposers are strongly encouraged to submit written inquiries about this RFP to CDPH by the deadline above so comprehensive answers can be prepared in advance. Answers to questions asked at the Bidders' Conference may be posted at www.cdph.ca.gov/programs/Tobacco at a later date. At its discretion, CDPH may contact a proposer to seek clarification of any question received.

Remarks and explanations made at the conference do not change the provisions of the RFP and will not be binding unless confirmed in writing from CDPH at www.cdph.ca.gov/programs/Tobacco.

Allow sufficient time to locate parking and to check in at the security desk. Anyone attending the Bidders' Conference who requires special accommodations for the hearing impaired should contact (916) 449-5500 at least one week prior.

Any costs incurred by individuals or applicants participating at the Bidders' Conference or at any stage of the RFP process are the sole responsibility of the attendees and will not be reimbursed by CDPH.

I. News Releases

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

II. PROPOSAL SUBMISSION AND STAGES

This section contains the specific instructions for Stages 1 and 2 and general instructions for Stages 3 and 4. All of the instructions should be reviewed thoroughly. At the completion of each stage, agencies will be notified in writing as to whether they qualify to continue on to the next stage. Those agencies competing in Stages 3 and 4 will receive additional instructions regarding those stages upon notification.

Overall Proposal Scoring

Proposals will be scored on a cumulative scale of 0 to 400 points. The maximum point value of each section is as follows:

Stage 1:	Preliminary Eligibility and Capabilities Requirements	40 points
Stage 2:	Site Visit and Agency Presentation	100 points
Stage 3:	Advertising Assignment	100 points
	Cost Proposal Assignment	100 points
Stage 4:	Oral Presentation	60 points
TOTAL		400 points

A. **Stage 1: Preliminary Eligibility and Capabilities Requirements** ..... (Scoring: 40 points possible)

Purpose: The purpose of Stage 1 is to identify those agencies that meet the preliminary eligibility and capabilities requirements of the RFP.

Overall Instructions for Stage 1: Complete Items 1 through 5 as directed below. Provide one (1) original and three (3) copies of all information requested below. See Submission of RFP Materials and Mail Process Warning in Section III for format requirements and address for submission.

Additionally, each agency should log on to the Funding Opportunities section of http://tcfor.catcp.org and select the appropriate RFP or use the CTCP 09-11390 link at www.cdph.ca.gov/programs/Tobacco. The Request to Apply procedure will lead the proposer to providing basic agency contact information.

This process is not scored but all agencies are asked to complete this process by the deadline of all other Stage 1 submissions. Portions of the instructions for electronic submission located on that Web site do not apply to proposers of this RFP and should be disregarded.

Scoring: The maximum score for Stage 1 is 40 points. Agencies receiving a minimum score of 30 points will advance to participate in Stage 2.

Items 1 through 4 will be used to determine preliminary eligibility and will be scored on a pass/fail basis. Scoring criteria is provided below for agency capabilities requested in Item 5.

1. **Proposal Cover Page**

   Instructions: Complete the Stage 1 Proposal Cover Page (Attachment 1).

   A person authorized to bind the proposer must sign the Proposal Cover Page with an original signature. 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. **California Office and Gross Billings**

   Instructions: Complete the California Office and Gross Billings Certification (Attachment 2).

   Provide certification that the proposer has a currently operating, full-service California-based office that has been in business since January 1, 2006, or longer, that would service the CDPH account throughout the term of the contract by completing and signing Attachment 2.

   Provide certification that the agency had at least $40 million in gross billings per year in two (2) of the three (3) years prior to 2009 from its California-based office that would service the CDPH account by completing and signing Attachment 2. This signed statement should include the actual billings for each year and indicate whether they are on a calendar or fiscal year basis.

   Provide certification that the agency has not collaborated on this RFP process with any other competing agency, including proposers owned by the same holding company.

3. **Guaranty**

   Instructions: Complete the Stage 1 Guaranty (Attachment 3).

   Provide a signed guaranty from the agency, or Parent Corporation if the agency is a subsidiary, which ensures that all obligations of the 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**

Instructions: Complete the 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 operation is not in a position to exchange information with the tobacco industry, tobacco industry subsidiary, or any agency working closely with the tobacco industry, or the proposer provides additional clarification and documentation regarding the nature and extent of the Conflict of Interest, which, upon CDPH's sole review and approval, is determined to satisfy CDPH's requirements to protect the CTCP Media Campaign from a potential tobacco-industry-related Conflict of Interest.

CDPH reserves the right to allow a proposer to participate in subsequent stages while requesting additional clarification and documentation regarding the Conflict of Interest requirements or any other RFP requirement. If the additional clarification and plan do not, at CDPH's sole determination, satisfy CDPH's requirements to be protected from a potential Conflict of Interest, the proposer will be notified in writing and will not be allowed to participate further in the RFP process.

5. **Agency Capabilities Overview**

Instructions: Proposers are to address each of the following components that will serve to demonstrate agency capabilities for this procurement:

a. **Executive Summary** (eight [8] pages maximum)

1) Full Service Capability: Describe your agency's experience providing full advertising services, including, but not limited to: account management, market research, strategic planning, media planning, media buying, creative development, production expertise, talent negotiations and tracking, production and media quality assurance, and expertise tracking key trends and issues in advertising and social marketing. Emphasize experience of the proposed account team during the past three (3) years on accounts commensurate with the size and services of the contract to be awarded from this RFP.

2) Agency Strengths and Experience: Describe the strengths of your organization, including historical accomplishments, unique services, account leadership, and experience with outreach to diverse populations.

3) Subcontractor/Vendor Plan: Indicate which work would be done by subcontractors or vendors (subcontractors and vendors need not be identified at this time other than for general market media buying, if applicable).

***Scoring Criteria*:**

- The proposer demonstrates capacity and experience to deliver robust account service including account management, market research, strategic planning, media planning, media buying, creative development, production expertise, talent negotiations and tracking, production and media quality assurance, and expertise tracking key trends and issues in advertising and social marketing necessary to meet the requirements of the SOW.
- The proposer describes prior experience in the last three (3) years with accounts of similar size and services as the CTCP account which includes members of the California office.
- The proposer demonstrates experience in outreach to geographically and ethnically diverse population segments.
- The proposer provides detail of in-house capabilities or experience providing oversight to subcontractors and vendors to meet similar SOW objectives with seamless coordination.

b. **Advertising Effectiveness** (six [6] pages maximum)

Respond to the following requests:

1) Describe your agency's experience and methods used in analyzing the effectiveness of advertising campaigns. Include the process for both pre-production and post-placement and how those results are obtained and applied.

2) Describe the background and work experience of your research, development, planning, and evaluation personnel. Include in your description whether these functions are normally performed in-house or by a subcontractor or consultant.

3) Describe method(s) previously used by your agency to analyze and substantiate the content of ads. Include the name of the person or firm who is designated to review ads for legal compliance.

***Scoring Criteria*:**

- The proposer demonstrates experience, capacity, and processes in place for evaluating the efficacy of strategies and individual creative executions at various stages of development and placement.
- The proposer demonstrates how the evaluation information is used to affect current or future campaigns.

c. **Media Planning and Placement** (six [6] pages maximum)

Describe your agency's experience in media planning and placement by addressing the following questions:

1) What was your agency's total gross media spending in California during the 12 months ending December 31, 2008, for spot television (TV) (provide daypart splits and TV media markets), other TV purchases, spot radio, regional/local magazines, newspaper, outdoor, transit, online, and alternative media, if any? What percent of the agency's total gross billings did media placement represent during that year? Note for each medium whether media services were performed in-house or through a media buying service.

2) Proposers are required to identify proposed general market media buying vendors for TV, if applicable, in their responses to this RFP. If TV is to be purchased by another entity, provide their total California media placement during the 12 months ending December 31, 2008, with a breakout of spot TV (provide daypart splits and TV media markets) and other TV purchases.

3) What percent of the annual campaign can be obtained as bonus weight or added-value placement? Provide history/examples.

4) Describe what procedures and criteria your agency uses to track, analyze, evaluate, and adjust media placement. Describe the credentials of your media planning and buying team that would be assigned to the CDPH account. Include in your description whether these functions are normally performed in-house or by a subcontractor or consultant.

5) Specify your agency's experience with accounts that have ethnic market components. If your agency does not have such experience, or in-language experience is limited, describe how your agency would ensure that expertise to address ethnic markets would be included in the campaign.

Scoring Criteria:

- Proposer details which media will be purchased in-house or by a buying service and demonstrates media planning and buying staff are experienced and capable of delivering or managing cost effective ad buys. Note there will be no scoring impact whether or not the proposer uses a media buying service.
- Proposer has adequate processes in place to analyze, track, and adjust media placement in a timely manner through adequate staffing, appropriate software, and use of media monitoring tools available.

- Proposer demonstrates history of providing bonus weight and added value for clients. Percentage will be scored comparatively. Examples indicate that obtained added value was beneficial or tailored to client needs.
- The proposer demonstrates strong experience with accounts targeting African Americans, Hispanic/Latinos, and/or Asians, or demonstrates an appropriate plan for ensuring that ethnic market expertise will be incorporated into the campaign.

d. **Proposed Account Staffing** (two [2] pages maximum/per employee)

The proposer should provide résumés of the **primary** account, creative, and media staff who will be assigned to the CDPH account. Include staff or proposed consultants that would be responsible for Screen Actors Guild and American Federation of Television and Radio Artists negotiations.

All résumés must include the information in Exhibit F.

Scoring Criteria:

- The proposer demonstrates commitment to this campaign by identifying highly capable staff who have the expertise, training, skills, and experience consistent with the account management, creative, media, and talent needs identified in the SOW.
- The proposed percentage of time dedicated to the CDPH account is sufficient to meet the needs identified in the SOW.

e. **Advertising Account History**

Provide a list of clients from January 1, 2006 through December 31, 2008, with the following information:

1) Client name with the starting and end date for all accounts. Indicate the status of each account as open or closed.

2) For closed accounts, indicate the reason for discontinuation.

3) Indicate the approximate size of each account in terms of annual billings. Accounts of $1 million or more should be rounded to the closest $1 million. Accounts less than $1 million should be rounded to the closest $250,000.

4) Indicate accounts that resulted in purchases of California media and indicate whether a media buying service was utilized.

5) Indicate any accounts that have a clear and specific focus on:

a) *Social marketing:* Primary account objective includes promoting attitude and behavior change to benefit a specific target audience or the general population.

b) *Targeted marketing:* Account entails work targeted toward one or more of the following populations: African American; Asian; Hispanic/Latino; Lesbian, Gay, Bisexual, and Transgender; Low Socioeconomic Status; or rural sections of California.

c) *Online and alternative media:* Account entails a significant portion of campaign activity focused on non-traditional mediums.

***Scoring Criteria*:**

- The proposer demonstrates that its turnover of accounts is at a reasonable rate and overall strong client retention.
- The proposer's advertising accounts demonstrate that it has at least a three-year (3) history of managing accounts of similar size, or larger, than the CDPH account.
- The proposer demonstrates at least three (3) years' experience with a broad range of advertising campaign activity.

B. **Stage 2: Site Visit and Agency Presentation**..... (Scoring: 100 points possible)

Purpose: The purpose of the visit will be:

- For the CDPH Review Panel to tour the agency facility and meet personnel, especially those who will be assigned to the account. Any proposed subcontractors should **not** attend.
- For the CDPH Review Panel to provide an overview of CTCP and allow an opportunity for discussing the related goals and objectives of the RFP.
- For the CDPH Review Panel to observe an Agency Overview and Case History Presentation by the agency team that highlights creative samples from past assignments.

Overall Instructions: Each agency that advances beyond Stage 1 will be contacted to schedule a time when the CDPH Review Panel can visit the agency. Each site visit is estimated to be not more than three (3) hours long, including introductions and agency tours. Time limits will be strictly adhered to so the proposer should monitor their time accordingly. Instructions for the presentation are described in Items 1-3 below.

Scoring: The maximum score for Stage 2 is 100 points. Agencies receiving a score of at least 70 points for Stage 2 will advance to participate in Stage 3.

1. **Agency Overview**

   Instructions: Provide a presentation that highlights the agency's capacity. Team members should provide CDPH with a sense of the proposer's style and an understanding of the agency's strategic and creative capabilities and depth. The agency's creative philosophy and typical creative planning process should be discussed.

2. **Case History Presentation**

   Instructions: Select two (2) campaigns that a current California-based team designed and implemented, and present the details of that campaign from beginning to end.

   Two (2) copies of the presentation in 8½ by 11 format with CDs or DVDs of the selection of executions should be provided to CDPH at the site visit.

   The presentation should include:

   a. Key facts from background market research and analysis.

   b. Identification of target markets, including approximate audience size, age range, socioeconomic status, language, and culture/ethnicity.

   c. Creative strategy/positioning.

   d. Four-to-six (4-6) examples of creative developed for each campaign. For one of the campaigns, TV ads should be limited to those produced for less than $400,000 per ad. Crossover of creative to other mediums or markets, if any, should be noted.

   e. Media objectives and media placement planning for the selected campaign, discussion should include any bonus weight and other added value opportunities negotiated.

   f. How the campaign was evaluated, the results obtained, and how results impacted future efforts.

   g. Other considerations (e.g., budget, competition, organizational, and environmental constraints).

   h. Current agency personnel who worked on this campaign and their role.

Scoring Criteria for Case History Presentation:

The agency demonstrates in case history:

- Creative strategy was based on market research and analysis.
- Creative products addressed and attracted the target market, and cultural appropriateness was considered.
- Media placement was appropriate based on intended target audience and budget constraints; discussion of added value opportunities.
- Ability to provide value with moderate or limited production and media budgets.

3. **Additional Creative Samples–Not to be presented at site visit** (Two [2] copies to be provided at the site visit)

   Instructions: Submit two (2) copies of additional creative work samples developed by the California-based office which will be servicing the CDPH account, in the format and quantity identified below. These samples are to highlight the agency's creative approach beyond those presented as part of the case history. The creative work samples are due to CDPH at the time of the site visit.

   For each advertising sample, list the target market, the creative strategy, outcome achieved, and the creative team, indicating the persons currently based in the California office. Narrative should be limited to one page per ad or group of ads in the same campaign. Samples must be work that was completed after January 1, 2006. Include the following on a single DVD:

   a. Three (3) TV ads. For each ad, provide the production budget to the nearest $100,000.

   b. Two (2) radio ads.

   c. Two (2) outdoor or print ads.

   d. Three (3) additional items that the proposer chooses to illustrate the agency's unique creative strengths.

Scoring Criteria for Creative Samples:

The agency demonstrates in creative samples:

- Creative covered a broad spectrum of strategies and approaches to deliver the message including emotional appeal, memorable simple messages, a clear call to action, or other variety in style and format.
- Examples showcased experience and strengths of current creative staff.

C. **Stage 3: Advertising Assignment and Financial Package**…….
(Scoring: 200 points possible)

Purpose: The purpose of Stage 3 is to evaluate the proposer's: 1) strategic planning capabilities to develop a media campaign that addresses the goals and objectives of the campaign; 2) cost-effectiveness and cost-competitiveness of the proposed campaign; 3) financial stability; and 4) legal liabilities or risk that may impact the CTCP Media Campaign.

Overall Instructions: Each proposer that advances beyond Stage 2 will be contacted individually and invited to submit the following materials. The agency should submit one (1) electronic version of the response, one (1) original hardcopy and eight (8) copies of a written response to the requests stated below. Additionally, two (2) copies of the financial statements are to be submitted separately, in a sealed envelope (see Item 3 Financial Records below). More detailed instructions regarding the Advertising Assignment will be mailed to the participating agencies.

A briefing for proposers participating in this stage may be arranged by conference call. The purpose of the briefing is to provide the remaining proposers with clarification of the advertising campaign assignment. No evaluations will be made at this briefing session and no affirmations will be provided to the proposers concerning creative strategy.

Scoring: The maximum score for Stage 3 is 200 points, with the advertising and cost proposal assignments each receiving 100 points. The remaining required items will be scored on a pass/fail basis. Only agencies receiving a score of at least 140 points for Stage 3 may advance to participate in Stage 4.

1. **The Advertising Assignment**

   Instructions: An assignment to address current challenges in California's tobacco education effort will be sent separately by CDPH. Using a narrative format only, the agency will be asked to provide insight based on research and examples and describe the steps to develop a strategic plan for an advertising campaign. No speculative creative will be solicited or scored in any stage.

   Scoring Criteria:

   The agency's response to the Advertising Assignment demonstrates:

   - Use of current research findings in the development of strategies to effectively implement an advertising campaign plan for CTCP.
   - Strategic abilities to build upon the strengths of the current CTCP Media Campaign, introduce innovation, maximize reach of the general and ethnic markets within budget constraints, and advance CTCP's overall program goals.

2. **Cost Proposal and Budget Summary Assignment**

   Instructions: Review the detailed instructions provided in Attachment 9 and complete the Budget Summary, Attachment 10, and Cost Proposal, Attachment 11.

   Scoring Criteria:

   - The proposer demonstrates it provides the best value for the services through a Cost Proposal that is cost effective and cost competitive.
   - The Budget Summary demonstrates an understanding of CDPH's priorities and the requirements of the SOW.

3. **Financial Records**

   Instructions: Audited statements for the preceding three (3) years 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 federal tax returns filed with the Internal Revenue Service for the last three (3) years. A statement signed by a proposer's Chief Financial Officer certifying that the financial statements are accurate and complete must accompany all financial statements.

   Each proposer must submit two (2) copies of the above financial documents in a separate, sealed envelope marked "Financial Records," agency's name, and RFP CTCP 09-11390. CDPH reserves the right to require any additional information necessary to determine the financial integrity and stability of a proposer.

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

4. **Required Information**

   Instructions: Complete the Letter of Commitment and Litigation, Client References, Contractor Certification Clauses, Follow-on Consultant Contract Disclosure (Attachments 5-8).

D. **Stage 4: Oral Presentation** ..... (Scoring: 60 points possible)

Purpose: The purpose of Stage 4 is to identify the proposer who best demonstrates overall agency capability to service the CDPH account and meet the objectives of the RFP.

Overall Instructions: Up to four (4) agencies with the highest cumulative score at the end of Stage 3 will be contacted to schedule a time when the proposer can give an oral presentation related to the Advertising Assignment from Stage 3. The proposer will prepare a presentation according to detailed instructions that will be provided to the invited participants. A general overview of the format and expectations of the Oral Presentation are described below.

Scoring: The maximum score for Stage 4 is 60 points. The finalist will be selected based on the highest cumulative score for the entire RFP process.

1. **Oral Presentation**

   At the Oral Presentation, finalists will present the details of the Advertising Assignment from Stage 3. This will be done before a review panel. The proposal review panel will conduct a question-and-answer period following the Oral Presentation and may ask clarifying questions regarding the Advertising Assignment, the Cost Proposal, Budget Summary, and overall agency capacity to achieve continued campaign progress.

   No speculative creative will be required or reviewed for oral presentations. More detailed instructions regarding the Oral Presentation will be provided to the participating finalists.

   a. **Duration and Location**

      Oral presentations will be conducted in Sacramento, CA, and will last up to two (2) hours each. Account management, creative personnel, and media staff may play a major role in the presentation. Time limits will be strictly adhered to so the proposer should monitor their time accordingly. Any proposed subcontractors should not attend.

Scoring Criteria:

The proposer's presentation demonstrates:

- The agency shows strengths in all aspects of media campaign research, planning, execution, and evaluation that will sustain a long-term campaign with continued innovation.

III. 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 of the 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 precise. Do not simply restate or paraphrase information in this RFP. CDPH will determine the responsiveness of a proposal by its quality, not its volume or packaging.

   b. Format the narrative portions of the proposal as follows:

      1) Use a font of not less than 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 (8½ by 11 inches) white paper with double spacing.

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

      4) Sequentially paginate 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. 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 and Mail Process Warning**

"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	**Fax** (For RFP and Bidders' Conference questions only)
RFP CTCP 09-11390 California Department of Public Health California Tobacco Control Program MS 7206 1616 Capitol Avenue, Suite 74.516 Sacramento, CA 95814 Phone: (916) 449-5500	RFP CTCP 09-11390 California Department of Public Health California Tobacco Control Program Fax: (916) 449-5505

It is CDPH's recommendation that hand delivery be used for proposal submissions. CDPH's internal processing of mail may add 48 hours or more to the delivery time of regular or overnight mail. No matter which method of delivery is used, proposers are responsible for confirming the receipt of submissions by CTCP prior to the deadline.

C. **Importance of Meeting Deadlines**

All stages of this RFP have deadlines for submitting materials to CDPH. Submissions that are incomplete or received after the 5 p.m. deadline on the date they are due will not be accepted or reviewed.

A proposal receipt will be provided to a personal courier upon request, and this receipt will constitute the proposer's only proof of timely submission. Mail carrier's and courier's documentation are not considered proof of receipt by CDPH. Postmarks will not be accepted as proof of timely delivery. Faxed submissions will not be accepted for anything other than RFP and Bidders' Conference questions.

D. **Communication Between the State 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 mail or fax to the address found in Section III.B. You may call (916) 449-5500 to confirm receipt of faxed inquiries.

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 may make the response available to all proposers.

Proposers that fail to report a known or suspected problem with this RFP or fail to seek clarification and/or correction of this RFP will submit a proposal at their own risk. Records of all correspondence received and CDPH responses provided will be maintained.

2. **Deviations and Modifications**

All submissions should 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 response provided that the written request for such withdrawal is received prior to the deadline for final submission.

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 submissions become the property of CDPH upon receipt and will not be returned to the agency. CDPH reserves the right to use all ideas or adaptations of the ideas contained in any submission. 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. **Disabled Veteran Business Enterprise (DVBE) Participation Exemption**

This procurement is not subject to DVBE participation requirements.

IV. CONTRACT AWARD

A. Notice of Intent to Award Contract

Award of the contract, if awarded, will be to the most responsive and qualified proposer who earns the highest total score. If two (2) or more finalists are tied, CDPH, at its sole discretion, may request from the tied finalists a best and final offer for a Cost Proposal.

A Notice of Intent to Award a Contract identifying the selected contractor will be posted on the CDPH Web site for a period of at least five (5) working days prior to the protest deadline. All finalists that participated in Stage 4 of the review will be notified in writing regarding the contract award decision.

B. Confidentiality of Proposals

Do not mark any portion of your 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 or proprietary.

After CDPH posts the Notice of Intent to Award a Contract, each proposal and each proposal’s score sheet are public records, 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, except those portions of the proposal that are exempt from disclosure as provided in the Public Records Act.

Financial records received by CDPH will be kept confidential and will be destroyed at the time of Contract Award.

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 CDPH to do so.

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 qualification requirements.

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.

CDPH reserves the right to reject a proposal based on the proposer's failure to comply with a contractual requirement in a prior grant, contract, or cooperative agreement with the State of California.

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.G., "Tentative Time Schedule for RFP Stages," for receipt of each submission.

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

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

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/uninitialed alterations or irregularities.

D. **Protests**

Eligible proposers may file a brief "Notice of Intent to Protest" which must be received by the Hearing Officer or his designee, by mail or fax, within five (5) working days after the Notice of Intent to Award a Contract has been sent to each finalist. Only agencies that reach Stage 4 of the proposal process may protest the contract award. Protests will be limited to the grounds that CDPH failed to correctly apply the standards for reviewing proposals as specified in this RFP. Within five (5) calendar days after filing a "Notice of Intent to Protest," the proposer should file a full and complete written protest, including the issue(s) in dispute, the legal authority or other basis for the proposer's position, and the remedy sought. Protests should be addressed to the Hearing Officer as follows:

U.S. Mail	**Courier** (e.g., UPS, Federal Express)
Donald O. Lyman, M.D., Chief Division of Chronic Disease and Injury Control California Department of Public Health MS 7206 P.O. Box 997377 Sacramento, CA 95899-7377 Phone: (916) 449-5500	Donald O. Lyman, M.D., Chief Division of Chronic Disease and Injury Control California Department of Public Health MS 7206 1616 Capitol Avenue, Suite 74.516 Sacramento, CA 95814 Phone: (916) 449-5500

The Hearing Officer or his designee, at his sole discretion, may hold oral hearings, have a hearing on written briefs, or both. The decision of the Hearing Officer will be final.

E. **Contract**

CDPH will confirm the contract award to the winning proposer after the protest deadline, if no protests are filed or following the resolution of all protests. The agency that is selected to provide advertising services to CDPH will be required to sign a contract that details legal and programmatic obligations.

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 the successful proposer's 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 (10) state working days after the proposer receives the contract from CDPH, and must agree to the terms and conditions outlined in the contract language.

F. **Contract Forms and Exhibits**

State contract forms and exhibits are available under "Contract Documents" in the funding section of the CDPH Web site. 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 CTCP RFP 09-11390. 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.

V. ATTACHMENTS TABLE OF CONTENTS

Except as noted, go to www.cdph.ca.gov/programs/Tobacco to download the following electronic fillable forms:

STAGE 1

Attachment 1: Proposal Cover Page
Attachment 2: California Office and Gross Billings Certification
Attachment 3: Guaranty
Attachment 4: Conflict of Interest Certification

STAGE 2

(No attachments for this stage.)

STAGE 3

Attachment 5: Letter of Commitment and Litigation
Attachment 6: Client References
Attachment 7: Contractor Certification Clauses (CCC-307)
Download and print:
www.documents.dgs.ca.gov/ols/CCC-307.doc
Attachment 8: Follow-on Consultant Contract Disclosure
Attachment 9: Instructions for Completing Budget Summary and Cost Proposal
Attachment 10: Budget Summary
Attachment 11: Cost Proposal

STAGE 4

(No attachments for this stage.)