

California Department of Public Health

Solicitation

Request for Proposals 22-10146
California Tobacco Control Program
Advertising Campaign

June 9, 2022

California Department of Public Health California Tobacco Control Program MS 7206 1616 Capitol Avenue, Suite 74.516 Sacramento, CA 95814 www.cdph.ca.gov/tobacco

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I. INTRODUCTION

A. Background, Purpose, Goals, and Objectives

1. Background and Authorizing Legislation
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:

- Nearly 90 percent of Californians do not use any kind of tobacco product.¹
- California has one of the lowest youth vaping rates in the United States (U.S.)²
- Since the passage of Proposition 56, overall tobacco use for all adult priority populations, and cigarette use specifically, decreased dramatically.³
- Lung cancer incidence rates have decreased two times faster in California than in the rest of the country.⁴

California's efforts to prevent and reduce tobacco use have resulted in California having one of the lowest smoking rates in the nation;⁵ 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.⁶ And while California has one of the lowest

¹ California Health Interview Survey, CHIS 2019 Adult Files. Los Angeles, CA: UCLA Center for Policy Research; October 2020

² California Student Tobacco Survey 2020. San Diego, California: Center for Research and Intervention in Tobacco Control, University of California, San Diego.

³ California Department of Public Health, California Tobacco Control Program. California Tobacco Facts and Figures 2021.

⁴ California Department of Public Health, California Tobacco Control Program. California Tobacco Facts and Figures 2021.

⁵ California Department of Public Health, California Tobacco Control Program. California Tobacco Facts and Figures 2021.

⁶ Max W, Sung HY, Shi Y, Stark B. The cost of smoking in California. Nicotine and Tob Res. 2016;18(5):1222-1229

youth vaping rates in the US, the tobacco industry's use of flavored tobacco products to lure youth to use their products remains a public health crisis resulting in teen addiction at unprecedented levels. In 2018, the U.S. Surgeon General declared vaping a youth epidemic.⁷ 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.⁸

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

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 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 CTCP to receive proposals from qualified advertising agencies in order to award a contract to conduct the statewide CTCP media campaign. The selected Contractor is responsible for creating a statewide media campaign based on Exhibit A, entitled "Scope of Work," which builds upon the strengths and current strategies of the long-running CTCP media campaign while introducing fresh, innovative ideas that will propel the campaign into its next evolution. The contract is awarded pursuant to Health and Safety Code 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 22-10146, California Tobacco Control Program, Advertising Campaign, (RFP).

⁷ U.S. Surgeon General. <u>Surgeon General's Advisory on E-cigarette Use Among Youth</u>. e-cigarettes.surgeongeneral.gov. 2018 8 Federal Trade Commission. <u>Federal Trade Commission Cigarette Report for 2018</u>. December 2018

3. Goals and Objectives

CTCP seeks a dynamic advertising agency with strong, full-service advertising capabilities that can produce an effective multicultural and multilingual media strategy plan. The advertising agency must be exceptionally strategic to handle CTCP's integrated media account and help navigate future challenges and opportunities. The advertising campaign must be multi-platform and integrated to maximize effectiveness and be responsive to changes in the media marketplace and consumer behavior.

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 SOW), extensive knowledge of the diverse California media market, capability to provide specialty advertising services, and the ability to manage advertising development, testing, production, and placement to address CTCP's priorities. The selected Contractor will also be required to create, develop, and promote CTCP's integrated digital assets, owned properties, social media efforts, as well as overall branding.

The selection process for this RFP will focus on proposers' strategic planning capabilities, creative breadth, specialized services capacity, cost efficiency, and the ability to target relevant populations and communities through a strategic media plan.

The selected Contractor will target California's multicultural market, as well as target markets specified by CTCP, to increase support for tobacco-free social norms. Target markets include language-specific, culturally relevant, and/or disproportionately affected populations, including:

- Hispanic/Latino
- Asian/Pacific Islander (Chinese, Vietnamese, Korean, Filipino, and other Southeast Asian populations)
- African American/Black
- Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ+)
- American Indian/Alaskan Native (AI/AN)
- Rural
- Persons with substance use disorders or behavioral health conditions
- Persons living with low-to-moderate incomes (LMI).

Subcontractors may be used if the proposer does not have the in-house capabilities to address these target markets. See paragraph "F. Subcontractors" for additional information.

In addition, the Contractor will be required to promote Kick It CA, the state's free tobacco cessation coaching service.

Services shall be provided statewide, with strategic and cost-efficient media activities that maximize outreach to all target markets.

B. Submitting A Proposal

The minimum required qualifications for proposers include:

- Currently operating, full-service, advertising agency with minimum annual gross billings of \$75 million, which may include media placement billings for agency clients completed by an external media buying service, in at least two of the past three years;
- California-based, full-service office(s) with a minimum of 30 employees; and
- No conflict of interest with the tobacco, e-cigarette, cannabis, or related industries.

These preliminary eligibility requirements must be certified by the proposer in Stage 1 as further described in Section II, Proposal Submission and Stages.

Each agency may submit only one proposal. More than one proposer with the same 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 advertising agencies.

Subcontractors may participate in more than one bidding proposal.

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.

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.

C. Contract Term

- 1. The anticipated term is five years, 60 months: September 30, 2022, to September 29, 2027. 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.

D. Anticipated Funding

- 1. It is estimated that up to \$200 million may be available for the advertising contract's five-year period. The actual funding amount may be lower.
- Funding for each fiscal year (FY) is subject to annual appropriation of revenues in the California State Budget Act. 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 to comply with these actions.
- 4. Prop 56 Tobacco-related Disparity Statement: A proportion of the Prop 56 funds awarded as a result of this RFP will be counted towards meeting the required minimum 15 percent of Prop 56 funds appropriated for the purpose of accelerating and monitoring the rate of decline in tobacco-related disparities with the goal of eliminating tobacco-related disparities per Revenue and Taxation Code 30130.55(b)(1).

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

Given the rich diversity of California and the complicated media landscape, it is anticipated the successful Contractor will most likely need to subcontract with one or more agencies with demonstrated knowledge, experience, and marketing capacity to effectively reach targeted communities and/or provide other specialty advertising services, which may include website development/maintenance services, search engine optimization/marketing (SEO/M), social media marketing, and/or campaign reporting and analytic services. CTCP also realizes many advertising agencies rely on a media-buying service to offer cost-competitive pricing for its clients.

If the Contractor does not have the full-service capabilities to effectively accomplish all components of the SOW, they are required to identify proposed subcontractors and note which subsidiaries are owned by the same holding company, as applicable.

Once the proposed subcontractor(s) are identified, CDPH must approve the proposed subcontractor(s) and reserves the right to deny any or all proposed subcontractors of the selected Contractor.

Posting the "Notice of Intent to Award" does not imply CTCP's approval of proposed subcontractors. If a proposed subcontractor is denied, or if the selected Contractor does not, to the satisfaction of CTCP, demonstrate their internal capabilities to

address a specific target market or specialized service and meet CTCP's needs at any time during the contract, the selected Contractor may be required to procure a subcontractor or consultant through a separate competitive process.

G. Nonexclusive Rights

CTCP does not grant the selected Contractor the exclusive rights to provide all advertising services during the contract period. CTCP reserves the right to acquire advertising and/or media services from other agencies without infringing upon, nor terminating, the awarded contract.

The successful proposer must collaborate with existing and future CTCP contractors, including public relations and advertising agencies, subcontractors, and consultants.

H. RFP Timeline

Below is the schedule for this RFP:

	Event	Date*	Time (Pacific)
Solicitation (RFP) Released		June 9, 2022	-
	vance Questions for Pre-Proposal Webinar	June 14, 2022	5:00pm
_	o Attend Voluntary osal Webinar	June 14, 2022	5:00pm
Voluntary	Pre-Proposal Webinar	June 16, 2022	1:30pm –3:30pm
Stage 1	Eligibility and Capabilities Requirements Due	June 22, 2022	5:00pm
Stage 2	Stage 2 Informational Webinar	July 1, 2022	1:30pm – 3:30pm
Stage 2	Agency Presentations and Staffing Proposals	July 12-14, 2022	TBD
Stage 3	Client References Due	July 20, 2022	5:00pm
Stage 3	Financial Package Due	July 22, 2022	5:00pm
Stage 3	Agency Presentations	July 27, 2022	TBD
Letter of Intent to Award Posted		July 29, 2022	-

Event	Date*	Time (Pacific)
Appeal Deadline	August 5, 2022	5:00pm
Expected Start Date of Contract	September 30, 2022	-

^{*}CTCP reserves the right to amend dates at any time during the Solicitation (RFP) process.*

It is the proposers' responsibility to check for notices and addenda for this RFP on the <u>Tobacco Control Funding Opportunities and Resources (TCFOR) website</u> throughout the RFP process. For assistance with the TCFOR website, please email <u>CTCPMediaRFP@cdph.ca.gov</u>.

I. Voluntary Pre-Proposal Webinar

CTCP 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 a proposal, as well as to discuss the review process.

The webinar is expected to last two hours and will not be recorded. CTCP 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.

Prospective proposers can register for the webinar by emailing CTCPMediaRFP@cdph.ca.gov by **June 14, 2022, at 5:00 p.m.** 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 **June 14, 2022, at 5:00 p.m**. The email must clearly identify the person and agency submitting the question. At its discretion, CTCP 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 CTCP on the TCFOR website.

J. News Releases and Social Media

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

II. PROPOSAL SUBMISSION AND STAGES

This section contains the RFP instructions for Stage 1 and general instructions for Stages 2 and 3. Review ALL instructions thoroughly. **See Section IV: Submission Requirements for instructions on formatting requirements**. At the completion of each stage, proposers will be notified via email as to whether they qualify to continue to the next stage. The proposers with the six highest scores who successfully complete Stage 1 with a minimum score of 80 points will receive additional instructions to compete in Stages 2 and 3.

The agency with the <u>highest cumulative score</u> from Stages 2 and 3 will be awarded the contract.

Proposal Scoring Scale:

Stage	Maximum Points Available for Each Stage	Maximum Points Available for the Cumulative Score
Stage 1:	100	0
Eligibility and Capabilities Requirements		
Stage 2:	150	150
Agency Overview, Agency Presentations, and Account Staffing Proposal		
Stage 3:	150	300
Financial Package, Agency Presentations, and Client References		

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

A. Stage 1: Eligibility and Capabilities Requirements

<u>Purpose</u>: The purpose of Stage 1 is to identify advertising 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 signed hard copy marked "original," six bound copies, and one digital copy via email of all information requested below.

<u>Scoring</u>: The maximum score for Stage 1 is 100 points. The proposers with the six highest scores and receiving a minimum score of 80 points will advance to Stage 2.

Items 1 through 4 will be used to determine eligibility and will be scored on a

pass/fail basis. Scoring measures for Items 5 and 6 are provided in Section III, Evaluation Criteria.

Complete and sign the following forms:

1. Proposal Cover Page (Attachment 1)

Instructions: A person authorized to bind the proposer must sign the "Proposal Cover Page." 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)

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

Complete and sign the "Certification of California Office and Gross Billings" Form in blue ink, certifying the proposer has a currently operating, full-service California-based office, capable of providing services under the proposed contract for the term of the contract and at least 50 employees.

Provide certification that the agency had at least \$75 million in gross billings per year in two of the three years prior to 2022 from the agency as a whole, by completing and signing Attachment 2. Include the agency's actual gross billings for each year and indicate whether they are on a calendar or fiscal year basis.

3. Guaranty (Attachment 3)

Instructions: 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)

Instructions: Each proposer, including any proposed subcontractor, 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, electronic cigarette/vaping companies and cannabis companies, or 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 CTCP's sole review and discretion, is determined to satisfy the requirement to protect CTCP 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 CTCP, CTCP reserves the right to request further information.

CTCP 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 CTCP's sole discretion, satisfy CTCP'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.

- DGS PD 1 Darfur Contracting Act (Attachment 5); "California Civil Rights Laws Attachment" (Attachment 6); and "Contractor's Confidentiality Statement" (Attachment 7) Forms.
- 6. Agency Capabilities Overview

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

Instructions: Complete a response for Agency Experience and Strengths and Advertising Effectiveness.

- a. Agency Experience and Strengths (six pages maximum).
 - Agency Experience. Describe your agency's capability and experience at performing the following services: account and project management, market research, strategic planning, media planning and buying, creative development, production expertise, talent negotiations and tracking, production and media quality assurance, creative and project collaboration with other agencies, and expertise tracking key trends and issues in advertising and social marketing.
 - Agency Strengths. Describe the strengths of your agency, including
 historical accomplishments, unique services, account leadership, and
 experience working on accounts with similar size and scope. Describe in
 detail key contributions your agency would bring to CTCP and why your
 agency should be considered for this advertising contract.
 - 3. <u>Multicultural and Specific Target Audience Experience</u>. Describe the experience and expertise of your agency, or that of your past or proposed subcontractors, at successfully reaching California's diverse communities, including the utilization of in-language and culturally appropriate media. Include research, planning, execution, and evaluation processes as they relate to client needs and objectives.
 - 4. <u>Digital and Social Media Experience</u>. Describe your agency's capacity and capability for strategic and creative digital media executions, including web development, SEO/M, and social media efforts. Describe your agency's experience in this area and give a detailed example of your agency's

- work, indicating any subcontractors involved. Provide three (3) links of campaign websites/landing pages that your agency developed.
- 5. <u>Collaboration Experience</u>. List any past or existing client examples in which you have collaborated with subcontractors or a team of agencies. Provide examples of past collaboration with proposed subcontractors and describe their role(s) if applicable.
- 6. <u>Creative Experience</u>. Provide a highlight reel of up to five (5) minutes of any advertising campaign work that includes video, audio, and other digital assets for campaigns created by your California office(s) in the last three (3) years.
- b. Advertising Effectiveness (four pages maximum)
 - 1. <u>Strategic Services</u>. Describe your agency's experience in creating a campaign strategic marketing plan, including the steps you take to create the plan and the client's collaborative involvement in the process.
 - 2. Research and Evaluation. Describe your agency's research, development, strategic planning, and evaluation processes. Include in your description whether these functions are normally performed in-house or by a subcontractor or consultant. Describe your agency's experience and methods used in analyzing the effectiveness of advertising campaigns. Describe what your agency identifies as key performance indicators (KPIs) of a campaign and provide an example of how it has been established for a client. Discuss how evaluation is approached for non-sales-based accounts, discuss how your client's KPIs of brand awareness, image, and/or changing of cultural norms were evaluated. Provide an example of campaign summary reports given to clients for insights at the end of a campaign. The examples should be attachments that will not be counted towards the narrative page maximum. Each summary should not exceed four pages.
 - 3. <u>Substantiation Services</u>. Describe how your agency analyzes and substantiates the factual content of advertisements (ads). Describe any campaign or advertising creative that was based on scientific literature and how your agency analyzed, created, and substantiated the work. Include the name of the person or firm who is designated to review ads for legal compliance and briefly describe their qualifications.
 - 4. Media Management. Describe your agency's capabilities and strengths in media research, planning, buying, monitoring and overall stewardship of your clients' funds. If all, or a certain portion, of your clients' media is not planned or purchased by your agency, please indicate with whom the agency works in this regard and how that process becomes seamless for the client. Please differentiate between who performs the media planning and the media buying. Please describe your agency's, or your media buying agency's, overall buying strength.

7. Advertising Agency Fact Sheet Form (Attachment 8).

Instructions: Complete the "Advertising Agency Fact Sheet" Form (Attachment 8).

B. Stage 2: Agency Presentations, and Proposed Account Staffing Chart

<u>Purpose</u>: The purpose of Stage 2 is for the CTCP Review Panel to:

- Attend a presentation by the proposer's team that will be servicing the CTCP account, including subcontractors.
- Learn more about the agency (or agencies, if subcontractors present). This
 includes a case study that highlights efforts from past work, and a CTCP-related
 assignment.
- Receive the proposed account staffing chart.

Overall Stage 2 Instructions: Each proposer that advances to Stage 2 will be contacted to schedule a time for a meeting with the CTCP Review Panel. The time limit for each agency presentation is up to **2.5 hours**, including introductions, presentations, and potential questions. At least 15 minutes of the 2.5 hours must be allotted at the end for the CTCP 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. Each agency will provide one digital copy of Presentations and Proposed Staffing Chart to CTCP via email, with any links included to audio or visual examples shown.

CTCP reserves the right to conduct Stage 2 presentations onsite or remotely. This determination will be based on current COVID-19 safety recommendations and/or travel restrictions. Specific instructions and logistics will be provided to agencies advancing to Stage 2 detailing whether the presentation will be onsite or remote.

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

<u>Scoring</u>: The maximum score for Stage 2 is 150 points. A maximum of three (3) agencies with the highest scores after Stage 2 will advance to Stage 3.

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 multicultural and multilingual media strategy and creative capabilities, including tailored media placement experience. In addition, the agency's philosophy, specific strengths and collaboration style with the client and other

agencies (public relations and/or advertising) should be discussed. Please include presenters' names and photographs in the presentation.

Show a creative reel which illustrates the agency's unique creative strengths and highlights ads with messages which closely relate to CTCP's goals that have high-emotional appeal and memorable messages. The reel must not exceed five (5) minutes, primarily showcasing the work of the agency's California office(s) and produced after January 1, 2019. Note: this can be the same or a different reel from the Stage 1 submission.

2. Case History Presentation

Instructions: Select one advertising campaign that a current California-based team created and implemented. Present the details from beginning to end.

The presentation must include:

- a. Key findings from background market research and analysis.
- b. Identification of primary and secondary target audiences, including approximate audience size, age range, socioeconomic status, language, culture/ethnicity, and psychographic characteristics. California media market selection should be discussed.
- c. Creative strategy/positioning.
- d. Three (3) to five (5) examples of creative developed for the campaign across different media channels. Highlight examples of creative that crossed over to other target audiences.
- e. Media objectives and media placement planning for the selected campaign; discussion must 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. Provide an example of a summary campaign report provided to the client that distilled insights.
- g. Challenges or other considerations (e.g., budget, competition, organizational, and environmental constraints).
- h. Current agency staff who worked on this campaign and their roles.

3. Advertising 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. Proposers may be asked to present potential

strategic planning, including target audiences, media planning, and creative direction, but speculative creative will not be required at this stage. Proposed subcontractors should participate. See the <u>TCFOR website</u> for a list of tobacco control resources.

A webinar for proposers participating in Stage 2 will be held on July 1, 2022, at 1:30-3:30 p.m. Registration information will be sent prior to the webinar. The purpose of the webinar is to clarify the Advertising Assignment for Stage 2 proposers. No evaluations will be made at this webinar and no affirmations will be provided to the proposers concerning creative strategy.

4. Proposed Account Staffing Chart (Attachment 9)

Instructions: Complete the "Proposed Account Staffing Chart" (Attachment 9) of the proposed primary account staff who will be assigned to the CTCP account, including proposed subcontractor staff. Attachment 9 should be included with the presentation materials requested above but is not required to be presented in detail during the presentation. 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.
- 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, Agency Presentations, and Client References

Purpose: The purpose of Stage 3 is to allow CTCP assessment of:

- Agency capacity and capabilities, based on an agency presentation, CTCP reviewer questions, and client reference checks.
- Cost-effectiveness and cost-competitiveness of the proposed campaign.
- Financial stability.
- Legal liabilities or risk that may impact CTCP.

Overall Stage 3 Instructions: A general overview of the format and expectations of the Financial Package, agency presentations, and client references are provided below. The time limit for each Stage 3 presentation is up to **two hours**, including introductions, presentation, and potential questions. At least 20 minutes of the two hours must be allotted at the end for the CTCP Review Panel to ask questions. Please note: The Client References (Attachment 10) is required immediately after notification that the proposer is a selected finalist. See instructions in #4 below.

<u>Scoring</u>: The maximum score for Stage 3 is 150 points. The final selected 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 "CTCP Advertising Campaign RFP 22-10146." CTCP reserves the right to require any additional information necessary to determine the financial integrity and stability of a proposer.

- a. Cost Proposal Assignment Instructions: Complete the "Advertising Cost Proposal" (Attachment 11).
- b. Proposed Budget Allocation
 Instructions: Complete the "Proposed Budget Summary" (Attachment 12).

c. Financial Records

Instructions: Audited statements for the most recent calendar or fiscal year 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, CTCP 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 by a proposer's Chief Financial Officer certifying that the financial statements are accurate and complete must accompany all financial statements.

Financial records containing trade secrets and/or non-public information are exempt from disclosure per Government Code Section 6254 (k).

d. Required Information

Instructions: Complete the "Bankruptcy and Litigation Disclosure" (Attachment 13).

2. Agency Presentation

Instructions: Selected finalists will be contacted to schedule a time for a final agency presentation for additional discovery of agency capacity and capabilities. Detailed instructions will be provided to the invited participants. This presentation will be delivered before a review panel.

3. Advertising 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 3. Proposers may be asked to present speculative creative. Proposed subcontractors should participate. See the TCFOR website for a list of tobacco control resources.

4. Complete Client References form (Attachment 10)

Instructions: Attachment 10 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. List the most recent first. CTCP may verify with CTCP offices to which you have provided services, currently or in the past. A negative reference may result in proposal rejection.

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 Evaluation Criteria: Eligibility and Capabilities Requirement	Points 100 points possible
Eligibility Documents	
Proposal Cover Page, Certification of California Office and Gross Billing Form, Guaranty, Conflict of Interest Certification, DGS PD 1 - Darfur Contracting Act, California Civil Rights Laws Attachment, Contractor's Confidentiality Statement	
Agency Capabilities	
Agency Experience and Strengths: The proposer demonstrates full-service capabilities and experience to deliver a broad range of advertising services necessary to meet the requirements of the SOW. The proposer demonstrates it has strong capacity to service CTCP, through its accomplishments, unique services, and account leadership. The proposer highlights key contributions valuable to CTCP. The proposer and/or subcontractor(s) demonstrates experience in reaching culturally diverse populations. The proposer and/or subcontractor(s) has strong experience, knowledge, and capacity to provide digital services (campaign website development/maintenance, social media marketing, etc.). The proposer shows collaboration experience with subcontractors or a team of agencies for other clients. Proposer demonstrates wide breadth of creative abilities, including multi-cultural and/or multi-lingual creative, campaign websites, digital assets, and social media marketing efforts. Advertising Effectiveness: The proposer demonstrates experience and processes in place for evaluating the efficacy of strategies of advertising campaigns at various stages of development and placement. The proposer demonstrates its experience and capacity to conduct research, strategic planning, and evaluation by its personnel, subcontractor, or outside vendor appropriate to a multi-cultural, multi-lingual public health campaign. The proposer demonstrates ability to provide summarized campaign results and insights. The proposer demonstrates it substantiates facts used in advertising campaigns using credible sources.	75

Advertising Agency Fact Sheet(s)	I
 The proposer demonstrates that its turnover of accounts is at a reasonable rate and has overall strong client retention. The proposer has a broad range of accounts with a specific focus on cause-related marketing, a health focus, and/or targeted outreach. The proposer's California office(s) has appropriate experience in leading accounts of a scope and size comparable to the advertising campaign described in this solicitation. The proposer demonstrates adequate staffing for the number of accounts indicated. The proposer has the capability and experience to purchase media in different media channels, either in-house or through a media buying service. Note: Proposers will not be penalized for the use of a media buying service. 	25
Stage 2 Evaluation Criteria: Agency Presentations, and Proposed Account Staffing Chart	Points 150 points possible
Agency Overview Presentation	
 The proposer demonstrates its capacity and style of its California-based office(s) and team who would be assigned to the CTCP account and are an appropriate cultural fit for the advertising campaign described in this solicitation and CTCP as the client. The proposer displays its philosophy, strengths, and collaboration style with clients and other agencies. 	30
Case History Presentation	
 The proposer's campaign is strategic and based on market research and analysis. The proposer identifies the target audience(s) and market(s) and develops a culturally appropriate strategy and creative. The proposer showcases the ability to create effective ads, as well as the ability to trans-adapt creative to be appropriate and effective for multiple target audiences. The proposer's media placement successfully reaches intended target audience(s); discussion of added value opportunities. The proposer presents how it evaluates campaigns and analyzes results for the potential impact of future efforts, as well as provided a campaign summary report. The proposer appropriately handles challenges or other considerations that impacts advertising campaigns. The proposer showcases the roles of the current staff who worked on the campaign. 	50
Advertising Assignment Presentation	
 The proposer has the strategic ability to build on the strengths of the current CTCP Media Campaign and introduce innovation. The proposer demonstrates a culturally appropriate strategy, within budget constraints, capable of maximizing reach of California's diverse target markets and advance CTCP's overall program goals. The proposer demonstrates a high caliber of strategic thinking. The proposer shows the capacity to utilize current research findings in developing strategies to effectively implement an advertising campaign plan for CTCP. The proposer demonstrates collaboration with subcontractors. 	50

Proposed Account Staffing	
 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 advertising SOW. The proposed percentage of time dedicated to the CTCP account is sufficient to meet the needs identified in the advertising SOW. 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. 	20
Stage 3 Evaluation Criteria: Financial Package, Agency Presentations, and Client References	Points 150 points possible
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. The Proposed Budget Summary demonstrates an understanding of CTCP's priorities and the requirements of the SOW. 	75
Agency Presentation	
 The proposer understands CTCP's objectives and demonstrates an ability to develop a holistic strategic advertising and marketing plan that supports these objectives. Each proposed subcontractor has collaborative skills and expertise in reaching CTCP's goals and provides overall added value to the proposer's team. 	20
Advertising Assignment Presentation	
 The proposer has the strategic and creative ability to build on the strengths of the current CTCP Media Campaign and introduce innovation. The proposer demonstrates a culturally appropriate creative strategy capable of maximizing reach of California's diverse target markets and advance CTCP's overall program goals. The proposer shows strengths in all aspects of research, planning, creative execution, and evaluation necessary to sustain a long-term advertising campaign. The proposer showcases bold, innovative creative. The proposer demonstrates the ability to establish key metrics and evaluate campaign effectiveness. The proposer demonstrates collaboration with subcontractors. 	45
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. 	10

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 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 concise. Do not restate or paraphrase information in this RFP. 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 Times New Roman, 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.
- 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 CTCP 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 (for correspondence only)
Request for Proposals 22-10146 California Department of Public Health California Tobacco Control Program Attention: Jennifer Garcia MS 7206 1616 Capitol Avenue, Suite 74.516 Sacramento, CA 95814 Phone: (916) 449-5500	Email: 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 CTCP prior to the submission deadline. If the package tracking information indicates its arrival at CTCP 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 CTCP and are strictly enforced. Submissions that are incomplete or received after the stated deadline will be returned to sender.

D. Communication between CTCP and Proposers

1. Proposer Questions

Should any proposer need to communicate with CTCP 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 CTCP if you need clarification about the services sought or have questions about this RFP's instructions or requirements. At its discretion, CTCP reserves the right to contact an inquirer to seek clarification of any inquiry received. CTCP 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 CTCP of such error in writing and request modification or clarification of the document by the deadline for the submission of the Stage 1 proposal. CTCP strives to correct any errors found. Modifications or clarifications will be given by written notice. CTCP shall not be responsible for failure to correct errors.

3. Deviations and Modifications

All submissions must be complete when received at CTCP. No changes, modifications, corrections, or additions may be made once they are submitted to CTCP. 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.

CTCP 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 CTCP 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.

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

E. 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. Letter of Intent to Award a Contract

Award of the contract will be to the most responsive and qualified proposer who earns the highest combined score of Stages 2 and 3. A Letter 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

All portions of proposal responses are 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 CTCP posts the Letter of Intent to Award a Contract, except those portions of the proposal that are exempt from disclosure under the Public Records Act.

C. CDPH/CTCP Rights

- 1. Rejection of All Proposals
 - Issuance of this RFP in no way constitutes a commitment by CTCP to award a contract. CDPH/CTCP 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/CTCP 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/CTCP may reissue a new RFP at a later date.
- 2. Verification of Proposer Information
 - By submitting a proposal, proposers agree to authorize CTCP 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. A submission is received at any time after the exact time and date set forth in Section I.H., "Tentative RFP Timeline," 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." The

- proposer fails to submit or fails to complete and sign required Attachments as instructed in this RFP.
- c. The submission contains false, inaccurate, or misleading statements or references.
- d. The proposer is unwilling or unable to fully comply with the proposed contract provisions.
- e. 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 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 Assistant Deputy Director Operations Center for Healthy Communities California Department of Public Health P.O. Box 997377 MS 7206 Sacramento, CA 95899-7377	Maria Ochoa Assistant Deputy Director Operations Center for Healthy Communities California Department of Public Health 1616 Capitol Avenue, Suite 74.516 MS 7206 Sacramento, CA 95814

- 3. At the sole discretion of the Assistant Deputy Director, or their designee, a hearing may be held. The decision of the Assistant Deputy Director or their 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 CTCP the required documents listed in Section G, Contractor Required Documents.

E. Contracts

CTCP 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 advertising services to CTCP will be required to sign a contract that details legal and programmatic obligations. The contract number will be 22-10146.

The successful proposer must enter into a formal contract with CTCP 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 timelines, methods and approaches, budget or cost details, or other mandatory contract and performance requirements.

The successful proposer should enter into a contract with CTCP no later than ten state working days after the proposer receives the contract from CTCP 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 <u>TCFOR website</u>. 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/STD205), 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/ STD 205 has been returned to CDPH/CTCP.
- Page one (1) of the Contractor Certification Clauses (CCC) 4/2017.
- 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 <u>TCFOR website</u>, select the Funding Opportunities section, click on the RFP 22-10146 California Tobacco Control Program Advertising Campaign link, 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: DGS PD 1 - Darfur Contracting Act

Attachment 6: California Civil Rights Laws Attachment

Attachment 7: Contractor's Confidentiality Statement

Attachment 8: Advertising Agency Fact Sheet

STAGE 2

Attachment 9: Proposed Account Staffing Chart

STAGE 3

Attachment 10: Client References

Attachment 11: Advertising Cost Proposal

Attachment 12: Proposed Budget Summary

Attachment 13: Bankruptcy and Litigation Disclosure

VII. EXHIBITS TABLE OF CONTENTS

To view the following documents, go to the <u>TCFOR website</u>, select the Funding Opportunities section, click on the RFP 22-10146 California Tobacco Control Program Advertising Campaign link, and open the selected Exhibit documents under "Contract Documents."

STD 213: Standard Agreement Form

Exhibit A: Scope of Work

Exhibit B: Budget Detail and Payment Provisions

Exhibit B, Attachment I: Budget Summary Chart

Exhibit B, Attachment II: Budget Summary Mark–Up Rates

Exhibit C: General Terms and Conditions GTC 04/2017

Exhibit D: Special Terms and Conditions [Rev 06/2019]

Exhibit E: Additional Provisions

Exhibit F: Résumés

Exhibit G: Contractor's Release