Request for Application (RFA) #24-10074

Empowering Commercial Tobacco Prevention Efforts in Tribal Communities

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH
CALIFORNIA TOBACCO PREVENTION PROGRAM
(CDPH/CTPP)

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PART I. FUNDING PURPOSE

A. INITIATIVE OVERVIEW

The term “tobacco” used in this RFA refers to *commercial* tobacco products. This RFA does not seek to impinge upon the sacred use of traditional or ceremonial tobacco in American Indian communities.

This Request for Application (RFA) seeks to fund five (5) Federally Recognized California Tribal Governments to address commercial tobacco-related disparities affecting the American Indian population.

New Applicants who meet the qualifications for this funding opportunity and current grantees funded under the CDPH/CTPP Competitive Grant (CG) #18-10064, California Tribal Grant to Reduce Tobacco-Related Disparities and Reducing Tobacco-Related Disparities in American Indian and Alaskan Native Communities are encouraged to apply.

In 2019, the California Tobacco Prevention Program (CTPP) formerly known as the California Tobacco Control Program (CTCP) launched the Tribal Initiative, comprised of funding tribal governments under three (3) RFAs: Competitive Grant (CG) RFA #18-10064, CG RFA #19-10011, and CG RFA #20-10003, and tribal-serving organizations under CG RFA #20-10013. Tribal Initiative grantees have worked to implement and evaluate evidence-based health promotion and health communication activities designed to: (1) reduce tobacco and nicotine use, tobacco-related disease rates, and tobacco-related health disparities; and (2) develop a stronger evidence base of effective tobacco use prevention and reduction programs with the goal of reducing tobacco-related disparities among tribal communities in California.

Funded grantees were expected to accelerate the adoption, implementation, and impact of policy and system change campaigns within California tribal communities. Additionally, collaboration and community engagement were important underpinnings of the CDPH/CTPP’s California Tribal Grant to Reduce Tobacco-Related Disparities and Reducing Tobacco-Related Disparities in American Indian and Alaskan Native Communities RFA.

In May and June of 2023, invitations were sent to all tribal contacts for each funded tribe and tribal serving organization. A total of 16 Key Informant Interview (KII) respondents participated, comprised of 11 participants representing currently funded California Tribal Grants Waves 1-3 and 5 participants from Reducing Tobacco-Related Disparities in American Indian and Alaskan Native Community grants. The purpose of the KIIs was to gain insight and inform future funding opportunities to better support commercial tobacco prevention work within the American Indian population of California. Interview notes were examined and applied to this funding opportunity based on key themes and ideas generated from the KIIs. See **Appendix 1**: *2023 Key Informant Interview Summary*.

The Empowering Commercial Tobacco Prevention Efforts in Tribal Communities RFA will incorporate the following work plan features:

- Build capacity and skills among tribal members and staff employed by tribal governmental organizations to implement commercial tobacco use prevention and reduction interventions and provide health education services.
- Mobilize and engage community residents and tribal governmental organizations to engage in commercial tobacco use prevention and cessation and support policy and system changes.
- Design, support, adopt, implement, and evaluate tribal policy and system change campaigns that seek to prevent and reduce commercial tobacco use.

Health and Safety (H&S) Code Section 104385 authorizes CDPH/CTPP to fund grants that prevent and reduce tobacco use and that do the following:

1. Demonstrate community support for the grant.
2. Coordinate with other local health programs, school-based programs, or voluntary health organizations.
3. Use and enhance existing services and resources.
4. Serve priority populations at high risk of starting tobacco use or developing tobacco-related illnesses.
5. Demonstrate an understanding of the role community norms have in influencing behavior change regarding tobacco use.
6. Develop and/or utilize promising or innovative approaches to diminishing tobacco use among priority populations and facilitate replication by others.

For this RFA, Applicants are required to work on 1) Community Engagement and Organizing and 2) Policy Development and Implementation.

Overarching goals and expectations will vary depending on the selected project focus, and should demonstrate a vision consistent with the following CDPH/CTPP Goals:

1. **Limit Tobacco Promoting Influences.** Efforts supporting this goal seek to curb advertising and marketing tactics used to promote commercial tobacco products and their use, counter the glamorization of commercial tobacco use through entertainment and social media venues, expose commercial tobacco industry practices, and hold tobacco companies accountable for the impact of their products on people and the environment.

2. **Reduce Exposure to Secondhand Smoke, Tobacco Smoke Residue, Tobacco Waste, and Other Commercial Tobacco Products**. Efforts supporting this goal address the impact of commercial tobacco use on people, other living organisms, and the physical environment resulting from exposure to Secondhand Smoke (SHS), commercial tobacco smoke residue, commercial tobacco waste, and other non-combustible commercial tobacco products.

3. **Reduce the Availability of Tobacco**. Efforts supporting this goal address the sale, distribution, sampling, or furnishing of commercial tobacco products and other nicotine containing products that are not specifically approved by the Food and Drug Administration (FDA) as a treatment for nicotine or commercial tobacco dependence.

4. **Promote Tobacco Cessation**. Efforts supporting this goal improve awareness, availability, and access to cessation assistance via Kick It California, the health and behavioral care systems, and community.

B. ENDING THE TOBACCO EPIDEMIC

For more than 30 years, CDPH/CTPP, has administered a comprehensive policy, system, and environmental change program. The Program changes social norms relating to commercial tobacco use to make commercial tobacco undesirable, unacceptable, and inaccessible.

Building on decades of success, CDPH/CTPP has shifted its focus from “controlling” the industry-created tobacco epidemic to ending it. CDPH/CTPP seeks to transform California by eradicating the tobacco industry’s manipulative, predatory, and deadly influence to equitably increase the health, environmental, and economic well-being of California’s diverse populations. This RFA supports ending the commercial tobacco epidemic by building community capacity, while utilizing and enhancing existing services and resources pertaining to community organizing, community engagement, and policy, system, and environmental change interventions.

C. FUNDING TERM AND FUNDING AVAILABILITY

1. **Funding Term**
   a. The term of the Grant Agreement is expected to be up to fifty-six (56) months and is anticipated to begin on November 1, 2024, and go through June 30, 2029. The Grant Agreement term may change if CDPH/CTPP cannot execute the Grant Agreement in a timely manner due to unforeseen delays.
   b. The resulting Grant Agreement will be of no force or effect until it is signed by both parties and approved by CDPH/CTPP. The Applicant is cautioned not to commence work until all approvals are obtained. Should work commence before all approvals are obtained, said services may be considered to have been volunteered without State reimbursement.
   c. CDPH/CTPP reserves the right to modify the term of the resulting Grant Agreement via a formal amendment process to modify the Scope of Work (SOW) or budget based on changes in a rapidly evolving tobacco epidemic.

2. **Funding Availability**

The total maximum amount to be distributed among all Awardees is anticipated to be $4,666,665 for up to fifty-six (56) months for implementing the applicable Required SOW based on the selected project focus. See **Appendix 2**: *Required Scope of Work* for more details. This RFA seeks to fund five (5) Federally Recognized California Tribal Governments to address commercial tobacco related disparities affecting the American Indian population.

Table 1. *Maximum Fiscal Year Award* displays the maximum budget per awardee per fiscal year. Unexpended funds do not carry over from one fiscal year to the next fiscal year. The state fiscal year begins July 1 and ends June 30 of the following year. Funding is contingent upon available revenues, appropriation by the Legislature and the Governor, multi-year spending authority, and CDPH/CTPP funding priorities and/or legal or administrative limitations. No legal liability on the part of the State for any payment may arise under the resulting Grant until funds are made available through an annual appropriation in the Budget Act. Continued funding for the Agreement will be dependent upon successful Applicant performance. CDPH/CTPP reserves the right to initiate revisions as necessary to redistribute funds between fiscal years to meet the needs of the State. For more information, please see **Appendix 3**: *Background and Authorizing Legislation.*

Funding must not exceed $200,000 per 12-month period and must not exceed a total amount of $933,333 for the 56-month grant term.

Table 1. Maximum Fiscal Year Award

Fiscal Year (FY)	Total Months	Maximum Budget Per Awardee
FY 24/25	8	$133,333
FY 25/26	12	$200,000
FY 26/27	12	$200,000
FY 27/28	12	$200,000
FY 28/29	12	$200,000
TOTAL MAXIMUM AMOUNT FOR 56 MONTHS	**56**	**$933,333**

3. **Funding Source(s)**

The source of funding is Proposition 56, the California Healthcare, Research & Prevention Tobacco Tax Act of 2016 (Prop 56) and/or Proposition 99, the California Tobacco Tax and Health Protection Act of 1988 (Prop 99).

4. **Prop 56 Tobacco-Related Disparity Statement**

Pursuant to Revenue and Taxation Code Section 30130.55(b)(1), CDPH/CTPP is required to "award" not less than 15 percent of health promotion, health communication activities, and evaluation and tobacco use surveillance funds being awarded to accelerate and monitor the rate of decline in tobacco-related disparities with the goal of eliminating tobacco-related disparities. For this reason, a commensurate proportion of the Prop 56 funds awarded because of this RFA will count towards this requirement.

5. Funding Augment

CDPH/CTPP reserves the right to negotiate additional work with the successful Applicant that is consistent with the work components identified in Part III. Completing the OTIS Application should there be a need and additional funding becomes available. Additional funding is contingent upon available revenues, and appropriations by the Legislature and the Governor.

D. ELIGIBILITY CRITERIA

1. Organization Type

a. Federally Recognized California Tribal Governments per the U.S. Department of Interior Indian Affairs, and Tribal Joint Power Authorities are eligible to apply for these funds.
b. Tribal Consortiums, defined as a non-profit partnership between two or more tribes authorized by governing bodies of those tribes to apply for and receive assistance, are not eligible to apply.
c. California public or private non-profit entities are not eligible to apply for these funds. Additionally, Local Lead Agencies, local health departments, colleges and universities, county offices of education, school districts, and State of California and federal government agencies are not eligible to apply.

2. Required Scope of Work (SOW)

Applicants are required to use the Required SOW intervention and evaluation activities, see **Appendix 2**: *Required Scope of Work,* that are pre-populated in OTIS. The Required SOW activities are comprehensive and designed to support the selected objectives. Applicants may propose one or more additional activities that are not listed in the Required SOW, during the modification period (if awarded). Please note that it is not guaranteed that any proposed activity will be accepted during the modification period. Additionally, a proposed additional activity cannot be used as a substitution for any of the required activities in the SOW and cannot be used as a method to augment available funds.

3. Certify No Tobacco Industry Conflict

To avoid any real or apparent conflict of interest, the Applicant must certify that it and any of its proposed subcontractors, employees, officers, and directors will not accept funding from nor have an affiliation, contractual relationship, or engage in a corporate responsibility with the tobacco industry, tobacco industry subsidiaries, electronic

cigarette/vaping companies and cannabis companies, or related industries. Please see **Appendix 4**: *Certification of Non-Acceptance of Tobacco Funds.*

E. FUNDING RESTRICTIONS

This RFA will not fund the following:

- Activities that supplant or duplicate existing programs or services funded by CDPH/CTPP or another source.
- Purchase or improvement of land, or building alterations, renovations, or construction.
- Fundraising activities.
- Lobbying or election-related activities.
- Provision of direct medical care, including the provision of cessation pharmacotherapy.
- Reimbursement of costs incurred prior to the effective date of the Agreement.
- Reimbursement of costs currently covered by another CDPH/CTPP Grant Agreement.
- Reimbursement of professional licensure.
- Reimbursement of malpractice insurance.
- Reimbursement of costs that are not consistent or allowable according to local and state guidelines or regulations.
- Support of religious activities, including, but not limited to, religious instruction, worship, prayer, or proselytizing.
- Electronic smoking device (ESD) detection systems.
- Growing or cultivating traditional tobacco.

PART II. KEY ACTIONS DATES AND RESOURCES

A. TIMELINE AND AWARD SCHEDULE

Key dates are presented in **Table 2**. *RFA Timeline and Award Schedule*. CDPH/CTPP reserves the right to adjust any date and/or time as necessary. Date and time adjustments will be posted to the CDPH/CTPP Tobacco Control Funding Opportunities and Resources (TCFOR) website.

Table 2. RFA Timeline and Award Schedule

Key Action	Date (Times in Pacific Time)
RFA Release Date	April 9, 2024
OTIS Open for Application Development	April 9, 2024

Informational Webinar	April 16, 2024 10:00am-11:30am
Written Questions Due	April 23, 2024 by 5:00pm
Responses to Written Questions Posted	April 30, 2024 by 5:00pm
Applications Due	May 22, 2024 by 5:00pm
Notice of Intent to Award Posted	July 25, 2024
Notice of Intent to Appeal Letter Due	August 1, 2024 by 5:00pm
Final Announcement of Awards	August 5, 2024
Grant Start Date	November 1, 2024
Grant End Date	June 30, 2029

CDPH/CTPP can revise dates and/or release an addendum at any time during the Solicitation process.

**Final Awards cannot be made until all appeals have been resolved. It is the Applicant's responsibility to check for notices and addenda for this RFA on the TCFOR website throughout the RFA process.*

B. INFORMATIONAL WEBINAR

An optional virtual Informational Webinar will be conducted to assist those intending to apply. The purpose of the Informational Webinar is to provide interested parties with an opportunity to ask questions about the preparation and submission of the application. The date and time of the Informational Webinar is identified in **Table 2.** *RFA Timeline and Award Schedule*. Registration for the Informational Webinar and the access code is posted on the TCFOR website.

C. DESCRIPTION OF THE ONLINE TOBACCO INFORMATION SYSTEM (OTIS)

1. What is OTIS?

OTIS is a secure, passcode protected management information system that is used to submit applications, review, and score applications, negotiate the Scope of Work (SOW) and budget, and submit and approve progress reports. The system is accessible 24 hours per day, seven (7) days per week, and provides access to several reports as well

as a communication system. Applicants and Awardees are required to use OTIS for the submission of their applications, progress reports, and maintaining grant-related communications.

2. **What help is available for using OTIS?**
   a. User Account Instructions: For guidance on how to submit an "Applicant Registration" form, and create an OTIS "User Account," see **Appendix 5**: *TCFOR Website User Instructions.*
   b. Webinar Training: The Informational Webinar will review the requirements of this RFA, provide information on requesting a "User Account," and how to use OTIS.
   c. Web-based Tutorial: OTIS includes a web-based training tutorial entitled, *Creating Your Application/Plan*. This training explains how to use the system and instructions for completing each of the application components. See **Appendix 6:** *Instructions for Accessing the OTIS Applicant Training Course.*
   d. OTIS Page Guides: While working in a plan or application, located on the top right corner is the Page Guide button in *red*. The OTIS Page Guides provides User Manuals, Training Videos, and Budget downloadable documents clarifying how to complete the requested information. Page Guides are quick access information aiding in completing a task without leaving the page you are working on.
   e. Telephone and Email Assistance: Call Humberto Jurado at (707) 640-0745 or email CTPP-KMU@cdph.ca.gov.

D. APPLICATION SUBMISSION

Applications are due by the date and time listed in **Table 2**. *RFA Timeline and Award Schedule*. Applications must be submitted through OTIS. Applications submitted by any other means will not be accepted. Applications received after the due date/time will not be reviewed. Applicants will be required to establish and verify a unique PIN for each OTIS account holder. PIN verification is required prior to Application submission in OTIS. CDPH Security and Privacy guidelines outline that a lost or forgotten PIN may only be retrieved via phone call to CDPH/CTPP. A PIN cannot be verified via email. Submission before the deadline date is advised in case you experience technical difficulties or verifying your PIN through OTIS.

The OTIS electronic time stamp will be used to verify on-time submission. Technical difficulties will not relieve the Applicant of meeting the submission deadline. Please be aware that OTIS includes an electronic submission check system that will prevent the submission of an application that does not meet minimum submission requirements (e.g., required forms not completed).

For technical assistance regarding PIN verification, the use of the TCFOR or OTIS websites, contact the support team, Humberto Jurado at (707) 640-0745 or via email at CTPP-KMU@cdph.ca.gov. Please do not wait until the submission due date to seek assistance from CDPH/CTPP as the support staff may be assisting others with requests

and may not be available.

E. APPLICANT QUESTIONS AND REPORTING OF ERRORS IN THE RFA

CDPH/CTPP will accept questions and reporting of errors related to this RFA. Questions may include, but are not limited to, clarification of eligibility, or about the instructions, requirements, or RFA materials. **All Applicants must follow the process below to submit a question. CDPH/CTPP will not respond to questions directed to individual CDPH/CTPP employees.**

Applicants that fail to report a known or suspected problem with this RFA and/or its accompanying materials or fail to seek clarification or correction of the RFA and/or its accompanying materials shall apply at their own risk. In addition, if an award is made, the successful Applicant shall not be entitled to additional compensation for any additional work caused by such a problem, including any ambiguity, conflict, discrepancy, omission, misinterpretation, or error.

1. **How to Submit Questions or Report an Error in the RFA**
   a. Submit written questions or report errors by email CTPPCompetitiveGrants@cdph.ca.gov with the subject line "CTPP RFA CG 24-10074." Oral questions will not be accepted.
   b. CDPH/CTPP will send an email to confirm receipt of written questions. If confirmation is not received, Applicants may resubmit or call (916) 449-5500 prior to the stated deadline to confirm receipt of the questions by CDPH/CTPP.
   c. Submit written questions to CDPH/CTPP by the date specified in **Table 2**. *RFA Timeline and Award Schedule*.
   d. Errors in the RFA or its instructions may be reported up to the application submission due date.

2. **What to include in an Inquiry**
   a. Name of inquirer, name of the organization represented, mailing address, area code and telephone number, and email address.
   b. A description of the subject, concern, or issue in question or RFA discrepancy found.
   c. RFA section, page number and other information useful in identifying the specific problem, concern, or issue in question.
   d. Proposed remedy sought or suggested, if any.

3. **Response by CDPH/CTPP**
   a. CDPH/CTPP reserves the right to seek clarification of any inquiry received and to answer only questions considered relevant to this RFA. At its discretion, CDPH/CTPP may consolidate and/or paraphrase similar or related inquiries.
   b. Questions and answers received through the process outlined above will be

published on the TCFOR website on the date identified in **Table 2.** *RFA Timeline and Award Schedule*.

c. CDPH/CTPP may issue an addendum to address errors in the RFA until the application submission deadline. These will be posted on the TCFOR website.

PART III. COMPLETING THE OTIS APPLICATION

The application requirements include the following sections: Contact Information, Agency Capability, Scope of Work: Narrative Summary, Budget Cost Sheet, and Additional Documents.

A. CONTACT INFORMATION

Completing the Contact Information is required and not scored. The purpose of this section is to collect information about the Applicant, the geographic service area of the proposed project, and key staff for the proposed project. Complete the following areas directly in OTIS:

1. **Agency & Contract Information:**
   Provide the Applicant's Agency Name, Project Name, Federal Identification Number, mailing address, physical address, phone, fax, website, and email.

2. **Contact Information:**
   Provide specific contact information for the Project Director/Coordinator, Primary Tobacco Contact, Agency Fiscal Officer or Day-to-Day Fiscal Contact, and Official Agency Signatory. All roles should be filled by different people associated with the Application.

B. AGENCY CAPABILITY

Completing the Agency Capability Section is required and scored. See **Appendix 7**: *Application Scoring Criteria*, A. Agency Capability (80 points) for the specific scoring criteria.

This section provides instructions on the Applicant's ability to successfully implement the Required SOW. Using the narrative fields provided in OTIS, the Applicant should demonstrate organizational capacity based on current and past successes, and lessons learned. Please respond to each item and address the prompt in full. In some responses, the Applicant may also address the capacity of significant subcontractors and consultants to fully demonstrate the ability to carry out SOW activities. All examples provided should be unique and the Applicant should not include more examples than the number each item requests.

C. SCOPE OF WORK: NARRATIVE SUMMARY

The Community Assessment Analysis, Major Intervention Activities, Theory of Change and Evaluation section will be pre-filled for all Applicants and is not scored. The Narrative Summary can be updated in modifications as needed.

D. BUDGET

Applicants are required to follow instructions listed in **Appendix 8**: *Budget Cost Sheet*.

Applicants are required to complete and upload **Appendix 8**: *Budget Cost Sheet* into OTIS under the Additional Documents Section. Please utilize the Budget Cost Sheet Reference Guide on page 2 of **Appendix 8**: *Budget Cost Sheet* for written instructions and guidance when completing your budget.

Applicants are required to include the following position in **Table 3**. *Required Staffing and Minimum Duties* in the **Appendix 8:** *Budget Cost Sheet.* Applicants can provide personnel costs that reflect salaries comparable to State Civil Service Classification rates. If salaries are comparable, associated duties must also be commensurate with the staffing responsibilities. *See* **Appendix 9***: Comparable State Civil Service Classifications.* Salaries above the Comparable State Civil Service Classifications rate must be completely justified.

Table 3. Required Staffing and Minimum Duties

Staffing	Position	Responsibilities
Required at 100% FTE or 2 (two) CEC's at 50% FTE to sum 100% [1 (one) CEC I at 100% FTE is highly recommended]	Community Engagement Coordinator I	This position must be listed as the Primary Tobacco Contact in OTIS, acts as the primary day-to-day point of contact for CTPP communication to the agency, and regularly access OTIS and Partners. The Tribal Community Engagement Coordinator (CEC) to broaden tribal engagement in commercial tobacco prevention efforts including planning and implementing required meetings and trainings. CEC to complete Progress Report twice a fiscal year.
Required minimum 10% FTE	Project Director/Project Coordinator (Recommended to be filled by Tribe's Admin,	This position is responsible for overall project management to implement and evaluate the project; provides oversight of the Scope of Work (SOW), Budget, progress reports, invoices; maintenance

	Health Department Manager, Chief Financial Officer, etc.)	of required documents for auditing purposes; and devotes a minimum of 10 percent of a full-time position (equivalent to four hours per week) to overseeing evaluation activities.
Required minimum 10% FTE	Internal/External Evaluator	This position implements activities such as development of data collection instruments and protocols; provides data collection training; oversees sampling methodology; data analysis; community surveys/assessments and report writing. Duties may also include assisting with data translation and dissemination of evaluation results.
Required minimum 10% FTE	Cultural Consultant or Subcontractor	Cultural Consultants or Subcontractors may help to fulfill several activities, such as creating culturally relevant educational materials and resources, providing cultural activities and education, providing traditional tobacco education, and/or facilitating Elder Story telling.

Recommended: To budget for an additional Community Engagement Coordinator II to devote a minimum of 50 percent (equivalent to 20 hours per week) to broaden tribal engagement in commercial tobacco prevention efforts including planning and implementing required meetings and trainings. CEC will assist in competing the Progress Report twice a fiscal year.

Required CTPP Travel/Training Requirement: Applicants are required to participate in training and technical assistance that is consistent with the needs of the project and that directly supports the SOW activities. The Community Engagement Coordinator is required to attend the required training noted in **Table 4.** *Required CTPP Travel/Training.* The Community Engagement Coordinator will attend each outlined travel/training and provide the budget amounts needed for each FY. Budgeted costs typically include registration fees, mileage, airfare, meals, lodging and incidental expenses. If a required training is cancelled or postponed by CTPP, funds may be reallocated with Procurement Manager approval.

Table 4. Required CTPP Travel/Training

Required Training	FY 25/26	FY 26/27	FY 27/28	FY 28/29
California Youth Advocacy Network (CYAN) Youth Quest ***Or*** The Youth Conference for Tribal Youth Partners (GONA) (Sacramento 1 per FY)	x	x	x	x
Tribal Community Coordinating Center (TCCC) Training (Sacramento 1-2 per FY)	x	x	x	x

E. ADDITIONAL DOCUMENTS (REQUIRED AND NOT SCORED)

Submitting the Additional Documents is required and not scored.

The purpose of the Additional Documents is to provide the CDPH/CTPP with supplemental information regarding the Applicant and will substantiate the CTPP agreement requirements. Provide the following additional documents as described below. See **Appendix 6**: *Instructions for Accessing the OTIS Applicant Training Course*, module "Additional Documents" for more information.

1. **Certification of Non-Acceptance of Tobacco Funds**

   Complete and upload **Appendix 4**: *Certification of Non-Acceptance of Tobacco Funds* in OTIS under the Additional Documents section. This document is used to determine the eligibility of Applicants.

2. **Additional Tobacco Prevention Funding**

   Complete and upload **Appendix 10**: *Additional Tobacco Prevention Funding* in OTIS under the Additional Documents section. This document is used to determine other sources of tobacco prevention funding the Applicant is receiving to assess for duplication of effort and/or supplanting. If the Applicant agency is receiving funds for any tobacco prevention efforts whether they are from local, state, federal, and/or private sources, the Applicant is required to describe the funding source, project title, funding agency, support amount, funding start date, funding end date, and activity description.

3. **California Civil Rights Laws Attachment**

   Complete and upload **Appendix 11**: *California Civil Rights Laws Attachment* in OTIS under the Additional Documents section. This is a California Department of General Services document and applies to all contracts for services.

4. **Tribal Resolution of Support**

   Complete an official signed letter from tribal leadership stating support for the application and upload **Appendix 12**: *Tribal Resolution of Support*.

PART IV. APPLICATION SELECTION PROCESS AND CRITERIA

This section explains the application review process which is described in four (4) stages. The stages are Stage One: Administrative and Completeness Screening, Stage Two: Application Scoring, Stage Three: Notification of Decision, and Stage Four: Grant Modifications.

Each application will be reviewed, evaluated, and scored based on the responses to the information requested in this RFA. By applying, the Applicant agrees that CDPH/CTPP is authorized to verify any information and any references named in the application. Applications received by CDPH/CTPP are subject to the provisions of the "California Public Records Act" (Government Code, Section 6250 et seq.) and are not considered confidential upon completion of the selection process.

A. STAGE ONE: ADMINISTRATIVE AND COMPLETENESS SCREENING

In Stage One, Applications will be reviewed for on-time submission and compliance with the administrative requirements and completeness. The OTIS electronic time stamp will be used to verify on-time submission. A late or incomplete application and/or an application from a non-eligible entity will be disqualified and eliminated from further evaluation.

For the purpose of administrative screening, required Additional Documents include:

- Certification or Non-Acceptance of Tobacco Funds
- Additional Tobacco Prevention Funding
- California Civil Rights Laws Attachment
- Tribal Resolution of Support

Omission of any required document, failure to use required formats for response, and/or failure to respond to any requirement may lead to rejection of the application. CDPH/CTPP may waive any immaterial deviation in an application; however, this waiver shall not excuse an application from full compliance with the grant terms if a grant is awarded.

Applicants who do <u>not</u> pass Stage One will <u>not</u> proceed to Stage Two.

B. STAGE TWO: APPLICATION SCORING (100 POINTS)

In Stage Two, each application will be evaluated and scored according to the scoring criteria outlined in **Appendix 7**: *Application Scoring Criteria* by a review committee on a scale of zero (0) to 100 points. The review committee may include representatives of CDPH, other state agencies, and non-scoring subject matter experts.

To be eligible for funding, an application must receive a score of 75 points or more. However, a score of 75 points or more does not guarantee funding or funding at the level requested. CDPH/CTPP reserves the right to not fund any of the applications received for this RFA. Funding decisions may also be made to ensure:

- No duplication or overlap of efforts with existing CDPH/CTPP-funded projects.
- Balanced representation of the types of organizations funded.

C. STAGE THREE: NOTIFICATION OF DECISION

Upon successful completion of the review process, CDPH/CTPP will post a notice of intent to award funds on the TCFOR website. Each Applicant will be notified in writing of the funding decision. Upon written request to CDPH/CTPP, Applicants may receive a copy of the scoring summary page that provides the score and overall strengths and weaknesses of their application. Written requests must be emailed to CTPPCompetitiveGrants@cdph.ca.gov.

D. STAGE FOUR: GRANT MODIFICATIONS

CDPH/CTPP reserves the right to reject any proposed project or project component(s). Following the award notification, CDPH/CTPP may require modifications to the application as a condition of the award. Upon completion and approval of application documents, the grant documents will be submitted to CDPH for execution. All grant document modifications must be complete and accepted by the date listed in **Table 2**. *RFA Timeline and Award Schedule* or CDPH/CTPP may withdraw the grant award. Work may not commence until the Grant is fully executed and any work done before the full execution of the Grant will be deemed voluntary.

PART V. AWARD ADMINISTRATION INFORMATION

A. RFA DEFINED

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

B. RFA CANCELLATION AND ADDENDUMS

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

- Cancel this RFA;
- Modify this RFA; or,
- Reject any or all applications received in response to this RFA.

If the RFA is modified, CDPH/CTPP will post an Addendum to the TCFOR website. Applicants are responsible for periodically checking the website for updates and may sign-up for email alerts.

C. IMMATERIAL DEFECT

At its sole discretion, CDPH/CTPP may waive any immaterial defect or deviation contained in an Applicant's application. CDPH/CTPP's waiver shall in no way modify the application or excuse the successful Applicant from full compliance.

D. GROUNDS TO REJECT AN APPLICATION

An Application shall be rejected if:

1. It is received after the date and time listed in **Table 2.** *RFA Timeline and Award Schedule.*
2. It is not submitted through OTIS in the mandatory format described.
3. It contains false or intentionally misleading statements or references, which do not support an attribute or condition contended by the Applicant.
4. It intends to erroneously and fallaciously mislead the State in its evaluation of the application and the attribute, condition, or capability as a requirement of this RFA.
5. It contains confidential information.
6. It does not literally comply with the RFA, contains caveats, variations or deviations that conflict with the RFA, or it is otherwise non-responsive.
7. There is a conflict of interest.
8. Applicant 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

9. Applicant 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

10. The Applicant has received a substantive negative contract performance from the State.

E. APPEAL PROCESS

1. Notice of the proposed award shall be posted on the TCFOR website. If any Applicant, prior to the award of a grant, appeals the award, on the grounds that CDPH/CTPP has committed an error in the bid process sufficiently material to justify invalidation of its proposed award, the Grant shall not be awarded until either the appeal has been withdrawn or CDPH has decided the matter. An example of a material error would be, among others, failure of the CDPH/CTPP to follow pertinent State statutes and regulations of the provisions of this RFA. When scores of an Evaluation Committee are at issue, more than the opinion of the appellant that scores should have been different, or that different scores could have been awarded based on the same information, is required to invalidate scoring decisions. Appeals submitted without proof of a material error as described above will be rejected. It is suggested that the Applicant submit any appeal by certified or registered mail. Only those submitting an application consistent with the requirements of this RFA and are not awarded a grant may appeal. There is no appeal process for applications that are submitted late, noncompliant, or incomplete. No awarded Applicant may appeal the grant award-funding amount.

2. An Applicant may appeal the award decision. The Applicant must submit a notice of intent to appeal to CTPPCompetitiveGrants@cdph.ca.gov by 5:00 p.m. (PT) on the date listed in **Table 2**. *RFA Timeline and Award Schedule*. The Applicant 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, MPA, Assistant Deputy Director (or designee) Center for Healthy Communities California Department of Public Health MS 7206 P.O. Box 997377 Sacramento, CA 95899-7377 Phone: (916) 449-5500	Maria Ochoa, MPA, Assistant Deputy Director (or designee) Center for Healthy Communities California Department of Public Health MS 7206 1616 Capitol Avenue, Suite 74.516 Sacramento, CA 95814 Phone: (916) 449-5500

3. The decision of the Assistant Deputy Director or their designee shall be final. Appellants will be notified of decisions regarding the appeal in writing within fifteen (15) working days of the consideration of the written material submitted.
4. Upon resolution of any appeal and subsequent award of the Grant, the Awardee will be required to complete and submit to the CDPH/CTPP the required documents listed in Part VI, B. Awardee Required Documents.

F. DISPOSITION OF APPLICATIONS

Upon application opening, all documents submitted in response to this RFA will become the property of the State of California and will be regarded as public records under the California Public Records Act (PRA) (Government Code Section 6250 et seq.) and subject to review by the public.

G. INSPECTING OR OBTAINING COPIES OF APPLICATION MATERIALS

Persons wishing to view or inspect any application or award related materials must follow the California Public Records Act (CPRA) process.

PART VI. IMPORTANT ADMINISTRATIVE DETAILS

A. COST OF DEVELOPING THE APPLICATION

The Applicant is responsible for the cost of developing and submitting an application. This cost cannot be charged to the State.

B. AWARDEE REQUIRED DOCUMENTS

Upon award of the Grant, the Awardee will be required to complete and submit:

1. The Payee Data Record (STD 204) and Payee Data Record Supplement (STD 205), if applicable. The STD 204 is required when receiving payment from the State of California in lieu of Internal Revenue Service (IRS) W-9 or W-7. It is used to determine if the agency is subject to state income tax withholding pursuant to California Revenue and Taxation Code Sections 18662 and 26131. No payment shall be made unless a completed STD 204 has been returned to CDPH/CTPP. This form is required.

   The STD 205 is used to provide remittance address information if different than the mailing address on the STD 204. This form is optional. These forms can be found in OTIS under Additional Documents.
2. The Contractor Certification Clauses (CCC 04/2017), which is a Department of General Services (DGS) form required for doing business with the State of California. This form is required and can be found in OTIS under Additional Documents.
3. The Certificate of Liability Insurance, which must identify evidence of $1,000,000 Commercial General Liability Insurance and Workers' Compensation. If applicable, a certification of self-insurance signed by the authority to bind the agency may suffice. CDPH/CTPP must be listed as the Certificate Holder as follows:

   California Department of Public Health/California Tobacco Prevention Program
   MS 7206, P.O. Box 997377
   Sacramento, CA 95899-7377
4. The Identifying Headquarters for Staff Travel Reimbursement, which is a requirement by the State Controller's Office (SCO) which requires all invoices reimbursing for mileage, specifically in the course of conducting state business, establish a headquarters address for each employee receiving reimbursement. The agency is required to list the name of the employee, subcontractor and/or consultant who is authorized to travel and receive reimbursement for mileage under this project. This form can be found in OTIS under Additional Documents.

C. AWARDEE REQUIREMENTS

The following are required to enter a fully executed agreement with CDPH/CTPP:

1. All CDPH/CTPP-funded projects and grants are required to:

   a. Utilize OTIS for grant management.
   b. Obtain and maintain an active Partners account. Partners is a web-based communication system. CDPH/CTPP-funded projects and grants are required to access Partners at least once a week to review weekly updates.

2. The Awardee incurs expenses for the previous work period and is then reimbursed by invoice(s) submitted to CDPH/CTPP no more than once per month. The State has up to 45 days to pay invoices for Awardees that are approved for "prompt payment." To learn more about the prompt payment program please visit the Department of General Services website.

3. The Awardee shall employ fiscal/administrative staff with the appropriate training and experience to maintain fiscal accountability and track grant funds. Staff shall be knowledgeable of and practice: standard accounting and payroll practices (including state and federal tax withholding requirements), maintenance of fiscal/administrative records/documents, appropriate tracking and review/approval of expenditures, and other administrative policies and procedures which will maintain the fiscal integrity of the funds awarded to the Awardee.

4. The Awardee should maintain accounting records that reflect actual expenditures including, but not limited to accounting books, ledgers, documents, and payroll records, including signed timesheets, etc., and will follow standard accounting procedures and practices that properly reflect all direct and indirect expenses related to the Grant. 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. The Awardee is to maintain fiscal and program records documenting expenditures and program implementation for a period of three years from the date of final payment receipt under this Agreement or from the end of the Agreement, whichever is later.

5. The Awardee is required to expend the Grant funds to implement the agreed upon applicable Required SOW Appendix as described in **Appendix 2**: *Required Scope of Work* and adhere to **Appendix 8**: *Budget Cost Sheet*, **Appendix 9**: *Comparable State Civil Service Classifications*, **Appendix 13**: *California Tobacco Control Program Policy Manual*, and **Appendix 14**: *California Tobacco Control Program Administrative Manual*. These manuals are in OTIS under the Training Menu, and User Manuals, where users can view and download the latest version of the manual as a PDF file.

D. STANDARD PAYROLL AND FISCAL DOCUMENTS

The Awardee shall maintain adequate employee time recording documents (e.g., timesheets, timecards, and payroll schedules) and fiscal documents based on Generally Accepted Accounting Principles (GAAP) on practices, Code of Federal Regulations and OMB Circular Nos. A-21, A-87, A-110, A-122, and A-133. It is the responsibility of the Awardee to adhere to these regulations.

E. PROGRESS REPORTS

1. The Awardee is required to submit progress reports on time, complete, through OTIS, and in conformance with CDPH/CTPP instructions.
2. The final progress report is due on the last day of the Grant term. The final progress report is to be a cumulative report that summarizes all activities and outcomes during the term of the Grant and is to include all tracking measures.
3. If the Awardee fails to submit timely, complete progress reports documenting satisfactory progress, CDPH/CTPP will withhold payment of invoices and may terminate the Grant Agreement.

F. INVOICES

1. **Documentation**

   The Awardee is required to maintain backup documentation for all expenditures and provide the backup documentation for an invoice if requested by the CDPH/CTPP. The Awardee shall maintain for review and audit purposes, adequate documentation of all expenses claimed. All invoice detail, fiscal records, or backup documentation shall be prepared in accordance with generally accepted accounting principles. CDPH/CTPP has the right to request documentation at any time to determine an agency's allowable expenses.

2. **Submission of Invoices**

   The Awardee is required to submit invoices no less than once per quarter, no more than once a month. The Awardee must be able to fund up to ***60 days*** of payroll, indirect expenses, and operating costs, as well as expenditures incurred by a subcontractor or consultant prior to reimbursement by the State. The Awardee incurs expenses for the previous work period and is then reimbursed by invoice(s) submitted to CDPH/CTPP a minimum of no less than once per quarter, no more than once per month, in arrears. The Prompt Payment Act requires the State to properly submit undisputed invoices within 45 calendar days of initial receipt.

G. DISPUTE RESOLUTION, CDPH RIGHTS, AND GRANT TERMINATION

1. **Resolution of Differences Between RFA and Grant Language**

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

2. **CDPH Rights**

   In addition to the rights discussed elsewhere in this RFA, CDPH/CTPP reserves the right to do any of the following:

   a. Modify any date or deadline appearing in this RFA.
   b. Issue clarification notices, addenda, alternate RFA instructions, forms, etc. If this RFA is clarified, corrected, or modified, CDPH/CTPP intends to post all clarification notices and/or RFA addenda on CDPH/CTPP TCFOR website.
   c. CDPH/CTPP reserves the right to fund any or none of the applications submitted in response to this RFA. CDPH/CTPP may also waive any immaterial deviation in any application. CDPH/CTPP waiver of any immaterial deviation shall not excuse an application from full compliance with the grant terms if a grant is awarded.
   d. CDPH/CTPP reserves the right to withdraw any award or request modifications to the SOW and/or Budget of any application component(s) as a condition of the grant award.

3. **Grant Termination**

   CDPH/CTPP reserves the right to terminate the Grant if the application submitted, awarded, negotiated, and approved by CDPH/CTPP as a result of this RFA is not implemented satisfactorily, or if work is not completed by the due dates required in the Grant's SOW.