



Erica Pan, MD, MPH
Director and State Public Health Officer

Gavin Newsom
Governor

August 18, 2026

RE: Request for Proposal (RFP) Number 25-10274, AB 1264 - Regulations Development

The California Department of Public Health (CDPH) is soliciting responses from qualified vendors to develop and continue the department's strategic deployment operations, provide daily management of Lean activities, develop targeted improvement in key areas, and coach CDPH's internal Lean experts. The contract term will be from January 1, 2027, to December 31, 2029, with an option to amend for an additional year.

California Law requires Disabled Veteran Business Enterprise (DVBE) participation. CDPH policies require DVBE participation of 3-percent on all contracts exceeding \$5,000. All Proposers, including out-of-state firms, must comply with California's DVBE participation requirements. Proposals without a minimum 3-percent participation from a DVBE Certified prime or subcontractor will be deemed non-responsive.

Please read all instructions and forms thoroughly to ensure your proposal is in compliance with the requirements of the RFP. Regardless of postmark or method of delivery, the California Department of Public Health's Centralized Contract Services Unit must receive proposal packages no later than **3 PM on September 22, 2026**, as specified in this RFP.

In the opinion of CDPH, this RFP is complete and without need of explanation. However, if questions arise or there is a need to obtain clarifying information, put all inquiries in writing and mail or fax them to CDPH according to the instructions in the RFP section entitled, "Proposer Questions".

Thank you for your interest in our department's service needs.

Sincerely,

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Contract Analyst, Contract Services Unit
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Request for Proposal – Secondary 25-10274 AB 1264 - Regulations Development

California Department of Public Health
Centralized Contracts Services Unit

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*Section A – Purpose, Background and Description of Services by
the Staff of the Center for Healthy Communities.*

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Attachment 14	Disabled Veteran Business Enterprise Declarations
Attachment 15	Target Area Contract Preference Act (TACPA)
Attachment 16	Contractor Certification Clauses (CCC 04/2017)
Attachment 17	Follow-On Consultant Contract Disclosure
Attachment 18	Contractor Confidentiality Statement
Attachment 19	Conflict of Interest Compliance Certification Form
Attachment 20	Darfur Contracting Act of 2008
Attachment 21	California Civil Rights Laws Attachment
Attachment 22	Certification of Non-Acceptance of Food and Beverage Manufacturer Funds

T. Sample Contract Forms / Exhibits

Exhibit #	Exhibit Name
	Standard Agreement
Exhibit A	Scope of Work
Exhibit B	Budget Detail and Payment Provisions
Exhibit C	General Terms and Conditions (GTC 02/2025). View or download at this Internet site: https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language?search=GTC
View on-line.	
Exhibit D	Special Terms and Conditions
Exhibit E	Additional Provisions
Exhibit F	Contractor's Release

A. Purpose and Description of Services

1. Purpose

The California Department of Public Health (CDPH) is soliciting proposals from firms that are able to provide scientific, analytical, and technical support to the Department for the development of regulations required under Health and Safety Code § 104662(b). The contractor will assist the Department in conducting policy and scientific reviews, developing transparent evidence evaluation methods, and modeling the potential impacts of regulatory decisions related to restricted school foods and ultraprocessed foods of concern.

All work conducted under contract shall support the Department in ensuring that regulatory determinations are informed by the policy and regulatory landscape and guided by a rigorous examination of reputable peer-reviewed scientific evidence. Proposals must address all the services described in Exhibit A entitled, "Scope of Work".

CDPH intends to make a single contract award to the most responsive and responsible firm offering the highest scoring bid. This procurement is open to all eligible firms and/or individuals that meet the qualification requirements, including commercial businesses, nonprofit organizations, State or public universities (including auxiliary organizations) and other entities.

2. Background

The California Department of Public Health (CDPH) Nutrition and Physical Activity Branch (NPAB) focuses on upstream public health approaches through policy and environmental change, along with individual and organizational health promotion to help Californians establish healthy eating habits, a physically active lifestyle, and for the primary prevention of disease. CDPH NPAB offers a comprehensive public health approach that enables partners to work together to prevent obesity and serve California's individuals and families with low incomes. The negative health effects of obesity and resulting chronic diseases, such as heart disease, high blood pressure, diabetes, arthritis, and some forms of cancer are well documented. Obesity rates remain high among children, adolescents, and adults. Among children and adolescents, ultra-processed food intake has increased over the past 20 years. The rise underscores the growing reliance on energy-dense, nutrient poor foods among youth populations, with long-term implications for childhood obesity, chronic disease risk, and overall health outcomes.

CDPH NPAB administers Assembly Bill (AB) 1264, which established the *Real Foods, Healthy Kids Act* (the Act), a regulatory and monitoring framework for the procurement and serving of ultra-processed foods and other foods of concern to pupils in California schools. AB 1264 defines ultra-processed food (UPF), requires California Department of Public Health (CDPH) to adopt regulations to define "UPF of concern" and "restricted school foods", and requires California schools to begin phasing out UPF of concern and restricted school foods by July 1, 2029. This is a new project to support CDPH NPAB to build their capacity to implement AB 1264.

B. Key Action Dates

Below is the tentative time schedule for this procurement.

Event	Date	Time (If applicable)
RFP Released	Tuesday, August 18, 2026, by 3 PM (PT)	
Deadline to Submit RFP Questions	Tuesday, August 25, 2026, by 3 PM (PT)	
Responses to RFP Questions Posted	Tuesday, September 1, 2026, by 5 PM (PT)	
Mandatory Non-Binding Letter of Intent	Tuesday, September 8, 2026, by 3 PM (PT)	
Invitation to State's File Sharing Site	Wednesday, September 9, 2026	
Proposals Due Date	Tuesday, September 22, 2026, by 3 PM (PT)	
Notice of Intent to Award Posted (Estimated)	Tuesday, October 6, 2026, by 5 PM (PT)	
Protest Final Filing Date (Estimated)	Tuesday, October 13, 2026, by 5 PM (PT)	
Estimated Contract Start Date	Friday, January 1, 2027, or upon final DGS approval, whichever is later.	

C. Contract Term and Funding Amount

The term of the resulting agreement is expected to be from January 1, 2027, or upon DGS final approval, whichever is later, to December 31, 2029. The agreement term may change if CDPH makes an award earlier than expected or if CDPH cannot execute the agreement in a timely manner due to unforeseen delays. CDPH reserves the right to extend the term via an amendment as necessary to complete or continue the services for up to one additional year, or for additional funding up to 30-percent of the contracted amount up to \$250,000.00, pursuant to State Contracting Manual (SCM) Volume 1 § 5.81.A.1.b. Contract extensions are subject to satisfactory performance, funding availability, and possibly approval by the Department of General Services.

The resulting contract will be in no force or effect until it is signed by both parties and approved by the Department of General Services, if required. The Contractor is hereby advised not commence performance until all approvals have been obtained. If performance commences before all approvals are obtained, said services may be considered to have been volunteered if all approvals are not obtained.

The maximum amount allocated for these services will be \$600,000.00 (*Six hundred thousand dollars and zero cents***). Any proposals over this amount will be deemed non-responsive.**

D. Reasonable Accommodations and Document Delivery Warning

1. Reasonable Accommodations

For individuals with disabilities, the Department will provide assistive services such as reading or writing assistance, and conversion of the Request for Proposal, questions/answers, RFP Addenda, or other Administrative Notices into Braille, large print, audiocassette, or computer disk. To request copies of written materials in an alternate format, please call the number below to arrange for reasonable accommodations.

Ravi Ayer
Centralized Contracts Services Unit
Program telephone number 279-667-2155
(TTY) California Relay telephone number 711 - 1-800-735-2929

NOTE: The range of assistive services available may be limited if requestors cannot allow ten or more State working days prior to date the alternate format material is needed.

2. Document Delivery Warning

- a. CDPH's internal processing of U.S. mail may add 48 hours or more to the delivery time. If questions are mailed, consider using certified or registered mail and request a receipt upon delivery.
- b. For hand deliveries, allow sufficient time to locate parking and to sign-in at the security desk. **Please coordinate pickup with Kamilah Morton one business day before delivery by calling 279-732-2499.** If stopped at the security desk, ask security personnel to call Kamilah Morton at 279-732-2499 to arrange for document pickup and receipt issuance.
- c. Courier service personnel must sign-in at the security station and call Kamilah Morton at 279-732-2499 to have appropriate staff collect the documents and issue a receipt.

E. Proposer Questions

Immediately notify CDPH if clarification is needed regarding the services sought or questions arise about the RFP and/or its accompanying materials, instructions, or requirements. Put the inquiry in writing and transmit it to CDPH as instructed below. At its discretion, CDPH reserves the right to contact an inquirer to seek clarification of any inquiry received.

Proposers that fail to report a known or suspected problem with the RFP and/or its accompanying materials or fail to seek clarification and/or correction of the RFP and/or its accompanying materials shall submit a proposal at their own risk. In addition, if awarded the contract, the successful Proposer shall not be entitled to additional compensation for any additional work caused by such problem, including any ambiguity, conflict, discrepancy, omission, or error.

Following the question submission deadline, CDPH will summarize all general questions and issues raised and post the responses to <https://caleprocure.ca.gov/event/4265/25-10274>.

If an inquiry appears to be unique to a single firm or is marked "Confidential", CDPH will mail, email, or fax a response only to the inquirer if CDPH concurs with the Proposer's claim that the inquiry is sensitive or proprietary in nature. If CDPH does not concur, the inquiry will be answered in the manner described herein and the Proposer will be so notified. Inquiries and/or responses that CDPH agrees should be held in confidence shall be held in confidence only until the Notice of Intent to Award is posted.

To the extent practical, inquiries shall remain as submitted. However, CDPH may consolidate and/or paraphrase similar or related inquiries.

1. What to include in an inquiry

- a. Inquirer's name, name of firm submitting the inquiry, mailing address, email address, and telephone number
- b. A description of the subject or issue in question or discrepancy found.
- c. RFP section, page number or other information useful in identifying the specific problem or issue in question.
- d. Remedy sought, if any.

A prospective proposer that desires clarification about specific RFP requirements and/or whose inquiry relates to sensitive issues or proprietary aspects of a proposal may submit individual inquiries that are marked "Confidential". The Inquirer must include with its inquiry an explanation as to why it believes questions marked "Confidential" are sensitive or surround a proprietary issue.

2. Question deadline

Regardless of delivery method, written inquiries must be received no later than the date and time stated in the section entitled, "Key Action Dates."

Notwithstanding the question submission deadline, CDPH will accept questions or inquiries about the following issues if such inquiries are received prior to the proposal submission deadline.

- a. DVBE participation requirements and how to complete the DVBE attachments,
- b. The reporting of RFP errors or irregularities.

3. How to submit questions

Submit inquiries using the following method.

Email:
Subject: Questions RFP 25-10274
California Department of Public Health
Kamilah Morton
Centralized Contracts Services Unit
Email: kamilah.morton@cdph.ca.gov

4. Verbal Questions

Verbal inquiries are discouraged. CDPH reserves the right not to accept or respond to verbal inquiries. **Verbal remarks provided in response to inquiries are unofficial and are not binding on CDPH unless later confirmed in writing.**

Direct all requests for DVBE assistance to CDPH's SB/DVBE up to the proposal deadline:

SB/DVBE Advocate
sbdvbe@cdph.ca.gov

5. Pre-Proposal Conference

No Pre-Proposal Conference will be held.

F. Mandatory Non-Binding Letter of Intent

1. General information

Prospective proposers that intend to submit a proposal are **required** to indicate their intention to submit a proposal. Failure to submit the mandatory Letter of Intent will result in proposal rejection. The mandatory Letter of Intent is not binding, and prospective proposers are not required to submit a proposal merely because a Letter of Intent is submitted. **Use the Letter of Intent (Attachment 1) for this purpose.**

2. Submitting the Letter of Intent

Regardless of delivery method, the mandatory Letter of Intent must be received by the date and time stated in the section entitled, "Key Action Dates."

Submit the Letter of Intent using the following method.

Email:
Subject: Letter of Intent RFP 25-10274
California Department of Public Health
Kamilah Morton
Centralized Contracts Services Unit
Email: kamilah.morton@cdph.ca.gov

G. Sample Agreement

The winning Proposer must enter a written contract that may contain portions of the Proposer's proposal (i.e., Budget Detail Work Sheets, Work Plan), Scope of Work, standard contract provisions, the contract form, and the exhibits found alongside this solicitation within the file named "Sample Agreement and Exhibits" at <https://caleprocure.ca.gov/event/4265/26-10274>. Other exhibits, not identified herein, may also appear in the resulting contract.

The exhibits identified in this section contain contract terms that require strict adherence to various laws and contracting policies. A Proposer's unwillingness or inability to agree to the proposed terms and conditions shown below or contained in any exhibit identified in this RFP may cause CDPH to deem a Proposer non-responsible and ineligible for an award. CDPH reserves the right to use the latest version of any form or exhibit listed below in the resulting agreement if a newer version is available.

The exhibits identified below illustrate many of the terms and conditions that may appear in the final agreement between CDPH and the winning Proposer. Other terms and conditions, not specified in the exhibits identified below, may also appear in the resulting agreement. Some terms and conditions are conditional and may only appear in an agreement if certain conditions exist (i.e., contract total exceeds a certain amount, federal funding is used, etc.).

In general, CDPH will not accept alterations to the General Terms and Conditions (GTC), CDPH's Special Terms and Conditions, the Scope of Work, other exhibit terms/conditions, or alternate language that is proposed or submitted by a prospective contractor. CDPH may consider a proposal containing such provisions "a counter proposal" and CDPH may reject such a proposal as nonresponsive.

1. Sample contract forms / exhibits

Exhibit Label	Exhibit Name
	STD 213 Standard Agreement
Exhibit A	Scope of Work
Exhibit B	Budget Detail and Payment Provisions

Exhibit Label	Exhibit Name
Exhibit C View on-line.	General Terms and Conditions (GTC 02/2025). View or download at this Internet site: https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language?search=GTC
Exhibit D	Special Terms and Conditions
Exhibit E	Additional Provisions
Exhibit F	Contractor's Release

2. Resolution of language conflicts (RFP vs. final agreement)

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

H. Deliverables-Based Agreement

The Contract resulting from this Solicitation is deliverable-based and utilizes a lump sum/fixed price approach as described in SCM V1 § 7.30. The resulting contract will follow applicable Public Contract Code (PCC) provisions, including but not limited to PCC § 10371(c), which states that, "[e]ach state agency shall, prior to signing a consulting services contract totaling five thousand dollars (\$5,000) or more, prepare detailed criteria and a mandatory progress schedule for the performance of the contract and shall require each selected contractor to provide a detailed analysis of the costs of performing the contract."

I. Executive Order N-6-22 – Russia Sanctions

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and individuals. "Economic Sanctions" refers to sanctions imposed by the U.S. government in response to Russia's actions in Ukraine, as well as any sanctions imposed under state law. By submitting a bid or proposal, Contractor represents that it is not a target of Economic Sanctions. Should the State determine Contractor is a target of Economic Sanctions or is conducting prohibited transactions with sanctioned individuals or entities, that shall be grounds for rejection of the Contractor's bid/proposal any time prior to contract execution, or, if determined after contract execution, shall be grounds for termination by the State.

J. Use of GenAI

The State of California seeks to realize the potential benefits of GenAI, through the development and deployment of GenAI tools, while balancing the risks of these new technologies.

Bidder / Offeror must notify the State in writing if it: (1) intends to provide GenAI as a deliverable to the State; or (2), intends to utilize GenAI, including GenAI from third parties, to complete all or a portion of any deliverable that materially impacts: (i) functionality of a State system, (ii) risk to the State, or (iii) Contract performance. For avoidance of doubt, the term

"materially impacts" shall have the meaning set forth in State Administrative Manual (SAM) § 4986.2 Definitions for GenAI.

Failure to report GenAI to the State may result in disqualification. The State reserves the right to seek any and all relief to which it may be entitled to as a result of such non-disclosure.

Upon notification by a Bidder / Offeror of GenAI as required, the State reserves the right to incorporate GenAI Special Provisions into the final contract or reject bids/offers that present an unacceptable level of risk to the State.

Government Code 11549.64 defines "Generative Artificial Intelligence (GenAI)" as an artificial intelligence system that can generate derived synthetic content, including text, images, video, and audio that emulates the structure and characteristics of the system's training data.

K. Qualification Requirements

Failure to meet the following requirements by the proposal submission deadline will be grounds for CDPH to deem a proposer nonresponsive. Evaluators may choose not to thoroughly review or score proposals that fail to meet these requirements. In submitting a proposal, each proposer must certify and prove that it possesses the following qualification requirements.

1. At least three (3) consecutive years of experience of the type(s) listed below. All experience must have occurred within the past five (5) years. It is possible to attain the experience types listed below during the same time period. Proposers must have experience:
 - a. Conducting systematic or structured reviews of scientific literature, particularly in nutrition, food science, or public health.
 - b. Evaluating scientific evidence related to diet, chronic disease, or food processing.
 - c. Conducting policy and regulatory analyses relevant to food systems, nutrition policy, or public health regulation.
 - d. Developing analytical models or simulations related to food environments, nutrition, or population health.
 - e. Experience working with large food composition databases, procurement data, or school nutrition program data.
 - f. Demonstrated ability to produce technical reports suitable for regulatory or policy development.
 - g. Experience collaborating with government agencies or supporting regulatory development is strongly preferred.
 - h. Contractor teams should include expertise in at least the following areas: nutrition epidemiology or public health nutrition, food science or food processing, policy analysis or regulatory science, and statistical or computational modeling.

2. Proposers must certify they have read and are willing to comply with all proposed terms and conditions addressed in the RFP section entitled, "Contract Terms and Conditions", including the terms appearing in the referenced contract exhibits.
3. Proposers must achieve actual Disabled Veteran Business Enterprise (DVBE) participation. Detailed requirements are outlined in **Attachment 14** (DVBE Instructions/Forms). This requirement applies if the total cost or price offered equals \$5,000 or more. **Participation must meet or exceed 3-percent of the total proposed cost.**

California Law requires Disabled Veteran Business Enterprise (DVBE) participation. CDPH policies require DVBE participation of 3-percent on all contracts exceeding \$5,000. All Proposers, including out-of-state firms, must comply with California's DVBE participation requirements. Proposals without a minimum 3-percent participation from a DVBE Certified prime or subcontractor will be deemed non-responsive.

4. Corporations must certify they are in good standing and qualified to conduct business in California.
5. Nonprofit organizations must certify their eligibility to claim nonprofit status.
6. Proposers must have a past record of sound business integrity and a history of being responsive to past contractual obligations.
7. Proposers must certify they are financially stable and solvent and have adequate cash reserves to meet all financial obligations while awaiting reimbursement from the State.
8. Proposers must certify their proposal response is not in violation of the requirements of the Darfur Contracting Act of 2008, Public Contract Code Sections 10475, et seq.; Stats. 2008, Ch 272.
9. Proposers must certify their proposal response is not in violation of Public Contract Code (PCC) Section 10365.5 and, if applicable, must identify previous consultant services contracts that are related in any manner to the services, goods, or supplies being acquired in this solicitation. Detailed requirements are outlined in **Attachment 17**.
10. The winning Proposer must supply, before contract execution, proof of liability insurance that meets the requirements of Section 5 of Exhibit E entitled Additional Provisions. This can be found alongside this solicitation within the file named "Sample Agreement and Exhibits" at <https://caleprocure.ca.gov/event/4265/25-10274>.
11. Proposers must agree to contain their indirect costs at a percentage rate not to exceed 20% of the total amount.
12. Proposers must certify and submit proof that no prohibited conflict of interest exists in **Attachment 19**.

L. Proposal Format and Content Requirements

1. General instructions

- a. Each firm or individual may submit only one proposal.

For the purposes of this paragraph, "firm" includes a parent corporation of a firm and any other subsidiary of that parent corporation. If a firm or individual submits more than one proposal, CDPH will reject all proposals submitted by that firm or individual.

A firm or individual proposing to act as a prime contractor may be named as a subcontractor in another Proposer's proposal. Similarly, more than one proposer may use the same subcontractors and/or independent consultants.

- b. Develop proposals by following all RFP instructions and/or clarifications issued by CDPH in the form of question-and-answer notices, clarification notices, Administrative Bulletins or RFP addenda.
- c. Before submitting a proposal, seek timely written clarification of any requirements or instructions that are believed to be vague, unclear or that are not fully understood.
- d. In preparing a proposal response, all narrative portions should be straightforward, detailed and precise. CDPH will determine the responsiveness of a proposal by its quality, not its volume, packaging or colored displays.
- e. Arrange for the timely delivery of the proposal package(s) to the address specified in this RFP. Do not delay until shortly before the deadline to submit the proposal.

2. Format requirements

- a. Submit one (1) original proposal and two (2) copies or sets.
 - 1) Write "**Original**" on the original proposal set.
 - 2) Each proposal set must be complete with a copy of all required attachments and documentation.
- b. Format the narrative portion of the proposal as follows:
 - 1) Use one-inch margins at the top, bottom, and both sides.
 - 2) Use a font size of not less than 12 points.
 - 3) Print pages single-sided on white bond paper.
 - 4) Sequentially paginate the pages in each section. It is not necessary to paginate items in the Forms Section or Appendix Section.
- c. Bind each proposal set in a way that enables easy page removal. Loose leaf or three-ring binders are acceptable.

- d. All RFP attachments that require a signature must be signed in ink, preferably in blue ink, or via e-signature.
 - 1) Have a person who is authorized to bind the proposing firm sign each RFP attachment that requires a signature. Signature stamps are not acceptable.
 - 2) Place the originally signed attachments in the proposal set marked "Original".
 - 3) The RFP attachments and other documentation placed in the extra proposal sets may reflect photocopied signatures.
- e. Do not mark any portion of the proposal response, any RFP attachment, or other item of required documentation as "Confidential" or "Proprietary". CDPH will disregard any language purporting to render all or portions of a proposal confidential.

3. Content requirements

This section specifies the order and content of each proposal. Assemble the materials in each proposal set in the following order:

- a. Proposal Cover Page

A person authorized to bind the Proposer must sign the Proposal Cover Page (**Attachment 2**). 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.

- b. Proposal Cover Letter

Include a brief summary that tells more about your firm. Do not simply restate or paraphrase information in this RFP.

- c. Table of Contents

Properly identify each section and the contents therein. Paginate all items in each section with the exception of those items placed in the Forms Section and Appendix Section.

- d. Agency Capability Section

This section must not exceed ten (10) pages in length, outside of the forms detailed in this section. Evaluators may not review or evaluate excess pages.

- 1) Include a brief history of the proposing firm, including:
 - a) Date of establishment. If applicable, explain any changes in business history (i.e., name change, ownership, partnership arrangements, etc.) or organizational structure that will assist CDPH in determining the qualifications of the proposing firm.
 - b) A description of the proposing firm's goals that are relevant, closely related, or will complement this project.

- 2) Describe experience that qualifies the proposing firm to undertake this project. At a minimum, demonstrate the proposing firm possesses three consecutive years of experience of the types listed in this section. All experience must have occurred within the past five years. It is possible to attain the experience types listed below during the same time period. Proposers must have experience:
 - a) Conducting systematic or structured reviews of scientific literature, particularly in nutrition, food science, or public health.
 - b) Evaluating scientific evidence related to diet, chronic disease, or food processing.
 - c) Conducting policy and regulatory analyses relevant to food systems, nutrition policy, or public health regulation.
 - d) Developing analytical models or simulations related to food environments, nutrition, or population health.
 - e) Experience working with large food composition databases, procurement data, or school nutrition program data.
 - f) Demonstrated ability to produce technical reports suitable for regulatory or policy development.
 - g) Experience collaborating with government agencies or supporting regulatory development is strongly preferred.
 - h) Contractor teams should include expertise in at least the following areas: nutrition epidemiology or public health nutrition, food science or food processing, policy analysis or regulatory science, and statistical or computational modeling.
- 3) Using **Attachment 3** found at <https://caleprocure.ca.gov/event/4265/25-10274>, describe the accounts or work projects begun and/or completed in the past three years that involved services similar in nature or closely related to the Scope of Work in this RFP. For each account or project listed, include the following information:
 - a) Name of agency or firm for whom services were performed,
 - b) Duration or length of the project,
 - c) Total cost or value of the project,
 - d) Indicate if the account or project is "active/open" or "closed/settled",
 - e) Describe briefly the type and nature of the services performed.
- 4) Briefly describe any experience that demonstrates the proposing firm's ability to establish and maintain effective working relationships with government entities, local community-based organizations, and private nonprofit organizations.
- 5) Describe the following as it relates to the Proposer's capacity to perform the scope of work:

- a) Current office facilities or remote work setup at the Proposer's disposal.
 - b) Identify any facilities, support services, or equipment that the Proposer must purchase, rent, or lease on a long or short-term basis to perform the services described in this RFP.
- 6) Identify three client references that the proposing firm has serviced in the past five years that can confirm their satisfaction with the services and confirm if the proposing firm provided timely and effective services or deliverables. Use the Client References form (Attachment 4) for this purpose. Place the completed Client References form in the Forms Section of the proposal.

e. Project Personnel Section

This section must not exceed five (5) pages in length, outside of the forms, documents, and resumes detailed in this section. Evaluators may not review or evaluate excess pages.

- 1) In this section, describe the proposed staffing plan using **Attachment 5** found at <https://caleprocure.ca.gov/event/4265/25-10274>. In the staffing plan, include at a minimum:
- a) Position titles for all proposed employees (persons on the proposing firm's payroll).
 - b) Number of personnel in each position.
 - c) By position, indicate the full time equivalent (FTE) or percentage of staff time devoted to this project (e.g., full time = 1.0, 1/2 time = .50, 3/4 time = .75, 1/4 time = .25, projected number of hours, if hourly, etc.).
 - d) Monthly salary rate or wage range for each position title. It is the Proposer's responsibility to project annual merit increases and/or cost of living increases into each wage rate.

Note: Salary rates paid to contract staff should not normally exceed the rates paid to State personnel holding comparable classifications or performing duties with a comparable level of responsibility. CDPH reserves the right to require substantiation of any proposed cost of living percentage/rate increase that exceeds those anticipated to be granted to California state civil service employees during the resulting contract term. CDPH further reserves the right to negotiate a lower cost of living percentage increase/amount if CDPH determines the proposed cost of living percentage/rate increase is less than fully justified or is excessive.

- e) Identify by name and/or position title, each key staff person that will have primary responsibility for managing, directing, overseeing and/or coordinating the work of assigned staff, subcontractors and/or independent consultants and who will maintain effective communications with CDPH (i.e., Project or Program Manager, Project or Program Director, Contract Manager, etc.).
 - i. Briefly, describe each person's expertise, capabilities, and credentials.

- ii. Emphasize any relevant past experience in directing, overseeing, coordinating, or managing other government projects.
 - f) Include a job description or duty statement for each position title or classification that will perform work under this project. The job descriptions must indicate the typical tasks and responsibilities that will be assigned to the position and may include desired or required education and experience. **If extra space is needed, please place all job descriptions or duty statements at the end of the Project Personnel Section.**
- 2) Include a one to two (1-2) page resume for each key staff person (professional, managerial or supervisory) that will exercise a major administrative, policy, or consulting role in carrying out the project work. **Place staff resumes in the Appendix Section.** To the extent possible, resumes should not include personal information such as a social security number, home address, home telephone number, marital status, sex, birth date, age, etc.
 - 3) Briefly, describe the administrative policies or procedures will be used to ensure that the proposing firm will recruit and select well-qualified, competent, and experienced in-house staff, subcontractors and/or independent consultants.
 - a) If employee recruitment/selection policies or procedures are present in an operations manual, Proposers may cite excerpts from such manuals. Do not simply indicate that such policies exist and do not attach copies of any policies or manuals to the proposal. If deemed necessary, CDPH may request copies of the Proposer's existing manuals or policies.
 - 4) Briefly, describe the processes or procedures that will be used to ensure that vacancies are filled expeditiously and that services are continued despite the presence of vacancies.
 - 5) If subcontractors (including independent consultants) will be used to perform contract services, proposers must do the following at the time of proposal submission:
 - a) Indicate if the Proposer has pre-identified any firms/persons to perform the work or if the Proposer will recruit them later.
 - i. For each pre-identified subcontractor and independent consultant include:
 - A. Full legal name.
 - B. A job description or duty statement that outlines the duties and functional responsibilities that will be assigned to the subcontracted firm or independent consultant.
 - C. A brief explanation as to why the subcontracted firm or independent consultant was chosen. Stress things such as applicable skills, knowledge, capabilities, past experience or accomplishments, availability, reasonableness of rates, notoriety in a field or specialty, etc.

- D. A one to two (1-2) page resume for each pre-identified subcontractor and independent consultant. **Place all subcontractor and/or consultant resumes in the Appendix Section.** To the extent possible, resumes should not include personal information such as a social security number, home address, home telephone number, marital status, sex, birth date, age, etc.
- E. A letter of agreement, signed by an official representative of each subcontracted firm or independent consultant. **Place all subcontractor and/or consultant letters of agreement in the Appendix Section.**

Specific subcontractor and/or independent consultant relationships proposed in response to this RFP (i.e., identification of pre-identified subcontractors and independent consultants) shall not be changed during the procurement process or prior to contract execution. The pre-identification of a subcontractor or independent consultant does not affect CDPH's right to approve personnel or staffing selections or changes made after the contract award.

- ii. For subcontractors and/or independent consultants that cannot be identified when the proposal is submitted to CDPH or are to be determined (TBD) after the contract is executed, include:
 - A. An identification of the functions, activities, and responsibilities that will be assigned to each subcontractor and/or independent consultant.
 - B. A description of the process that will be used to obtain CDPH approval of each subcontractor and/or independent consultant selection along with approval of their budgeted costs and assigned responsibilities.

f. Work Plan Section

This section must not exceed twenty (20) pages in length. Evaluators may not review or evaluate excess pages.

1) Overview

- a) CDPH is interested in proposals that provide well-organized, comprehensive, and technically sound business solutions. Vague explanations will undermine the proposing firm's credibility and will result in reduced proposal scores.
- b) The Work Plan must include an in-depth discussion and description of the methods, approaches, and step-by-step actions that will be carried out to fulfill all Scope of Work requirements.
- c) If the nature of a task or function hinders specific delineation of in-depth methods and procedures (e.g., a task is dependent upon a future action or multiple approaches may be used), explain the probable methods, approaches, or procedures that will be used to accomplish the task or function. Also, describe, in this instance, how the proposing firm will propose the ultimate strategies and

detailed plans to CDPH for full consideration and approval before proceeding to carry out the project.

2) Rejection of tasks, activities or functions

- a) If full funding does not become available, is reduced, or CDPH determines that it does not need all of the services described in this RFP; CDPH reserves the right to offer an amended contract for reduced services.
- b) If the Work Plan contains proposed methods or approaches; functions, tasks, or activities known by CDPH to be ineffective or determined to be unacceptable, CDPH reserves the right to require the substitution of comparable items that can be performed at the same or similar cost.

3) Work Plan content

- a) Briefly, explain or describe the overall approach and/or methods that will be used to accomplish the scope of work.
- a) Explain why the particular approaches and methods that are proposed were chosen (e.g., proven success or past effectiveness, etc.).
- b) If applicable, explain what is unique, creative, or innovative about the proposed approaches and/or methods.
- c) If any major complications or delays are envisioned at any stage of performance, describe those complications or delays and include a proposed strategy for overcoming those issues. Likewise, indicate if no major complications or delays are anticipated.
- d) If, for any reason, the Work Plan does not wholly address each Scope of Work (SOW) requirement, fully explain each omission. Likewise, indicate if the Work Plan contains no omissions.
- e) Indicate the assumptions made in developing the Work Plan in response to CDPH's Scope of Work. For each assumption listed, explain the reasoning or rationale that led to each assumption. Likewise, indicate if no assumptions were made.
- f) If applicable, identify any additional Contractor and/or State responsibilities that were included in the Work Plan that are believed to be necessary to ensure successful performance, but were omitted from CDPH's Scope of Work. Likewise, indicate if no additional Contractor and/or State responsibilities, outside of those identified in CDPH's SOW were included in the Work Plan.
- g) Identify the specific tasks/activities and functions that will be performed in the order they are likely to occur. Include the following in-depth information for each task/activity or function in the work plan:

- i. Indicate who will have primary responsibility for performing each major task/activity or function. If known, identify the name and position title of all key personnel, subcontractors, and/or consultants that will perform the work.

If the responsible party is unknown or not yet identified, identify a staff position title or project name/title and indicate "TBD" which is the abbreviation for "to be determined".

- i. Include a performance timeline for each major task/activity or function. Indicate the approximate beginning and ending month and year. If a task/activity or function will only occur in one fiscal period or year, indicate the beginning and ending month and year.

If desirable, in addition to start and end dates, proposers may use other terms such as start-up, on-going, continuous, take-over, turn-over, etc. to describe the performance timeline. In doing so, proposers must define the meaning of each unique term that is used.

- ii. Explain/describe how the proposer intends to measure or prove successful completion of each major task, function, or activity.
- iii. If applicable, identify the key events or outcomes that will signify completion or identify tangible items (deliverables) that will result at the conclusion of the various tasks/activities or functions.

g. Management Plan Section

This section must not exceed five (5) pages in length, outside of the organizational chart detailed in this section. Evaluators may not review or evaluate excess pages.

- 1) Describe how the proposing firm will effectively coordinate, manage, and monitor the efforts of the assigned staff, including subcontractors and/or consultants, if any, to ensure that all tasks, activities, and functions are completed effectively and in a timely manner.
- 2) Describe the fiscal accounting processes and budgetary controls that will be employed to ensure the responsible use and management of contract funds and accurate invoicing. Include at a minimum, a brief description of the following:
 - a) How the costs incurred under this project will be appropriately accounted for and only applicable project expenses will be billed to CDPH (e.g., use of unique account/project codes, etc.).
 - b) The proposing firm's fiscal reporting and monitoring capabilities (e.g., spread sheets, automated fiscal reports, quality controls, checks and balances, etc.) to ensure contract funds are managed responsibly.
 - c) Proposed billing or invoicing frequency (not more frequently than once per month). Electronic billing is not possible.

- d) Identify the documentation that will be retained on file or submitted to CDPH upon request to prove, support, and/or substantiate the expenses that are invoiced to CDPH.

Include an organization chart. Instructions are explained in the Appendix Section. **Place the organization chart in the Appendix Section of the proposal.**

h. Cost Section

1) Basic content

The Cost Section will consist of the following documents:

- a) Cost Proposal form (**Attachment 6**).
- b) Budget Detail Work Sheet(s) (**Attachment 7**) for each budget period.
- c) Subcontractor Budget Detail Work Sheet(s) (**Attachment 8**) for any budget period.
- d) Required cost justification and documentation described later in this section.

2) General instructions

- a) All cost forms (Cost Proposal form and Budget Detail Work Sheets/Subcontractor Budget Detail Work Sheets) must be typewritten or completed in ink. Errors, if any, should be crossed out and corrections should be printed in ink or typewritten adjacent to the error. The person who signs the Cost Proposal should initial all corrections preferably in blue ink.
- b) On the Cost Proposal form, indicate the annual cost for each full or partial budget period and include a total cost.
- c) When completing the cost forms, include all estimated costs to perform the services for the entire term, including applicable annual rate adjustments attributable to merit increases, profit margins, and inflation or cost of living adjustments.

3) Cost Proposal Form

Proposers should assign hours and rates with the Cost Proposal for (**Attachment 6**) that align with stated goals with the Scope of Work. All hourly rates must be fully loaded, including but not limited to, operating expenses, labor, equipment costs, supplies, overhead, annual inflation costs/rate adjustments, profit margin, taxes, shipping, etc. The total amount for the Cost Proposal should match the total of both Budget Detail Work Sheets (**Attachment 7**).

4) Required Budget Detail Work Sheets

- a) Include with the Cost Proposal form (**Attachment 6**), a Budget Detail Work Sheet(s) (**Attachment 7**) and Subcontractor Budget Detail Work Sheet(s) (**Attachment 8**) for each state fiscal year or budget period.
- b) The total amount within the Cost Proposal form (**Attachment 6**) should match the total of all Budget Detail Work Sheets (**Attachment 7**). The amounts for Subcontractor Budget Detail Work Sheets (**Attachment 8**) should become line items within the Budget Detail Work Sheets (**Attachment 7**).
- c) On each Budget Detail Work Sheet, provide specific cost breakdowns for the budget line items identified in this section.
- d) All unit rates/costs, if any (i.e., square footage, salary rates/ranges, hourly rates, etc.), must be multiplied out and totaled for each budget period.
- e) When completing the Budget Detail Work Sheet(s) and Subcontractor Budget Detail Work Sheet(s) Proposers may create like images or computerized reproductions of the Budget Detail Work Sheets and Subcontractor Budget Detail Work Sheet(s) included in this RFP. Use as many pages as are necessary to display the detailed budgeted costs. The Budget Detail Work Sheet attachments included alongside this RFP (<https://caleprocure.ca.gov/event/4265/25-10274>) are not intended to dictate the specific costs that are to be reported but are intended to show the required format for reporting proposed budget detail.
- f) The total cost breakdown of the project, which should include:
 - Identification of position/classification titles funded.
 - Salary rates or ranges.
 - Percentage of time devoted to the work.
 - Fringe benefits.
 - Operating expenses.
 - Travel and per diem expenses.
 - Overhead or indirect costs.
 - Subcontractors with the same type of cost details.
 - Other costs.

5) Required cost justification/documentation

In the Cost Section of the proposal, include the following facts and information to explain the reasonableness and/or necessity of the proposed budgeted costs within the Budget Detail Worksheets (**Attachments 7 and 8**).

- 1) Explain the necessity of each expense item and how the amount was determined. This includes justifying the need for project-funded staff, subcontractors, consultants, travel expenses, and other costs, as well as providing details on how fees, wages, and rates were established.
- 2) Outline how salary rates and subcontractor fees are determined, considering market rates, past history, industry standards, and any additional factors like expertise.

Additionally, explain cost of living and merit adjustments, including criteria and frequency.

- 3) Include any additional information that helps CDPH understand the basis and justification for the proposed costs. Explain any unusually high or disproportionate costs in any budget line item not covered elsewhere in this section.

i. Appendix Section

Place the following documentation in the Appendix Section of the proposal in the order shown below.

1) **Proof of Corporate status**

If the Proposer is a Corporation, submit **either** a copy of the proposing firm's most current Certificate of Status issued by State of California, Office of the Secretary of State **or** submit a downloaded copy of the proposing firm's on-line status information from the California Business Portal website of California's Office of the Secretary of State. Include an explanation if this documentation cannot be submitted. Unless otherwise specified, do not submit copies of the proposing firm's Bylaws or Articles of Incorporation.

2) **Proof of Nonprofit status**

Nonprofit organizations must prove they are legally eligible to claim "nonprofit" and/or tax-exempt status by submitting a copy of an IRS determination letter indicating nonprofit or 501 (3) (c) tax-exempt status. Submit an explanation if this documentation cannot be supplied.

3) **An organization chart**

4) **Staff resumes**

Resume specifications appear in the Project Personnel Section. To the extent possible, resumes should not exceed 1-2 pages in length per person and should not include personal information such as a social security number, home address, home telephone number, home email address, marital status, sex, birth date, age, etc.

5) **Subcontractor/Consultant resumes**

Submit a resume for each pre-identified subcontractor or independent consultant, if any, as discussed in the Project Personnel Section. To the extent possible, resumes should not exceed 1-2 pages in length per person and should not include personal information such as a social security number, home address, home telephone number, home email address, marital status, sex, birth date, age, etc.

6) **Subcontractor/Consultant letters of agreement**

For each pre-identified subcontractor and independent consultant that will be used to perform services under the resulting contract, submit a letter of agreement to work on this project.

A letter of agreement must be signed by an official representative of each subcontracted firm or independent consultant, indicating his or her acknowledgement of being named as a subcontractor or consultant, their availability to work on this project and acknowledgement that they have read or been made aware of the proposed contract terms, conditions and exhibits. Include an explanation if a letter of agreement cannot be obtained from each pre-identified subcontractor and consultant and indicate when a letter of agreement will be forthcoming.

7) **Conflict of Interest Compliance Certificate**

- a) Any firm that intends to submit a proposal is required to submit Attachment 19 certifying that the proposing firm understands that the conflict-of-interest requirements shall remain in effect for the entire term of the resulting agreement.
- b) If a conflict of interest is determined to exist that cannot be resolved to the satisfaction of CDPH, before the award of the contract, the conflict will be grounds for deeming a proposal nonresponsive.
- c) Proposers must assess their own situation according to the Conflict-of-Interest Compliance Certification information in **Attachment 19**. Complete, sign, and attach any required documentation according to the instructions on the attachment.
Place Attachment 19 and any accompanying documentation in the Appendix Section of the proposal.

j. Forms Section

Complete, sign, and include the forms/attachments listed below. When completing the attachments, follow the instructions in this section and any instructions appearing on the attachment. After completing and signing the applicable attachments, assemble them in the order shown below. Files can be found alongside this Solicitation at <https://caleprocure.ca.gov/event/4265/25-10274>:

Attach. #	Name, or Documentation	Instructions
9	Required Attachment / Certification Checklist	1) Check each item with "Yes" or "N/A", as applicable, and sign the form. If necessary, explain the choices. 2) If a vendor marks "Yes" or "N/A" and makes any notation on the checklist and/or attaches an explanation to the checklist to clarify their choice, CDPH considers this a "qualified response". Any "qualified response", determined by CDPH to be unsatisfactory or insufficient to meet a requirement, may cause a proposal to be deemed nonresponsive.

Attach. #	Name, or Documentation	Instructions
10	Business Information Sheet	Complete and sign this form.
11	Payee Data Record & Supplement (STD 204 & STD 205)	Complete and sign STD 204 and STD 205, if necessary.
12	Bidder Declaration (GSPD-05-106)	Complete and sign this form.
13	Complete and sign this form.	Complete and sign this form.
14	Disabled Veteran Business Enterprise Declarations	Complete and sign STD 204 and STD 205, if necessary.
15	Target Area Contract Preference Act (TACPA)	Complete and sign this form, if necessary.
16	Contractor Certification Clauses (CCC 04/2017)	Complete and sign this form indicating a willingness and ability to comply with the Contractor Certification Clauses appearing in this Attachment. The attachment supplied in this bid represents only a portion of the contractor information in this document. Visit this web site to view the entire document: https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language .
17	Follow-On Consultant Contract Disclosure	Complete and sign this form.
18	Contractor Confidentiality Statement	Complete and sign this form.
19	Conflict of Interest Compliance Certification Form	Complete and sign this form.

Attach. #	Name, or Documentation	Instructions
20	Darfur Contracting Act of 2008	Complete and sign this form.
21	California Civil Rights Laws Attachment	Complete and sign this form.
22	Certification of Non-Acceptance of Food and Beverage Manufacturer Funds	Complete and sign this form.

M. Proposal Submission

1. General Instructions for Hard Copy Submission

- a. Assemble an original and two (2) copies of the proposal together. Place the proposal set marked "Original" on top, followed by the two (2) extra copies.
- b. Place all proposal copies in a single envelope or package, if possible. Seal the envelope or package.

If more than one envelope or package is submitted, carefully label each one as instructed below, and mark on the outside of each envelope or package "1 of X", "2 of X", etc.

- c. Mail or arrange for hand delivery of the proposal to the California Department of Public Health's Centralized Contract Services Unit (CCSU).
- d. The Centralized Contract Services Unit must receive the proposal, regardless of postmark or method of delivery, by the date and time stated in the section entitled, "Key Action Dates." Late proposals will not be reviewed or scored.
- e. Label and submit the proposal using one of the following methods.

Hand Delivery or Overnight Express:	U.S. Mail:
Proposal RFP 25-10274 California Department of Public Health Centralized Contract Services Unit Mail Station 1802 1616 Capitol Avenue Sacramento, CA 95814	Proposal RFP 25-10274 California Department of Public Health Centralized Contract Services Unit Mail Station 1802 P.O. Box 997377 Sacramento, CA 95899-7377

2. General Instructions for Electronic Submission

- a. Proposers that submit a Mandatory Non-Binding Letter of Intent shall receive an email invitation to the State's file sharing site named CDPH SFT. It is the Proposer's responsibility to follow the email instructions and register for the SFT account. A separate file location will be created for each Proposer accessible only to the Proposer Contact(s).

It is the Proposer's responsibility to confirm receipt of the invitation with the California Department of Public Health, Centralized Contract Services Unit.

The file sharing site does not allow access from outside the Continental United States.

- b. The file sharing site will provide a primary folder for each Proposer to submit their proposal. The Proposer contact(s) will be required to upload a complete copy of the Proposer's proposal to the appropriate folder.
- c. To obtain access to the State's file sharing site, Proposers must sign and submit the Mandatory Non-Binding Letter of intent to the Centralized Contract Services Unit. A username and password will be emailed back to the Proposer's contact no later than the date and time stated in the section entitled, "**Section B. Key Action Dates**".
- d. It is highly recommended that Proposers upload a test MS Word, MS Excel, and PDF file at least five (5) calendar days prior to the due date to test access to the State's file sharing site. Upon successful upload, notify the Centralized Contract Services Unit (CCSU) and the test file will be deleted. It is the Proposer's responsibility to gain access to the file-sharing site to submit their proposal.
- e. If a file is uploaded in error to a file sharing site folder, the Proposer may submit a request by email to CCSU.Solicitations@cdph.ca.gov prior to the last day to submit responses. **Do not upload compressed files (.zip files) onto the file sharing site.**

3. Proof of timely receipt

- a. CDPH staff will log and attach a date/time stamped slip or bid receipt to each proposal package/envelope received. If a proposal envelope or package is hand delivered, CDPH staff will give a bid receipt to the hand carrier upon request.
- b. To ensure timeliness, all proposals must reach CDPH's Centralized Contract Services Unit at the specified delivery address or be uploaded to the State's file sharing site **by 3 PM on the submission due date**. Delivery of proposals to the department's mailroom, the CDPH program responsible for this RFP, or having a U.S. postmark does not count as proof of timely delivery. Proposals must be received by the deadline listed in **Section B. Key Action Dates**.
- c. CDPH will deem late proposals nonresponsive.

4. Proposer costs

Proposers are responsible for all costs of developing and submitting a proposal. Such costs cannot be charged to CDPH or included in any cost element of a Proposer's price offering.

N. Evaluation and Selection

A multiple stage evaluation process will be used to review and/or score technical proposals. CDPH will reject any proposal that is found to be nonresponsive at any stage of evaluation.

1. Stage 1 – Required Attachment / Certification Checklist review

- a. Shortly after the proposal submission deadline, CDPH staff will convene to review each proposal for timeliness, completeness, and initial responsiveness to the RFP requirements. This is a pass/fail evaluation.
- b. In this review stage, CDPH will compare the contents of each proposal to the claims made by the Proposer on the Required Attachment / Certification Checklist to determine if the Proposer's claims are accurate.
- c. If deemed necessary, CDPH may collect additional documentation (i.e., missing forms, missing data from RFP attachments, missing signatures, etc.) from a Proposer to confirm the claims made on the Required Attachment / Certification Checklist and to ensure that the proposal is initially responsive to the RFP requirements.
- d. If a Proposer's claims on the Required Attachment / Certification Checklist cannot be proven or substantiated, the proposal will be deemed nonresponsive and rejected from further consideration.

2. Stage 2 – Narrative proposal evaluation/scoring

- a. Proposals that appear to meet the basic format requirements, initial qualification requirements and contain the required documentation, as evidenced by passing the Stage 1 review, will be submitted to a rating committee.
- b. Raters will individually and/or as a team review, evaluate and numerically score proposals based on the proposal's adequacy, thoroughness, and the degree to which it complies with the RFP requirements.
- c. CDPH will use the following scoring system to assign points. Following this chart is a list of the considerations that raters may take into account when assigning individual points to a technical proposal.

Points (10)	Interpretation	General basis for point assignment
0	Non-Responsive	Proposal response (i.e., content and/or explanation offered) does not speak to the question.

Points (10)	Interpretation	General basis for point assignment
2	Inadequate	Proposal response (i.e., content and/or explanation offered) is inadequate or does not meet CDPH's needs/requirements or expectations. The omission(s), flaw(s), or defect(s) are significant and unacceptable.
4	Barely Adequate	Proposal response (i.e., content and/or explanation offered) is barely adequate or barely meets CDPH's needs/requirements or expectations. The omission(s), flaw(s), or defect(s), are inconsequential and acceptable.
6	Moderately Adequate	Proposal response (i.e., content and/or explanation offered) is moderately adequate or somewhat meets CDPH's needs/requirements or expectations. The omission(s), flaw(s), or defect(s), are inconsequential and acceptable.
8	Fully Adequate	Proposal response (i.e., content and/or explanation offered) is fully adequate or fully meets CDPH's needs/requirements or expectations. The omission(s), flaw(s), or defect(s), if any, are inconsequential and acceptable.
10	Excellent or Outstanding	Proposal response (i.e., content and/or explanation offered) is above average or exceeds CDPH's needs/requirements or expectations. Weaknesses are minimal and not material in nature. Proposer offers one or more enhancing feature, method or approach that will enable performance to exceed CDPH's basic expectations.

- d. In assigning points for individual rating factors, raters may consider issues including, but not limited to, the extent to which a proposal response:
- 1) Is lacking information, lacking depth or breadth or lacking significant facts and/or details, and/or
 - 2) Is fully developed, comprehensive and has few if any weaknesses, defects or deficiencies, and/or
 - 3) Demonstrates that the Proposer understands CDPH's needs, the services sought, and/or the contractor's responsibilities, and/or
 - 4) Illustrates the Proposer's capability to perform all services and meet all scope of work requirements, and/or

- 5) If implemented, will contribute to the achievement of CDPH's goals and objectives, and/or
 - 6) Demonstrates the Proposer's capacity, capability and/or commitment to exceed regular service needs (i.e., enhanced features, approaches, or methods; creative or innovative business solutions).
- e. Below are the point values and weight values for each rating category that will be scored.
- 1) Proposals, excluding the Cost Section, will be scored on a scale of 0 to 515 points, as follows:

Rating Category	Points	X	Weight	=	Total	Narr. %
Agency Capability	150	X	1.0	=	150	28.9%
Project Personnel	60	X	3.0	=	180	34.6%
Work Plan	80	X	2.0	=	160	30.8%
Management Plan	30	X	1.0	=	30	5.7%
Narrative Grand Total					520	100.0%

- 2) CDPH will consider a proposal technically deficient and not responsible if the proposal earns a score that is less than **365** points. **Proposals that are deemed not responsible will not advance to Stage 3.**

3. Stage 3 –Scoring the Cost Section

- a. Proposers that earned a passing score in Stage 2 will have the Cost Section of their proposal scored and/or evaluated according to the process described herein.
- b. The proposal offering the lowest total cost earns **230** Cost points. The remaining proposals earn cost points through the cost conversion formula shown below. Final calculations shall result in numbers rounded to two decimal places.

$$\frac{\text{Lowest Cost} \times 230}{\text{Another Cost}} \text{ (Possible cost points)} = \text{Cost score of the Other Proposal}$$

- c. **Example for illustration purposes:**

Lowest cost earns 230 points.

$$\frac{\$1,800,000 \text{ (lowest cost)}}{\$1,900,000 \text{ (another proposal cost)}} = .9474$$

$$.9474 \times 230 \text{ points} = 217.902 \text{ (Cost Section Score of another proposer)}$$

4. Stage 4 – Adjustments to Score Calculations for Bidding Preferences

- a. CDPH will determine which firms, if any, are eligible to receive a bidding preference (i.e., small business or non-small business subcontractor preference)
- b. To confirm the identity of the highest scored responsive Proposer, CDPH will adjust the total score for applicable claimed preference(s) for those Proposers eligible for bidding preferences. CDPH will apply preference adjustments to eligible Proposers according to State regulations following verification of eligibility with the appropriate office of the

Department of General Services. More information about the allowable bidding preferences appears in the RFP section entitled, "Preference Programs".

c. Small Business Preference Scoring

Preference will be calculated as follows (as described in State Contracting Manual Volume 1, Section 8.21):

- i. Calculate the "earned" score for all bidders.
- ii. If the highest scored proposal is from a non-certified small business or microbusiness, then:
 - a) Calculate 5% of the highest responsible bidder's total score.
 - b) Add the amount calculated above to the score of each of the certified small business or microbusinesses. This new amount is the total score.
 - c) Award of the contract must go to the bidder with the highest point count.
 - d) An **example** of applying the small business preference to an RFP Secondary follows:

Bidders (*Indicates certified small business)	Max Points	A*	B	C*	D
Stage 2 - Narrative Score	535	470	500	380	435
Stage 3 - Cost Score	230	178.89	178.89	204.44	230.00
(cost points awarded are based on these bid amounts)		(\$270K)	(\$270K)	(\$240K)	(\$210K)
Total "earned" points for each bidder	735	648.89	678.89	584.44	635.00

Bidder B's was the highest scored proposal, a non-certified small business or microbusiness. Therefore, points must be re-apportioned after application of the 5% calculation of B's point score. B's bid received 678.89 points. 5% of 678.89 is 33.94. All bids from certified small business or microbusinesses will receive 33.94 additional points. **All bids from eligible non-small businesses will receive 33.94 additional points (see subsections d and e below).**

Point awards prior to preference points	648.89	678.89	584.44	635.00
<i>Small Business Preference points*</i>	33.94		33.94	
New Total after SB/Non-SB/NVSA Preference	682.83*	678.89	618.38*	635.00

d. Nonprofit Veteran Service Agency Certification Scoring

Scoring is same as the Small Business Preference disclosed in Section c above. (SCM V1 Section 8.20.G)

e. Non-Small Business Preference Scoring

Scoring is same as the Small Business Preference disclosed in Section c above. This preference is awarded to a non-small business bidder that commits to small business or

microbusiness subcontractor participation of 25% of its bid price. Vendors committing this amount shall receive 5% of the highest responsive, responsible bidder's total score before award preferences. **A non-small business, which qualifies for this preference, may not take an award away from a certified small business.** The small business regulations are located at 2 CCR 1896. (SCM V1 Section 8.22)

f. Disabled Veteran Business Enterprise Scoring

In accordance with section 999.5(a) of the Military and Veterans Code, an incentive will be given to bidders who exceed the DVBE program requirement. For evaluation purposes only, the State shall apply an incentive to bids that propose California certified DVBE participation as identified on the Bidder Declaration GSPD-05-105 (**Attachment 11**) and confirmed by the State. The incentive points for awards based on high score awards are included in the sum of non-cost points and cannot be used to achieve any applicable minimum point requirements (SCM V1 Section 8.17).

Confirmed DVBE Participation of:	Calculation without Interview:
5% or Over	$5\% \times 520 = 26$
4% to 4.99% Inclusive	$3\% \times 520 = 15.6$
3.5% to 3.99% Inclusive	$1\% \times 520 = 5.2$

g. Target Area Contract Preference Act (TACPA) Scoring

Preference will be calculated as follows (as described in State Contracting Manual Volume 1, Section 8.30):

- i. The TACPA preference will be scored through the following conditions:
 - a) 9% (combination of the 5% Worksite Preference with the maximum 4% Work Force Preference) up to \$50,000
 - b) Corresponding preference percentage of the price offered by the lowest responsible bid or the lowest responsible proposal.
 - c) The TACPA preference notice and request form STD 830 and the DGS/PD 526 must be included in all IFBs and RFPs when the estimated cost exceeds \$100,000, unless the worksite is specified in the contract. To receive the preference, the bidder must complete the forms and certify to perform the contract work as specified. This commitment must be enforced through conditions contained in the contract (GC § 4535).

5. Stage 5 – Final Score Calculation

CDPH will use the formula shown below to calculate final proposal scores and to determine the highest scored proposal.

	Narrative Proposal Score (Stage 2)	Max 520 Points
+	Cost Section Score (Stage 3)	Max 230 Points
+	Bidding Preferences (Stage 5)	TBD
=	Total Score	Max 750 Points

O. Narrative Proposal Rating Factors

Raters will use the following criteria to score the narrative portion of each proposal.

1. Agency Capability (150 Points after a Multiplier of 1.0)

- a. Upon reviewing the Proposer's description of its business history, to what extent are the Proposing firm's goals relevant, closely related, or will their goals complement this project? (10 points)
- b. From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in managing complex research projects from start to finish – including project scoping and planning, implementation, and report out of findings and recommendations? (10 points)
- c. To what extent did the Proposer demonstrate an understanding of CDPH's needs and the importance of this project? (10 points)
- d. To what extent did the Proposer demonstrate the tangible results that are expected to be achieved? (10 points)
- e. To what extent did the Proposer demonstrate how this project will be effectively integrated into the proposing firm's current obligations and existing workload? (10 points)
- f. From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in conducting systematic or structured reviews of scientific literature, particularly in nutrition, food science, or public health? (10 points)
- g. From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in evaluating scientific evidence related to diet, chronic disease, or food processing? (10 points)
- h. From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in conducting policy and regulatory analyses relevant to food systems, nutrition policy, or public health regulation? (10 points)
- i. From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in developing analytical models or simulations related to food environments, nutrition, or population health? (10 points)
- j. From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in experience working with large food composition databases, procurement data, or school nutrition program data? (10 points)

- k. From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in demonstrated ability to produce technical reports suitable for regulatory or policy development? (10 points)
- l. From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in at least the following areas: nutrition epidemiology or public health nutrition, food science or food processing, policy analysis or regulatory science, and statistical or computational modeling? (10 points)
- m. Based on a review of the Proposer's information about its prior accounts or work projects in the past 3 years, to what extent did the Proposer demonstrate that it has performed services that were similar in nature or closely related to the RFP Scope of Work? (10 points)
- n. To what extent did the Proposer demonstrate that it has had experience establishing and maintaining effective working relationships with government entities, local community-based organizations, and private nonprofit organizations? (10 points)
- o. To what extent did the Proposer's prior clients, as a whole, confirm their satisfaction with the Proposer's past work? (10 points)

"On a scale of one (1) to ten (10), with one (1) being completely dissatisfied and ten (10) completely satisfied, how satisfied were you with [Name of Proposer] past work and services?"

All references will be emailed and given five (5) days to respond. References not received within that timeframe will be scored at a zero (0). This will be scored on a sliding scale.

2. Project Personnel (180 Points after a Multiplier of 3.0)

- a. Upon reviewing the Proposer's staffing plan, to what extent has the Proposer allocated a sufficient number of staff in the appropriate position levels or classifications to perform the full range of services? (10 points)
- b. Upon reviewing the proposed salary rates or ranges and proposed duties for the proposed personnel, to what extent are the salary rates or ranges appropriate in relation to the assigned duties and level of responsibility? (10 points)
- c. Upon reviewing the proposed job descriptions or duty statements for the proposed personnel, to what extent has the Proposer reasonably assigned the job responsibilities and tasks among the different personnel? (10 points)
- d. Upon reviewing the proposed job descriptions or duty statements for the proposed personnel (including subcontractors and independent consultants), to what extent has the Proposer reasonably divided the work between its in-house resources and proposed subcontractors (including independent consultants)? (10 points)

If no subcontracting or use of consultants is proposed, up to 10 points will be assigned based on the effectiveness of the Proposer's allocation of tasks to its in-house personnel.

- e. Upon reviewing the job descriptions and resumes of the proposed staff [excluding the project director(s)/administrator(s) or project coordinator(s)], to what extent do the proposed personnel possess the qualifications and expertise needed to perform the assigned duties? (10 points)
- f. Upon reviewing the job descriptions and resumes of the proposed project director(s)/administrator(s) or project coordinator(s), to what extent do the proposed personnel possess the qualifications, past experience and expertise needed to carry out their assigned responsibilities? (10 points)

3. Work Plan (160 Points after a Multiplier of 2.0)

- a. To what extent are the Proposer's overall approaches and/or methods comprehensive and/or technically sound? (10 points)
- b. To what extent did the Proposer offer a rational basis for choosing its particular approaches and methods (i.e., proven success or past effectiveness)? (10 points)
- c. To what extent are the proposed procedures, methods and approaches appropriate and reasonable (i.e., if implemented are they likely to produce the desired results)? (10 points)
- d. To what extent does the Proposer describe in detail the specific actions (i.e., tasks/activities and functions) that the Proposer will perform to fulfill all scope of work requirements? (10 points)
- e. To what extent will the Proposer perform the tasks/activities and functions in a logical order? (10 points)
- f. To what extent are the proposed performance timelines realistic and achievable? (10 points)
- g. To what extent did the Proposer adequately demonstrate how it will measure and/or prove the completion of major tasks, functions, or activities (i.e., identification of key events/outcomes or deliverables)? (10 points)
- h. To what extent can the Proposer implement a smooth transition of activities with little or no disruption to ongoing services? (10 points)

4. Management Plan (30 Points after a Multiplier of 1.0)

- a. To what extent has the Proposer demonstrated its capability to effectively coordinate, manage and monitor the efforts of assigned staff (including subcontractors and consultants) to ensure that work is effectively completed and timely? (10 points)
- b. Upon reviewing the Proposer's description of its fiscal accounting processes and budgetary controls, to what extent are the fiscal processes and controls appear adequate to ensure the responsible use and management of contract funds and accurate invoicing? (10 points)

- c. Upon reviewing the Proposer's description of its fiscal accounting processes and budgetary controls, to what extent can the Proposer properly account for state project costs to ensure that only appropriate costs are billed to CDPH? (10 points)

P. Bid Requirements and Information

1. Nonresponsive proposals

In addition to any condition previously indicated in this RFP, the following occurrences **may** cause CDPH to deem a proposal nonresponsive.

a. Failure of a Proposer to:

- 1) Meet DVBE participation goals of **3-percent of the total proposed amount.**

California Law requires Disabled Veteran Business Enterprise (DVBE) participation. CDPH policies require DVBE participation of 3-percent on all contracts exceeding \$5,000. All Proposers, including out-of-state firms, must comply with California's DVBE participation requirements. Proposals without a minimum 3-percent participation from a DVBE Certified prime or subcontractor will be deemed non-responsive.

- 2) Meet proposal format/content or submission requirements including, but not limited to, the sealing, labeling, packaging and/or timely and proper delivery of proposals.
 - 3) Pass the Required Attachment / Certification Checklist review (i.e., by not marking "Yes" to applicable items or by not appropriately justifying, to CDPH's satisfaction, all "N/A" designations).
 - 4) Submit a **mandatory** Letter of Intent in the manner required, if applicable.
 - 5) Submit a **mandatory** Conflict of Interest Compliance Certificate in the manner required, if applicable.
- b. If a Proposer submits a proposal that is conditional, materially incomplete or contains material defects, alterations or irregularities of any kind.
 - c. If a Proposer supplies false, inaccurate or misleading information or falsely certifies compliance on any RFP attachment.
 - d. If CDPH discovers, at any stage of the bid process or upon contract award, that the Proposer is unwilling or unable to comply with the contract terms, conditions and exhibits cited in this RFP or the resulting contract.
 - e. If other irregularities occur in a proposal response that is not specifically addressed herein (i.e., the Proposer places any conditions on performance of the scope of work, submits a counter proposal, etc.).

2. Proposal modifications after submission

- a. All proposals are to be complete when submitted. However, an entire proposal may be withdrawn, and the Proposer may resubmit a new proposal.
- b. To withdraw and/or resubmit a new proposal, follow the instructions appearing in the RFP section entitled, "Withdrawal and/or Resubmission of Proposals".

3. Proposal mistakes

If prior to contract award, award confirmation, or contract signing, a proposer discovers a mistake in their proposal and/or cost offering that renders the proposer unable or unwilling to perform all scope of work services as described in its proposal response for the price/costs offered, the proposer must immediately notify CDPH and submit a written request to withdraw its proposal following the procedures set forth in Section N, Paragraph 4b.

4. Withdrawal and/or Resubmission of Proposals

a. Withdrawal deadlines

A proposer may withdraw a proposal at any time before the proposal submission deadline.

b. Submitting a withdrawal request

- 1) Submit a written withdrawal request, signed by an authorized representative of the Proposer.
- 2) Label and submit the withdrawal request using one of the following methods.

U.S. Mail, Hand Delivery or Overnight Express:	Email:
Withdrawal RFP 25-10274 California Department of Public Health Centralized Contract Services Unit Mail Station 1802 1501 Capitol Avenue P.O. Box 997377 Sacramento, CA 95899-7377	Withdrawal RFP 25-10274 California Department of Public Health Centralized Contract Services Unit Email: kamilah.morton@cdph.ca.gov

An originally signed withdrawal request is generally required before CDPH will return a proposal to a Proposer. CDPH may grant an exception if the Proposer informs CDPH that a new or replacement proposal will immediately follow the withdrawal.

c. Resubmitting a proposal

After withdrawing a proposal, Proposers may resubmit a new proposal according to the proposal submission instructions. Replacement proposals must be received at the stated place of delivery by the proposal due date and time.

5. Contract award and protests

a. Contract award

- 1) Award of the contract, if awarded, will be to the responsive and responsible Proposer, who earns the highest total score. The highest scored proposal will be determined after CDPH adjusts Proposer scores for applicable bidder preferences.
- 2) CDPH shall award the contract only after CDPH posts a Notice of Intent to Award for five (5) working days. CDPH expects to post the Notice of Intent to Award before the close of business on the date and time stated in the section entitled, "Key Action Dates" in a Contract Award Notices Binder which will be available for viewing by the public during normal business hours, at the following location:

California Department of Public Health
Centralized Contract Services Unit
1616 Capitol Avenue, First Floor Guard Station
Sacramento, CA 95814

- 3) CDPH will mail, email, or fax a written notification and/or a copy of the Notice of Intent to Award to all firms that submitted a proposal.
- 4) CDPH will confirm the contract award to the winning Proposer after the protest deadline if no protests are filed or following the Department of General Service's resolution of all protests. CDPH staff may confirm an award verbally or in writing.

b. Settlement of ties

- 1) In the event of a precise total high score tie between a responsive proposal submitted by a certified small business or microbusiness and a responsive proposal submitted by a certified DVBE that is also a certified small business, the contract will be awarded to the DVBE firm per Government Code Section 14838(f) et seq.
- 2) In the event of a precise total high score tie between a responsive proposal submitted by a firm that was granted non-small business subcontractor preference and a responsive proposal submitted by a certified small business or microbusiness, the contract will be awarded to the certified small business or microbusiness.
- 3) In the event of a precise total high score between a responsive proposal submitted by a nonprofit veteran service agency (NVSA) that is a certified small business and a responsive proposal submitted by a certified DVBE that is also a certified small business, the contract will be awarded to the certified DVBE.
- 4) In the absence of a California law or regulation governing a specific tie, CDPH will settle all other precise total high score ties by making an award to the Proposer who earns the highest narrative or Technical Proposal score. If narrative or Technical Proposal scores are also tied, CDPH will settle the tie in a manner that CDPH determines to be fair and equitable (e.g., coin toss, lot drawing, etc.). In no event will CDPH settle a tie by dividing the work among the tied Proposers.

c. Protests

1) Who can protest

Any proposer who submits a proposal may file protest if the Proposer believes its proposal is responsive to all RFP requirements.

2) Grounds for protests

Protests are limited to the grounds described in Public Contract Code (PCC) Section 10345. CDPH will not make an award until all protests are withdrawn by the protestant, denied, or resolved to the satisfaction of the Department of General Services (DGS).

3) Protest timelines

- a. If an eligible Proposer wishes to protest the intended contract award, the Proposer must file a "Notice of Intent to Protest" with both CDPH and the Department of General Services within five working days after CDPH posts the Notice of Intent to Award. The Notice of Intent to Protest may be quite brief. Any Notice of Intent to Protest filed more than five working days after CDPH posts the Notice of Intent to Award shall be untimely.
- b. Within five calendar days after filing a "Notice of Intent to Protest", the protestant must file with both CDPH and the Department of General Services a full and complete written protest statement identifying the specific grounds for the protest. The statement must contain, in detail, the reasons, law, rule, regulation, or practice that the protestant believes CDPH has improperly applied in awarding the contract.

4) Submitting a protest

Protests must be filed with both the Department of General Services and the California Department of Public Health. Proposers may hand deliver, mail or fax a protest.

Label, address, and submit the initial protest notice and detailed protest statement using one of the following methods.

U.S. Mail, Hand Delivery or Overnight Express:	Fax:
Protest to CDPH RFP 25-10274 California Department of Public Health Centralized Contract Services Unit Mail Station 1802 P.O. Box 997377 1616 Capitol Avenue Sacramento, CA 95899-7377	Protest to CDPH RFP 25-10274 California Department of Public Health Centralized Contract Services Unit Fax: 916-650-0110

U.S. Mail, Hand Delivery or Overnight Express:	Fax:
Protest to CDPH RFP 25-10274 Dept. of General Services Office of Legal Services Attention: Protest Coordinator 707 Third Street, 7 th Floor, Suite 7-330 P.O. Box 989052 West Sacramento, CA 95798-9052	Protest to CDPH RFP 25-10274 Dept. of General Services Office of Legal Services Fax: 916-376-5088

For faxed protests

Faxed protests must be followed-up by sending an original signed protest, with all supporting material, within one (1) calendar week of submitting the faxed protest.

Call the telephone numbers below to confirm receipt of a fax transmission:

Department of General Services 916-376-5080

California Department of Public Health 916-650-0100

6. Disposition of proposals

- a. All materials submitted in response to this RFP will become the property of the California Department of Public Health and, as such, are subject to the Public Records Act (Government Code Section 7920.000, et seq.). CDPH will disregard any language purporting to render all or portions of any proposal confidential.
- b. Upon posting of a Notice of Intent to Award, all documents submitted in response to this RFP and all documents used in the selection process (e.g., review checklists, scoring sheets, letters of intent, etc.) will be regarded as public records under the California Public Records Act (Government Code Section 7920.000 et seq.) and subject to review by the public. However, proposal contents, proposer correspondence, selection working papers, or any other medium shall be held in the strictest confidence until the Notice of Intent to award is posted.
- c. CDPH may return a proposal to a Proposer at their request and expense after CDPH concludes the bid process.

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

- a. Verify any and all claims made by the Proposer including, but not limited to verification of prior experience and the possession of other qualification requirements, and
- 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 and timely services.

7. CDPH Rights

In addition to the rights discussed elsewhere in this RFP, CDPH reserves the following rights.

a. RFP corrections

- 1) CDPH reserves the right to do any of the following up to the proposal submission deadline:
 - a) Modify any date or deadline appearing in this RFP or the RFP Key Action Dates.
 - b) Issue clarification notices, addenda, alternate RFP instructions, forms, etc.
 - c) Waive any RFP requirement or instruction for all proposers if CDPH determines that the requirement or instruction was unnecessary, erroneous or unreasonable.
 - d) Allow Proposers to submit questions about any RFP change, correction or addenda. If CDPH allows such questions, specific instructions will appear in the cover letter accompanying the document.
- 2) If deemed necessary by CDPH to remedy an RFP error or defect that is not detected in a timely manner, CDPH may also issue correction notices or waive any unnecessary, erroneous, or unreasonable RFP requirement or instruction after the proposal submission deadline.
- 3) To reduce State costs of mailing procurement corrections to persons and entities that do not intend to bid, CDPH will mail, email, or fax written clarification notices and/or RFP addenda only to those persons and entities that submit a timely mandatory Letter of Intent.

If CDPH decides, just before or on the proposal due date, to extend the submission deadline, CDPH may choose to notify persons or entities who submitted a timely mandatory Letter of Intent of the extension by fax, email, or by telephone. CDPH will follow-up any verbal notice in writing by fax, email, or by mail.

b. Collecting information from Proposers

- 1) If deemed necessary, CDPH may request a Proposer to submit additional documentation before or during the proposal review and evaluation process. CDPH will advise the Proposers orally, by fax, email, or in writing of the documentation that is required and the timeline for submitting the documentation. CDPH will follow-up oral instructions in writing by fax, email, or mail. Failure to submit the required documentation by the date and time indicated may cause CDPH to deem a proposal nonresponsive.
- 2) CDPH, at its sole discretion, reserves the right to collect, by mail, email, fax or other method; the following omitted documentation and/or additional information.
 - a) Signed copies of any form submitted without a signature.

- b) Data or documentation omitted from any submitted RFP attachment/form.
 - c) Information/material needed to clarify or confirm certifications or claims made by a Proposer.
 - d) Information/material or form needed to correct or remedy an immaterial defect in a proposal.
- 3) The collection of proposer documentation may cause CDPH to extend the date for posting the Notice of Intent to Award. If CDPH changes the posting date, CDPH will advise the Proposers, orally, via email, or in writing, of the alternate posting date.
- c. Immaterial proposal defects
 - 1) CDPH may waive any immaterial defect in any proposal and allow the Proposer to remedy those defects. CDPH reserves the right to use its best judgment to determine what constitutes an immaterial deviation or defect.
 - 2) CDPH's waiver of an immaterial defect in a proposal shall in no way modify this RFP or excuse a Proposer from full compliance with all bid requirements.
- d. Correction of clerical or mathematical errors
 - 1) CDPH reserves the right, at its sole discretion, to overlook, correct or require a Proposer to remedy any obvious clerical or mathematical errors occurring in the narrative portion of a proposal, on a Cost Proposal form or on a Budget Detail Work Sheet.
 - 2) If the correction of an error results in an increase or decrease in the total price, CDPH shall give the Proposer the option to accept the corrected price or withdraw their proposal.
 - 3) Proposers may be required to initial corrections to costs and dollar figures on the Cost Proposal form or a Budget Detail Work Sheet if the correction results in an alteration of the annual costs or total cost offered.
 - 4) If a mathematical error occurs in a total or extended price and a unit price is present, CDPH will use the unit price to settle the discrepancy.
- e. Right to remedy errors

CDPH reserves the right to remedy errors caused by:

 - 1) CDPH office equipment malfunctions or negligence by agency staff,
 - 2) Natural disasters (i.e., floods, fires, earthquakes, etc.).
- f. Contract award or RFP cancellation

The issuance of this RFP does not constitute a commitment by CDPH to award a contract. CDPH reserves the right to reject all proposals and to cancel this RFP if it is in the best interests of CDPH to do so.

g. Contract amendments after award

As provided in the Public Contract Code governing contracts awarded by competitive bid, the CDPH reserves the right to amend the contract after CDPH makes a contract award.

h. Proposed use of subcontractors and/or independent consultants

Specific subcontract relationships proposed in response to this RFP (i.e., identification of pre-identified subcontractors and independent consultants) shall not be changed during the procurement process or prior to contract execution. The pre-identification of a subcontractor or independent consultant does not affect CDPH's right to approve personnel or staffing selections or changes made after the contract award.

i. Staffing changes after contract award

CDPH reserves the right to approve or disapprove changes in key personnel that occur after CDPH awards the contract.

Q. Bidding Certification Clauses

1. Certificate of Independent Price Determination

a. The prospective proposer certifies that:

- 1) The prices in this bid or proposal have been arrived at independently without any consultation, communication or agreement with any other proposer or competitor for the purpose of restricting competition relating to:
 - a) The prices or costs offered,
 - b) The intention to submit a bid or proposal,
 - c) The methods or factors used to calculate the costs or prices offered.
- 2) The prices in this bid or proposal have not been and will not be knowingly disclosed by the proposer, directly or indirectly, to any other proposer or competitor before the bid/cost proposal opening date or date of contract award posting, unless otherwise required by law.
- 3) No attempt has been made or will be made by the proposer to induce any other firm or entity to submit or not to submit a bid or proposal for the purpose of restricting competition.

b. Each signature appearing on the documents contained in this bid package/proposal is considered to be a certification by the signatory that the signatory:

Is the person in the Proposer's organization that is either responsible for determining the prices offered in this bid or proposal and/or is designated to complete the bid or proposal forms on behalf of the bidding firm, and the signatory has not participated and will not participate in any action contrary to all subsections of paragraph a.

R. Preference Programs

To confirm the identity of the highest scored responsive Proposer, CDPH will adjust the total point score for applicable claimed preference(s). Bidding preferences shall not be applied to proposals that fail to pass the Checklist Review or fail to earn a minimum passing score during the narrative proposal scoring process. CDPH will apply preference adjustments to eligible Proposers according to State regulations following on-line or personal verification of eligibility with the appropriate office of the California Department of General Services.

1. Small Business / Microbusiness Preference

- a. A responsive California small business or microbusiness proposer claiming preference and verified as a certified small business or microbusiness in a relevant business category or type will be granted a preference of five percent (5%) of the total point score earned by the responsive/responsible proposer with highest combined score, if the highest scored proposal is submitted by a non-small business. Non-small business means a responsive/responsible proposer that is not certified by the California Department of General Services as a California small business or microbusiness in a relevant business category or type. The "service" category or business type will most likely apply to this procurement. Nonprofit Veteran Service Agencies (NVSA) are to view the instructions in provision 3 of this section (Preference Programs).
- b. To be certified as a California small business or microbusiness and eligible for a bidding preference the business concern must meet the State's eligibility requirements and must have submitted an application for small business status no later than 5:00 p.m. on the proposal submission deadline.
- c. Firms desiring small business or microbusiness certification must obtain the appropriate Small Business Certification Application (STD 812 or other form) from the appropriate office of the California Department of General Services, fully complete the application, and submit it to the California Department of General Services as instructed in the application. Prospective proposing firms desiring small business certification assistance, may contact the California Department of General Services by the following means:
 - 1) Internet address: caleprocure.ca.gov or
 - 2) Fax: 916-375-4950, or
 - 3) Email: osdchelp@dgs.ca.gov

2. Non-Small Business Subcontractor Preference

- a. Non-small business means a responsive/responsible proposer that is not certified by the California Department of General Services as a small business or microbusiness.
- b. If the responsive proposer earning the highest total score is not a certified small business/microbusiness, a bid preference up to five percent (5%) is available to a

responsive non-small business proposer committing twenty-five percent (25%) small business subcontractor use of one or more small businesses. When applicable, the preference points will be calculated pursuant to the regulations in Title 2, California Code of Regulations (CCR) § 1896.8 and will be added to total score of an eligible non-small business. This preference is authorized pursuant to Title 2, CCR § 1896.2 et seq., and Government Code § 14835 et seq.

- c. If a proposer claims the non-small business subcontractor preference, the proposal response must identify each proposed small business subcontractor that will be used, the participation percentage and dollar amount committed to each identified small business subcontractor, and substantial proof to enable verification of each subcontractor's small business status. The total small business subcontractor use must equal no less than twenty-five percent (25%) of the total cost offered.
- d. To be granted preference, each proposed small business subcontractor must possess an active small business certification issued by the California Department of General Services, must perform a "commercially useful function" under the contract and the basic functions to be performed must be identified at the time of proposal submission.
- e. Complete the Bidder Declaration GSPD-05-106 (**Attachment 12**) to request the non-small business subcontractor preference.
- f. Refer to the RFP section entitled, "Settlement of ties" to learn how tied scores will be resolved.

3. DVBE Bid Incentive

In accordance with section 999.5(a) of the Military and Veterans Code, an incentive will be given to bidders who meet or exceed the DVBE program requirement. For evaluation purposes only, the State shall apply an incentive to bids that propose California certified DVBE participation as identified on the Bidder Declaration GSPD-05-106 (**Attachment 12**) and confirmed by the State. The incentive points for awards based on high score awards are included in the sum of non-cost points and cannot be used to achieve any applicable minimum point requirements.

Confirmed DVBE Participation of:	Calculation :
5% or Over	5% x 520 = 26
4% to 4.99% Inclusive	3% x 520 = 15.6
3.5% to 3.99% Inclusive	1% x 520 = 5.2

4. Nonprofit Veteran Service Agency (NVSA) Small Business Preference

- a. Pursuant to Military and Veteran Code Section 999.50 et seq., responsive/responsible nonprofit veteran service agencies (NVSAs) claiming small business/microbusiness preference and verified as such in the relevant category or business type prior to the proposal submission due date will be granted a preference up to five percent (5%) of the

highest score, if the highest scored responsive proposal is submitted by a proposer not certified as a small business/microbusiness. The "service" category is the business type that will most likely apply to this procurement.

- b. To be eligible for the NVSA small business preference, the business concern must:
 - 1) Request small business preference at the time of proposal submission, and
 - 2) Become certified as a small business by the appropriate office of the California Department of General Services (DGS) prior to the proposal submission due date.
- c. Refer to the RFP section entitled, "Settlement of ties" to learn how tied proposals will be resolved.

5. Target Area Contract Preference Act and Enterprise Zone Act

- a. Government Code (GC) Section 4530 (TACPA) provide that California based companies shall be granted a 5% preference whenever a state agency prepares a solicitation for **services** in excess of \$100,000. The preference(s) shall apply if the worksite is not fixed by the government agency and the proposer can demonstrate and certify, under the penalty of perjury, that at least 90% of the total labor hours required to perform the services shall be performed at an identified worksite located in a distressed area (TACPA). TACPA preferences will only be applied if this procurement results in more than one responsive proposal receiving a passing narrative proposal score.
- b. Additional work force preferences ranging from 1% to 4% can be earned by eligible proposers that agree to hire 5% to 20% of persons with a high risk of unemployment or those living in a targeted employment area or that are enterprise zone eligible to perform a specified percentage of the contract work.
- c. The granting of TACPA preference cannot displace an award to a certified small business.
- d. Proposers seeking TACPA preference must submit a completed STD 830 - Target Area Contract Preference Act Preference Request, Bidders Summary (DGS-PD-526), and Manufacturers Summary (DGS-PD-525) (**Attachment 15**) with their proposal. The applicable preference request form must include the following:
 - 1) All appropriate certifications. (TACPA). The proposing firm's name and the name of all suppliers and subcontractors that will work with the proposer to fulfill the terms of the contract along with the addresses of each of the worksite(s) and estimated labor hours. (TACPA)
 - 2) County census tract number and block group number. (TACPA)
 - 3) Proposer's original signature. (TACPA)
 - 4) A checkbox marked to identify the additional 1% to 4% preference sought for hiring persons with a high risk of unemployment. (TACPA)
- e. TACPA preference cannot be granted if:

- 1) The lowest proposed cost does not equal or exceed \$100,000 for the entire term, **or**
 - 2) The work site or any part thereof is fixed or preset by the State, **or**
 - 3) The services involve construction or a public works project **or**
- f. A proposer who has claimed a TACPA preference and is awarded the contract will be obligated to perform in accordance with the preference(s) requested, provided the preference was granted in obtaining the contract. Firms receiving preference must:
- 1) Report their labor hours to the State and
 - 2) Reference the state contract on which the award is based for the specific reporting requirements.
- g. Proposers wishing to learn more about TACPA requirements, designated work site(s) or in California should contact the appropriate office of the California Department of General Services at tacpa@dgs.ca.gov. DGS will attempt to determine TACPA eligibility within 5 working days.

6. Combined preferences

The maximum preference or score addition that any proposer may be granted for preference, non-small business subcontractor preference, DVBE Incentive, TACPA preference, preference combined is 15% of the bid amount or \$100,000, whichever is less.

Any firm that claims and is granted non-small business subcontractor preference, DVBE Incentive, TACPA preference cannot displace an award to a certified small business or microbusiness. Resolution of language conflicts (RFP vs. final agreement)

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