



## Request for Proposal RFP 2020-04: Healthcare Evidence Initiative (HEI) 2.0

### **Addendum #2 – May 4, 2021**

Addendum #2 revises:

<b>Document</b>	<b>Section</b>	<b>Changes</b>
Template N – Cost Workbook		Formulas have been corrected in Tab 2. One-Time Implementation

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## 1. INTRODUCTION

### 1.1 Overview

Potential Proposers are invited to review and respond to this Request for Proposal (RFP). By submitting a proposal, the Proposer organization agrees to the terms and conditions stated in this RFP.

**Potential Proposers should carefully read this document and all attachments in their entirety, as they may contain binding provisions that affect the rights and obligations of Proposer organizations.** Proposers must comply with the instructions contained in this document. Proposals for this RFP must be submitted to the Covered California contact designated in Section 1.3 below.

### 1.2 Key Action Dates

Proposers are advised of the key dates and times shown in the table below and are required to adhere to them. All times noted in this document are Pacific Time (PT).

#### KEY ACTION DATES

<b>Request for Proposal Release Date:</b>	<b>March 11, 2021</b>
<b>RFP Questions Due:</b>	<b>March 25, 2021</b>
<b>Responses to Questions Posted By:</b>	<b>April 6, 2021</b>
<b>Notifications of Intent to Bid Due:</b>	<b>April 13, 2021 by 02:00 PM</b>
<b>Proposals Due:</b>	<b>May 12, 2021 by 02:00 PM</b>
<b>Proposer Interviews (Optional)</b>	<b>Week of May 24, 2021</b>
<b>Notice of Intent to Award:</b>	<b>Week of May 31, 2021</b>
<b>Anticipated Contract Term:</b>	<b>July 1, 2021 to June 30, 2026</b>

### 1.3 Contact

For questions regarding this RFP, contact Covered California via email at [HBEXSolicitation@covered.ca.gov](mailto:HBEXSolicitation@covered.ca.gov) with "RFP 2020-04" in the subject line. The Covered California contact for this solicitation is LaWanda Lewis.

Please reference the RFP number in all communications. Phone calls will not be accepted.

### 1.4 Contract Term

The initial term of the contract shall be for five (5) years, from July 1, 2021 to June 30, 2026; the contract term, however, is subject to change and may be amended. The resulting contract will be of no force or effect until signed by both parties. Performance shall not commence until a valid contract has been executed between the successful

Proposer and Covered California. Covered California will not pay for any services performed prior to the execution of a valid contract.

### **1.5 Contract Amount**

Proposal submissions shall not exceed \$21,000,000 in total proposed costs (i.e., for the initial five-year contract term plus the two optional one-year contract extensions – see below). Proposals that exceed this amount will not be considered for selection. It is expected that the approved funding for the contract will not exceed approximately \$3,000,000 per year for the term of the contract, including any extensions of the term.

Funding is subject to annual budget approval by the Covered California Board of Directors. If full funding does not become available, Covered California may terminate or amend the contract to reflect reduced funding and reduced deliverables.

### **1.6 Contract Amendment**

Covered California may, at its sole discretion, extend the term of the contract for two (2) additional consecutive years for the same services. The total number of contract years shall not exceed seven (7) years.

The parties may increase or decrease funding through an amendment but cannot exceed the amount or rates set by Contractor's proposal. Funding for options years may not be used in advance and may not exceed the funding amount set in the initial contract term unless authorized by the solicitation.

Any amendment will require Covered California's approval in accordance with its policies and procedures. An amendment may require a formal resolution from the Covered California Board of Directors before Covered California can execute it.

### **1.7 RFP Questions**

Prospective Proposers must submit any questions regarding this RFP by the due date and time specified in the Key Action Dates table in Section 1.2. Only questions sent to the email address provided in Section 1.3 will be accepted. Prospective Proposers must provide enough specific information to enable Covered California to identify and respond to their questions. When submitting questions, please reference the RFP number in the subject line.

Responses to questions received during the RFP Questions time period will be posted on the website at <http://hbex.coveredca.com/solicitations>. Proposers who fail to report a known or suspected problem with this RFP or who fail to seek clarification or correction of this RFP do so at their own risk.

In its sole discretion, Covered California may contact a prospective Proposer to seek clarification or additional information regarding any question received.

## **1.8 Notifications of Intent to Bid**

Prospective Proposers must submit Notifications of Intent to Bid by the due date and time specified in the Key Action Dates table in Section 1.2. Only notifications sent to the email address provided in Section 1.3 will be accepted. The letter should indicate the Proposer's name and address, RFP number, the Proposer's single point of contact and the contact's phone number and email address. The letter should be signed electronically or with ink by an authorized individual and submitted in PDF format.

## **1.9 Submission of Proposals**

### **1.9.1 Proposers' Cost**

Costs for developing proposals and attending any Proposers Conferences are entirely and solely the responsibility of the Proposer and are not chargeable to Covered California.

### **1.9.2 Completion of Proposals**

Proposers are required to be both responsive (fully compliant) and responsible (capable and qualified to perform work) relative to the solicitation requirements. Proposals must be complete in all respects and contain all required items as described in the requirements established within this RFP, its attachments, and any written responses to questions or amendments posted by Covered California on its website. A proposal may be rejected by Covered California, in its sole discretion, if the proposal is conditional, incomplete, or irregular in any way. A proposal must be rejected by Covered California if any defect or irregularity constitutes a material deviation from the RFP requirements as determined by Covered California, in its sole discretion.

### **1.9.3 False or Misleading Statements**

Proposals which contain false or misleading statements, or which provide references that do not support an attribute or condition claimed by the Proposer may be rejected. If, in the sole opinion of Covered California, such information was intended to mislead Covered California in its evaluation of the proposal or was included as a result of gross negligence attributable to the Proposer, and the attribute, condition, or capability is a requirement of this RFP, it shall be grounds for rejection of the proposal.

### **1.9.4 Errors**

If a Proposer discovers any ambiguity, conflict, discrepancy, omission, or other error in this RFP, the Proposer shall immediately notify Covered California of such error by emailing the contact in Section 1.3 and shall request a modification or clarification of the RFP. Modifications or clarifications will be given by written notice posted on the website at <http://hbex.coveredca.com/solicitations> without divulging the source of the request for modification or clarification. Covered California shall not be responsible for a Proposer's failure to correct errors, nor for any Proposer's failure to regularly and timely check the website for changes.

### **1.9.5 Importance of Meeting Deadlines**

Proposers are responsible and assume all risks for the delivery and receipt by Covered California of all proposal submissions prior to the submission deadline. The stated deadlines for submitting a proposal and all required materials for receipt by Covered California will be strictly enforced. Submissions that are incomplete or received after the stated deadline may not be accepted.

### **1.9.6 Assessment of Proposals**

All proposals will be assessed based on the evaluation criteria as set forth in this RFP and at Covered California's sole discretion. The selection and contract award, if made, will be made to a single Proposer unless otherwise specified in this RFP. The selected Proposer's proposal, including proposed cost, will be incorporated by reference into the resulting contract.

### **1.10 Format of Proposals**

Proposers must submit proposal packages containing all required attachments, documents, narrative responses, and Model Contract exhibits. Proposals must be submitted electronically via email to [HBEXSolicitation@covered.ca.gov](mailto:HBEXSolicitation@covered.ca.gov) with "RFP 2020-04" in the subject line. Hard copy proposals will not be accepted and will be deemed non-responsive.

#### **1.10.1 Electronic Signatures**

Proposers may sign required attachments and documents electronically or with ink, so long as the attachments and documents are submitted in PDF format. Signatures must be provided by an authorized signatory who is authorized to contractually bind the Proposer organization.

#### **1.10.2 Narrative Format**

Narrative portions of proposals should provide a straightforward, concise delineation of the Proposer's capabilities to satisfy the requirements of this RFP. Emphasis should be on conformance with the RFP instructions, responsiveness to the RFP requirements, and completeness and clarity of content.

Proposers must follow the format requirements listed below for all narrative portions of the proposal submission. Failure to do so may result in an entire proposal or affected section not being read or evaluated, at Covered California's sole discretion.

1. Use a Times New Roman, Arial, or Calibri font of at least 12-point size throughout unless a form is required by Covered California that contains a smaller font.
2. Use one-inch margins at the top, bottom, and sides.
3. Sequentially number the pages in each section and clearly identify each section in the order requested. When a page limit is noted, pages exceeding the limit will not be reviewed or scored. It is not necessary to paginate the required forms.

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

### **1.10.3 Model Contract with Exhibits**

All proposals must be based on and conform to the Model Contract provided with this solicitation. Proposers should review the Model Contract in its entirety prior to submitting a proposal. Proposers must submit as part of their proposals any changes or exceptions to the Model Contract that they wish to negotiate. Extensive or significant changes or exceptions to the Model Contract, however, may make the proposal non-responsive to the RFP if Covered California, in its sole discretion, determines that the proposed changes or exceptions materially change the contractual relationship between the parties. Proposer-suggested changes or exceptions to the Model Contract exhibits must be documented via tracked changes to the documents using Microsoft® Word®. Proposers must include all Model Contract changes or exceptions in the proposal package at the time of submission and may not present additional changes or exceptions during contract negotiations. Covered California reserves the right to reject all changes and exceptions in the proposal package.

### **1.11 Covered California's Rights**

By submitting a proposal, the Proposer authorizes Covered California to:

1. Verify any and all claims made by the Proposer, including, but not limited to, verification of prior experience and possession of all other required qualifications; and
2. Check any and all references identified by the Proposer, or any other resource known or identified by Covered California, to confirm the Proposer's business integrity and history of providing effective, efficient, competent, and timely goods and/or services.

Covered California may, in its sole discretion, modify the RFP prior to the proposal submission deadline by the issuance of an addendum on the website listed at <http://hbex.coveredca.com/solicitations>.

Covered California reserves the right to reject any proposal that does not satisfy the requirements set forth in this RFP. Before submitting a response to this RFP, prospective Proposers should review and correct all errors and confirm compliance with all RFP requirements.

### **1.12 Rejection of Proposals**

Deviations may cause a proposal to be deemed non-responsive and to be removed from consideration. Covered California may reject any or all proposals and/or may waive any immaterial deviation or defect in a proposal. Covered California's waiver of any immaterial deviation or defect shall in no way modify the RFP documents or requirements and shall not excuse the Proposer from full compliance with the RFP specifications if awarded the contract.



Proposals that are not received by the date and time specified in Section 1.2 will be maintained separately from proposals that have been timely received. Proposals received after the due date may only be considered upon written approval of Covered California's Executive Director or his/her designee specifying the reason(s) for acceptance and consideration of the untimely proposal.

Issuance of this RFP in no way constitutes a commitment by Covered California to award a contract. Covered California reserves the right to do the following:

1. Reject any or all proposals received in response to this RFP, or portions of proposals;
2. Amend or cancel this RFP at any time, after which Covered California may reissue the RFP at a later date; and
3. Consider a Proposer's past contract performance with Covered California in its selection of a Proposer pursuant to this RFP.

### **1.12.1 Non-Responsive Proposals**

A proposal may be deemed non-responsive and subsequently rejected if any of the following occur:

1. The proposal is received after the exact time and date set forth in Section 1.2 for receipt of each submission;
2. The Proposer fails to meet one or more of the mandatory minimum qualifications specified in Templates A – Cover Letter and Executive Summary and B – Proposer Experience;
3. The Proposer fails to submit or fails to complete and sign any required attachments as instructed in this RFP;
4. The proposal contains false, inaccurate, or misleading statements or references;
5. The Proposer is unwilling or unable to fully comply with Covered California's proposed contract provisions; or
6. The Proposer supplies conditional cost information, incomplete cost information, or cost information containing unsigned / uninitiated alterations or irregularities.

### **1.12.2 Business in Good Standing**

Proposer acknowledges that when agreements are to be performed in the State of California by corporations or vendors, Covered California will verify, prior to awarding any State contract, the following information in order to ensure that all obligations due to the State are fulfilled:

1. Corporation in Good Standing
  - a. As required by California law, Proposer organizations must be in good standing and qualified to do business in California at the time of submitting a proposal and, if selected by Covered California, during the entire term of the contract. If the Proposer organization is incorporated, the Proposer's status

- with the California Secretary of State (SOS) must be Active; a status of Cancelled or Suspended will cause the Proposer to be deemed non-responsive. This requirement does not apply to sole proprietors and general partnerships. Unless otherwise specified, the Proposer shall not submit copies of its organization's bylaws or Articles of Incorporation.
- b. "Doing business" is defined in California Revenue and Taxation Code section 23101 as actively engaging in any transaction for the purpose of financial or pecuniary gain or profit. Although there are some statutory exceptions to taxation, rarely will a corporate contractor performing within the State not be subject to the franchise tax.
  - c. Both domestic and foreign (those incorporated outside of California) corporations must be in good standing in order to be qualified to do business in California.
2. State Tax Delinquency
- a. Covered California will verify with the California Franchise Tax Board (FTB) and California Department of Tax and Fee Administration (CDTFA) that the Proposer is not on a prohibited list due to tax delinquencies. The proposal will be considered non-responsive if the Proposer is on any of these lists.
  - b. The list established by FTB can be found at:  
<https://www.ftb.ca.gov/about-ftb/newsroom/top-500-past-due-balances/corporate-income-tax-list.html>.
  - c. The list established by CDTFA can be found at:  
<https://www.cdtfa.ca.gov/taxes-and-fees/top500.htm>.

### **1.13 Errors in Proposals**

An error in a proposal may cause the rejection of that proposal; however, Covered California may, in its sole discretion, retain the proposal and make certain corrections. In determining if a correction will be made, Covered California will consider the conformance of the proposal to the format and content required by this RFP and any unusual complexity of the format and content required by this RFP.

1. If the Proposer's intent, as determined by Covered California, is clearly established based on its review of the complete proposal submission, Covered California may, in its sole discretion, correct an error based on that established intent.
2. Covered California may, in its sole discretion, correct obvious clerical errors.
3. A Proposer may modify a proposal after submission by withdrawing its original proposal and resubmitting a new one as long as it is received prior to the proposal submission deadline. Modifications offered by a Proposer in any other manner, oral or written, will not be considered.

4. A Proposer may withdraw its proposal by submitting a written withdrawal request to Covered California, signed by the Proposer or an authorized agent. Proposals may not be withdrawn subsequent to the proposal submission deadline without cause.
5. No oral understanding or contract shall be binding on either party.

Covered California reserves the right to contact any Proposer at any stage of the solicitation process to collect additional clarifying information, if deemed necessary and appropriate by Covered California.

## **1.14 Protest**

Any protest properly submitted within five (5) business days of the posting of the Notice of Intent to Award will be considered. All protests will be reviewed and decided by the Executive Director or his/her designee. The following protest procedures shall be followed.

### **1.14.1 General**

An unsuccessful Proposer may protest the intended award to another Proposer by following the terms and conditions outlined below. The protester challenging Covered California's intended award bears the burden of proof.

### **1.14.2 Grounds**

Protester must cite the specific grounds for the protest and provide all facts and citations of law sufficient to support the protest and enable the Executive Director or his/her designee to make an informed, proper decision. Covered California will determine, in its sole discretion, if the protester has demonstrated sufficient grounds to allow the protest to be heard. Abuse of the protest process by unsuccessful Proposers for the purpose of securing confidential information about other Proposers will be rejected by Covered California. The sole grounds for a protest are:

1. Protester reasonably believes that Covered California has acted in an arbitrary and capricious manner; and/or
2. Protester reasonably believes that Covered California committed an error in the proposal process as stated in the solicitation that is sufficiently material to justify invalidation of the intended award.

There shall be no basis for protest if Covered California rejects all proposals.

### **1.14.3 Requirements for Protest**

Protests must be submitted in writing, signed by an individual who is authorized to contractually bind the Proposer, and include all grounds and supporting facts and evidence upon which the protest is based, as well as all citations of law, rule, regulation or procedure upon which the protester relies. Protests must be delivered to Covered California at the address indicated below by certified or registered mail or in person, in which case the protester should obtain a delivery receipt. Protests must be received by

Covered California no later than the close of business five (5) business days after the Notice of Intent to Award has been posted.

Protests must be mailed or delivered to the address shown below.

<b>Mailing Address</b>
Covered California Attn: Peter Lee, Executive Director 1601 Exposition Blvd. Sacramento, CA 95815

The Executive Director's or his/her designee's decision shall be final.

#### **1.14.4 Terms of Protest**

Scoring documents, evaluation and selection documents, other Proposers' submissions, or any other record created during the review of proposals submitted in response to this RFP are not public records and are exempt from disclosure as public records pursuant to Government Code section 100508(a).

A protester who has demonstrated a legitimate ground for protest as described above may be provided limited access to certain relevant, non-public information regarding the RFP and Covered California's consideration of submissions in response to the RFP upon the protester's execution of a Non-Disclosure Agreement provided by Covered California and the approval of Covered California's General Counsel or his/her designee. Trade secret, proprietary, and confidential information will be redacted from any documents disclosed to protester as part of the protest process.

#### **1.15 Disposition of Proposals**

Upon proposal opening, all documents submitted in response to this RFP become the property of the State of California.

#### **1.16 Contract Execution and Performance**

Performance shall begin no later than the date set forth in this RFP by Covered California and after the contract is fully executed, unless a later date is mutually agreed upon by Covered California and the Contractor. Notwithstanding any other provision, should the Contractor fail to commence work on the agreed date and time, Covered California reserves the right to terminate the contract upon five (5) business days written notice to the Contractor. In such an event, the Contractor shall be liable to Covered California for the difference between the Contractor's cost proposal and, if greater, the actual cost of performing the work by a replacement contractor.

All performance under the contract shall be completed before the termination date of the contract, unless an earlier date is specified in the contract.

#### **1.17 Subsequent Solicitation**

If at any time during the negotiation of a contract with the successful Proposer, Covered California determines it is not able to reach an agreement with the successful Proposer,

Covered California may, in its sole discretion, terminate the negotiations and engage the next highest-scored Proposer without performing a subsequent solicitation.

### **1.18 Addition or Subtraction of Services**

Notwithstanding that proposals have been submitted, at Covered California's sole discretion, the SOW may be modified prior to contract award to add or remove services through an addendum. If the date and time for submission of proposals has passed as of the time the addendum is posted and proposals have been received, Covered California, in its sole discretion, may restrict responses to the modified SOW so that only entities that submitted timely proposals in response to the initial RFP may respond to the addendum.

### **1.19 News Releases and Social Media**

By submitting a proposal, Proposers and the selected Contractor agree that they will not issue news releases nor make statements to the news media or through social media channels pertaining to this RFP, their proposals, the contract, or work resulting therefrom, without first obtaining prior approval from Covered California.

## **2. SCOPE OF WORK**

### **2.1 Background**

Soon after the passage of national health care reform through the Patient Protection and Affordable Care Act of 2010 (ACA), California became the first state to enact legislation to establish a qualified health benefit exchange. The California state law is referred to as the California Patient Protection and Affordable Care Act (CA-ACA).

The goals and objectives of Covered California are to:

1. Reduce the number of uninsured Californians by creating an organized, transparent marketplace for Californians to purchase affordable, quality health care coverage to claim available federal tax credits and cost-sharing subsidies, and to meet the personal responsibility requirements imposed under the federal act (ACA);
2. Strengthen the health care delivery system;
3. Serve as an active purchaser, including creating competitive processes to select participating carriers and other contractors;
4. Require that health care service plans and health insurers issue coverage in the individual and small employer markets and compete on the basis of price, quality, and service (and not on risk selection); and
5. Meet federal and state law requirements, guidance and regulations.

Covered California is an independent public entity within California State Government. It is governed by a five-member board appointed by the Governor and Legislature.

Covered California works in close partnership with:

1. The Department of Health Care Services, which oversees and administers California's Medicaid Program (Medi-Cal) and other specifically focused health programs;
2. The two agencies that regulate health insurance in California, the Department of Managed Health Care and the Department of Insurance; and
3. A broad range of stakeholders whose constituencies may be impacted by health care reform.

For additional information on Covered California, please refer to the consumer website at [www.CoveredCA.com](http://www.CoveredCA.com) and the business website at [hbex.CoveredCA.com](http://hbex.CoveredCA.com).

## 2.2 Purpose

Government Code section 100503(c) requires Covered California to certify Qualified Health Plans (QHPs) offered by Issuers to ensure "health care coverage choices that offer the optimal combination of choice, value, quality, and service." In 2019, the California legislature passed AB 929 that directs Covered California to evaluate its impact on the health delivery system and health coverage in California. AB 929 additionally clarifies Covered California's authority to collect health data from Issuers. In order to meet these obligations and others as outlined in the Federal Affordable Care Act (ACA), Covered California is seeking proposals from highly qualified Proposers to provide a Healthcare Evidence Initiative 2.0 (HEI 2.0) solution that includes enrollment, product and benefit design; pricing; access and health disparity information applicable to on- and off-Exchange enrollees; as well as corresponding utilization and cost data from Issuers and the providers that serve them. "HEI 2.0" and "solution" may be used interchangeably throughout all RFP documents and the Model Contract. While Issuer monitoring for contractual compliance and assessment of publicly available information are important methods for achieving some of these goals, Covered California further requires an independent capability for analytics using standard and normalized information sets, standardized risk adjustment, and cross-regional and cross-Issuer analysis. Similar to the California Department of Health Care Services (DHCS), CalPERS, and most large employers, Covered California requires independent analysis for key activities such as benefit modeling; cost, quality, and performance monitoring of Issuers and health care providers; and measurement of potential health disparities (e.g., considering race / ethnicity, income, age, gender, location, Issuer, and metal tier). Several capabilities are needed, including data aggregation, data analysis, software licenses, interface and transformation services, data storage, data security, data hosting and overall program and vendor management.

## 2.3 Scope of Work

See Model Contract Exhibit A – Scope of Work for a detailed description of the services and work to be performed by the successful Proposer.

## **2.4 Contract Completion Criteria**

The contract resulting from this RFP will be considered complete when Covered California has approved and accepted all assigned contract deliverables.

## **2.5 Project Assumptions and Constraints**

1. The Contractor's work hours shall be consistent with Covered California's key staff on-site, whose normal business hours are 8:00 AM to 5:00 PM, Monday through Friday, except for State holidays.
2. Overtime rates will not be reimbursed under the contract.
3. Travel will not be reimbursed under the contract.
4. Any modifications to tasks within Exhibit A – Scope of Work of the contract shall be defined, documented, and mutually agreed upon by the Contractor and Covered California's representative prior to starting work on the modified task(s). Covered California's representative may refine or clarify the services deemed necessary to meet the needs of this project in accordance with Covered California's priorities.
5. Covered California and the Contractor shall be mutually obligated to keep open and regular channels of communication in order to ensure the successful performance of the contract. Both parties shall be responsible for communicating potential problems or issues to Covered California's Representative and the Contractor's project team manager, respectively, within forty-eight (48) hours of becoming aware of the problem or issue.

## **2.6 Payment and Invoicing**

If the collection of fees assessed from QHPs are collectively not sufficient to provide the funds for this program, Covered California shall have the option to either cancel this contract with no liability occurring to Covered California or offer a contract amendment to the Contractor to reflect the reduced amount.

The Contractor may invoice Covered California only after the successful completion and acceptance of the contract deliverables. The Contractor may not invoice Covered California for any costs exceeding the maximum amount identified to complete a deliverable.

## **3. REQUIRED PROPOSAL SUBMISSION CONTENT**

### **3.1 Format of Proposal Packages**

Proposals in response to this RFP must be divided into two appropriately labeled folders marked Technical Proposal and Administrative Requirements. All proposal submissions should be clearly labeled with the RFP number.

The contents of each folder must be as follows:

1. Technical Proposal – This folder addresses RFP requirements via Templates A – L and N.

2. Administrative Requirements – This folder includes all required attachments as described below in Section 3.4.

## **3.2 Proprietary Information and Confidential Status of Responses**

Any documentation submitted which has been marked “Proprietary” or “Trade Secrets” may be rejected. All proposals and evaluation documents are confidential and will not be available for public inspection pursuant to Government Code Section 100508(a)(1).

## **3.3 Technical Proposal**

### **3.3.1 Section A – Cover Letter and Executive Summary**

This Technical Proposal section must include a cover letter, table of contents, executive summary, Proposer contact / location information (including Subcontractor(s), if applicable), and confirmation that the Proposer meets mandatory minimum qualifications. Submission of this section must comply with the instructions detailed in Template A – Cover Letter and Executive Summary.

### **3.3.2 Section B – Proposer Experience**

This Technical Proposal section must include an overview of the Proposer’s organization (including Subcontractor(s), if applicable), corporate background and experience, and information regarding financial stability. Submission of this section must comply with the instructions detailed in Template B – Proposer Experience.

Desirable qualifications for Proposers are located in Template B – Proposer Experience, Section 2 and in the Model Contract Exhibit A – Scope of Work (for Key Project Personnel). The Proposer must use Template B and Template F – Staff Experience to demonstrate compliance, if any, with these requirements.

### **3.3.3 Section C – Proposer References**

This Technical Proposal section must include at least three (3) references from projects performed within the last five (5) years that demonstrate the Proposer’s ability to perform the Scope of Work described in the RFP. If the proposal includes the use of Subcontractor(s), provide three references for each. Submission of this section must comply with the instructions detailed in Template C – Proposer References.

### **3.3.4 Section D – Subcontractor Letters**

This Technical Proposal section must include a letter from each proposed Subcontractor. Required Subcontractor information includes identifiers, locations, contacts, a description of the work to be performed, commitment to perform the work, and confirmation that the Subcontractor has read and understood the RFP and will comply with its requirements. Submission of this section must comply with the instructions detailed in Template D – Subcontractor Letters.



### **3.3.5 Section E – Project Organization and Staffing**

This Technical Proposal section must include a narrative of the proposed project organization and staffing approach, including project organization plan and chart, identification of key personnel (including key Subcontractor staff), staff contingency / management / training / retention plans, and the proposed approach to working with Covered California staff. Submission of this section must comply with the instructions detailed in Template E – Project Organization and Staffing.

### **3.3.6 Section F – Staff Experience**

This Technical Proposal section must provide the identity, anticipated roles, relevant experience, and resumes of key project staff members (including Subcontractor(s)). Submission of this section must comply with the instructions detailed in Template F — Staff Experience.

Covered California seeks a team with experience and knowledge of the processes outlined in this RFP and the Model Contract Exhibit A – Scope of Work. Proposers must demonstrate that the project team members who will be assigned to the project possess the experience, education, knowledge, and skills required to perform the work described in this RFP.

### **3.3.7 Section G – Functional Requirements**

This Technical Proposal section must include a response to specific data aggregation and analytics requirements. Submission of this section must comply with the instructions detailed in Template G – Functional Requirements.

### **3.3.8 Section H – Functional Requirements Approach**

This Technical Proposal section must provide a narrative overview of how the proposed solution will meet Covered California’s functional requirements. Submission of this section must comply with the instructions detailed in Template H – Functional Requirements Approach.

### **3.3.9 Section I – Non-Functional Requirements**

This Technical Proposal section must include a response to specific methodological and technological requirements. Submission of this section must comply with the instructions detailed in Template I – Non-Functional Requirements.

### **3.3.10 Section J – Non-Functional Requirements Approach**

This Technical Proposal section must provide a narrative overview of how the proposed solution will meet Covered California’s non-functional requirements. Submission of this section must comply with the instructions detailed in Template J – Non-Functional Requirements Approach.

### **3.3.11 Section K – Work Plan**

This Technical Proposal section must include a work plan that will be used to create a consistent and coherent management plan. This work plan will demonstrate that the

Proposer has a thorough understanding of the scope of work and what must be done to satisfy the project requirements. Submission of this section must comply with the instructions detailed in Template K – Work Plan.

The work plan must include detail sufficient to give Covered California an understanding of how the Proposer’s knowledge and approach will:

1. Manage the work;
2. Guide work execution;
3. Facilitate communication among stakeholders; and
4. Define key management review as to content, scope, and schedule.

### **3.3.12 Section L – Proposal Checklist and Supplements**

This Technical Proposal section must include the completed checklist verifying that all the RFP response requirements including templates listed above and any non-administrative RFP response attachments have been completed. Submission of this section must comply with the instructions detailed in Template L – RFP Response Checklist.

### **3.3.13 Cost Proposal**

Proposers must state the total dollar amounts of their cost proposals for the entire contract as indicated on the Proposal Cover Page (Attachment 1) and Template N – Cost Workbook. No cost information may appear elsewhere in the Technical Proposal submission, otherwise the Proposer may be disqualified from consideration.

1. Attachment 1 - Proposal Cover Page – By signing Attachment 1, the Proposer organization certifies the dollar amount of the total cost proposal, which shall be binding for the term of the contract.
2. Template N – Cost Workbook – Proposers must complete this workbook as instructed, basing their Cost Proposals on all RFP and Model Contract content as written by Covered California, and on all Functional and Non-Functional requirements that Proposer can perform as indicated by their proposal. Proposers must price their services assuming Covered California will reject all their exceptions, if any.

All Proposals must include one-time implementation services, ongoing maintenance and operations services (including software licensing and maintenance/operations), and additional services as needed. The Proposer must include all one-time and ongoing costs in the Cost Proposal. Total Costs are required by Covered California for evaluation and budget purposes. The additional detail of costs is required for Covered California’s understanding.

Proposers must provide firm-fixed price (FFP) costs for one-time implementation services, including a proposed payment schedule based on deliverables. In addition, the Proposer must provide fixed Hourly Labor Rates which may be used for optional Work Authorizations / Unanticipated Tasks.

Proposers must provide responses for all components of the costs, as required in Template N – Cost Workbook, following the instructions provided in the first tab of that workbook.

Proposers are responsible for entering cost data in the format prescribed by the Cost Workbook. Formulas have been inserted in the appropriate cells of the worksheets to automatically calculate summary numbers and should not be altered. Further instructions for entering cost data are included in the worksheets. It is the Proposer's responsibility to ensure the integrity of the completed Cost Workbook, within constraints imposed by Covered California's formatting, links, and formulas, and that the proposed costs are reflected accurately and completely.

Completion of the Cost Workbook and worksheets is mandatory. Applicable purchase, delivery, tax, services, safety, license, travel, per diem, Proposer's staff training, project facility, and any other expenses associated with the delivery and implementation of the proposed items must be included in the Proposer's costs and fixed Hourly Rates.

### **3.4 Administrative Requirements**

To be deemed responsive, Proposers must comply with the Administrative Requirements in this section.

#### **3.4.1 Required Attachments**

Proposals must include the following required attachments as set forth below. Any attachment that requires a signature must be signed by a representative authorized to contractually bind the Proposer organization. Photocopies of wet signatures and electronic signatures are acceptable.

1. The Proposal Cover Page form (Attachment 1) completed and signed;
2. The Payee Data Record (STD. 204) form (Attachment 2) completed and signed;
3. The Contractor Certification Form (Attachment 3) completed and signed;
4. The Statement of Economic Interests Certification form (Attachment 4) completed and signed;
5. The Bidder Declaration (GSPD-05-105) form (Attachment 5) completed and signed; and
6. The Administrative Requirements Checklist form (Attachment 6) completed.

Attachment 4 is a Proposer certification form whereby the Proposer acknowledges and agrees that, upon contract execution, the Proposer's representative and applicable staff, if identified as code filers, agree to provide a completed Statement of Economic Interests (Form 700). For more information, see the Covered California Conflict of Interest Code at <http://hbex.coveredca.com/resources> and the Fair Political Practices Commission website at <http://www.fppc.ca.gov/Form700.html>.

If the Proposer wishes to claim the DVBE incentive and/or the TACPA preference (see Section 5), the following optional attachments must also be included, as applicable:

1. The Disabled Veteran Business Enterprise Declarations (STD. 843) form (Attachment 7) completed and signed;
2. The Target Area Contract Preference Act Preference Request for Goods and Services Solicitations (STD. 830) form (Attachment 8) completed and signed; and
3. The Bidder's Summary of Contract Activities and Labor Hours (DGS/PD 526) form (Attachment 9) completed and signed.

### **3.4.2 Required Documents**

Proposals must include the following required insurance documents:

1. A Certificate of Liability Insurance equal to or greater than \$1,000,000;
2. Proof of Workers' Compensation Liability Insurance;
3. Proof of Automobile Liability Insurance, including non-owned auto liability, of \$1,000,000 per occurrence for persons used by the Contractor for services provided pursuant to this contract; and
4. Proof of Data Breach Liability Insurance of no less than \$10,000,000 per occurrence for any unauthorized disclosure or use of Personally Identifiable Information (PII) subject to this contract and within the Proposer's custody or control.

If the Proposer cannot include a Certificate of Liability Insurance, Certificate of Automobile Liability Insurance, or Certificate of Data Breach Liability Insurance with its proposal, it must provide a written explanation detailing why it cannot comply with the requirement(s). Covered California may, in its sole discretion, accept a proposal without these Certificates if the Proposer provides a valid justification for the absence of one or more of them and confirms that it will submit the appropriate Certificate(s) prior to contract execution, if it is selected as the Contractor. Covered California cannot execute a contract with the selected Contractor without all of these required Certificates and will award the contract to the next highest-scored Proposer if the Contractor fails to produce the Certificate(s) prior to contract execution.

If the Proposer organization is incorporated, proof of Active status with the California SOS must be provided in one of the following forms:

1. A copy of the Proposer's current Certificate of Status issued by the SOS; or
2. A copy of the Proposer's Entity Detail page from the SOS's Business Search website (<https://businesssearch.sos.ca.gov/>).

### **3.4.3 Updated Model Contract Exhibits**

Proposers must make any suggested changes to the Model Contract as instructed below.

1. Using the Model Contract Exhibit A – Scope of Work provided, include suggested revisions with tracked changes in Microsoft® Word®.
2. Using the Model Contract Exhibit B – Budget Detail and Payment Provisions and Exhibit B, Attachment 1 – Cost Worksheet provided, include suggested revisions with tracked changes in Microsoft® Word®.
3. Using the Model Contract Exhibit C – General Terms and Conditions provided, include suggested revisions with tracked changes in Microsoft® Word®.

Covered California’s Model Contract also includes Exhibits D – Privacy Addendum and E – Supplemental Privacy and Security Requirements. Covered California cannot accept significant changes to either exhibit and may deem the Proposal to be non-responsive if any proposed changes materially alter the contractual relationship between parties or otherwise violate federal or state laws. Submitting Model Contract Exhibits without suggested tracked changes, however, will constitute acceptance by the Proposer of the exhibits as drafted.

## **4. EVALUATION AND SELECTION FOR CONTRACT AWARD**

Covered California will review and score each proposal according to the procedures and criteria set forth in this section. Covered California reserves the right to more favorably evaluate proposals that offer minimal exceptions, reservations, or limitations to the terms and conditions of the RFP, including the Model Contract. Significant exceptions, reservations, or limitations to the RFP and Model Contract may render the proposal as non-responsive. Covered California retains the sole discretion to determine what qualifies as significant exceptions, reservations, and limitations.

During the evaluation and selection process, Covered California will determine which Proposers, if any, are qualified to receive Proposer preferences and/or incentives and adjust their proposal scores accordingly for ranking purposes only (see Section 5).

### **4.1 Administrative Requirements Review**

Covered California will review the administrative content of each proposal and assess it as either pass or fail in terms of Proposer responsiveness. Proposal submissions must include all required administrative content to earn a passing assessment; those that do not will be deemed non-responsive and will not be evaluated further.

### **4.2 Technical Proposal Review**

The Covered California Evaluation Team will conduct a qualitative review of the technical content of each responsive proposal, using the evaluation categories and criteria identified below in Section 4.2.1. Project Assumptions will not be scored.

After the proposals have been scored on each of the aforementioned categories, interviews may be conducted with the Proposers with the highest scores. The number of Proposers interviewed and the decision whether to conduct interviews at all is within the sole discretion of Covered California. If interviews are conducted, Proposers who do not score high enough to qualify for an interview will not be considered for the contract award. The specific staff to be interviewed will be agreed upon by Covered California and the Proposer at the time the interview is scheduled.

Next, the Cost Proposal score for each responsive proposal will be calculated and added to the total score. Finally, any applicable Proposer preferences and/or incentives will be calculated and applied to adjust the total scores, then the highest-scored proposal from a responsible Proposer will be selected for the contract award.

#### 4.2.1 Evaluation Categories and Criteria

Proposals containing evidence of extensive previous experience and success in similar complex projects that resemble the work described in this RFP will receive significant consideration in the evaluation and selection process. The following table outlines the weight and maximum points available for the major sections of each responsive proposal:

**Table 1. Evaluation Criteria Weighting and Points**

Criteria	Sub-Criteria/Description	Weight	Maximum Points
Administrative Requirements	Proposal is responsive to RFP's administrative requirements and includes all required administrative content.	Pass / Fail	P / F
Mandatory Minimum Qualifications	Proposer meets mandatory minimum qualifications	Pass / Fail	P / F
Proposer Experience	Relevant Proposer Experience	5%	50
Project Staff and Project Organization	Project Organization	5%	50
	Key Project Personnel Experience	10%	100
Business Solution	Functional	30%	300
	Non-Functional and Work Plan	20%	200
Cost	Total Cost Points Calculation	30%	300
<b>TOTAL</b>		<b>100%</b>	<b>1,000</b>

If Covered California decides to conduct interviews, it will use instead the table below:

**Table 2. Evaluation Criteria Weighting and Points (with Optional Interview)**

<b>Criteria</b>	<b>Sub-Criteria/Description</b>	<b>Weight</b>	<b>Maximum Points</b>
Administrative Requirements	Proposal is responsive to RFP's administrative requirements and includes all required administrative content.	Pass / Fail	P / F
Mandatory Minimum Qualifications	Proposer meets mandatory minimum qualifications	Pass / Fail	P / F
Proposer Experience	Relevant Proposer Experience	5%	50
Project Staff and Project Organization	Project Organization	5%	50
	Key Project Personnel Experience	10%	100
Business Solution	Functional	30%	300
	Non-Functional and Work Plan	20%	200
Cost	Total Cost Points Calculation	30%	300
Optional Interview		-	200
<b>TOTAL</b>		<b>100%</b>	<b>1,200</b>

The Evaluation Team will score the narrative technical content of each responsive proposal using the evaluation and scoring criteria shown in the table below.

**Table 3. Technical Content Evaluation Criteria**

Technical Content Evaluation Criteria						
Qualitative Rating	Relation to Project Requirements	Strengths	Deficiencies	Weaknesses	Likelihood of Success	Scoring Range
Excellent	Superior attainment of all requirements	Numerous and significant in key areas	None	Minor, if any	Very High	81-100% of available points
Good	Expected to meet all requirements	Some and significant in key areas	None	Minor, but are far outweighed by strengths	High	61-80% of available points
Acceptable	Capable of meeting all requirements	Some in non-key areas	Minor	Minor, but are outweighed by strengths	Fair	41-60% of available points
Marginal	May not be capable of meeting all requirements	None, or some that are outweighed by weaknesses or deficiencies	Significant	Significant	Poor	21-40% of available points
Unacceptable	Not likely to meet all requirements	None, or some that are far outweighed by weaknesses or deficiencies	Needs major revision	Needs major revision	None	0-20% of available points

#### 4.2.2 Mandatory Minimum Qualifications

If the Proposer does not meet all mandatory minimum qualifications, Covered California will reject its proposal. These qualifications ensure the Proposer possesses the requisite experience with health plan enrollment and claims files. The Proposer may satisfy the mandatory minimum qualifications in whole or in part through its subcontractor(s) qualifications, provided that the subcontractor arrangement is not severable during the term of the contract unless mutually agreed to by Covered California and the Proposer.

Mandatory minimum qualifications for Proposers are located in Templates A – Cover Letter and Executive Summary and B – Proposer Experience. The Proposer must use Templates A and B to demonstrate compliance with these requirements.

#### 4.2.3 Proposer Experience

Proposer Experience scoring shall be based on the similarity and depth of Proposer experience as compared to the needs of the project.



#### **4.2.4 Project Staff and Project Organization**

Scoring for Project Organization shall be based on the proposed level of integration within and among the Proposer's staff, subcontractor(s), and Covered California and its vendor(s), as well as the Proposer's commitment to performance of work.

Scoring for Key Project Personnel Experience shall be based on the similarity and depth of staff experience as it relates to the needs of the project and the likelihood that staff experience will enable Proposer to sufficiently meet Covered California's requirements.

#### **4.2.5 Business Solution**

Scoring for the Business Solution to Covered California's Functional and Non-Functional requirements shall be based on the extent to which the solution meets defined needs; demonstrates thoroughness in its approach and plans; highlights the Proposer's knowledge and clear understanding of scope and responsibilities; and demonstrates Proposer's commitment to minimizing harmful and maximizing beneficial impact to Covered California operations. Business Solution scoring for Functional requirements will address the following:

1. Aggregation (including Data Hosting, Storage, and Management; and Data Transformation and Delivery);
2. Analytics (including Analytics, Reporting, and Usability; and Analytic Staffing Support);
3. Modeling (including Enrollment Analysis and Risk Assessment Modeling);
4. Episodes of Care and Disease Severity; and
5. Provider Quality and Auditing.

Business solution scoring for Non-Functional requirements will address the following:

1. Methodology (including Project Management; Design, Development, and Customization; Knowledge Transfer and Training; and Transition);
2. Technology (including Service Level and Performance; and Regulatory, Security, and Audit); and
3. Proposer's Work Plan.

#### **4.2.6 Proposer Interviews (Optional)**

Scoring of this factor will be based upon the Evaluation Team's assessment of the Proposer's ability to reiterate and explain the narrative technical contents of its proposal and further demonstrate comprehension of the Scope of Work, Covered California's project timeline and goals, and how to accomplish those goals while providing optimal value. Covered California will reject any proposed material deviations from the

Proposer’s Model Contract exhibits and/or Work Plan as submitted in the proposal package.

#### 4.2.7 Cost Proposal

Covered California will calculate the cost proposal scores for each Proposer by dividing the dollar amount of the lowest cost proposal for the five non-optional years of the contract by the dollar amount of each cost proposal’s five non-optional years, then multiplying those quotients by the maximum number of cost proposal points available. The equation below demonstrates this calculation.

$$\frac{\text{Lowest cost proposal}^1}{\text{Proposer's cost proposal}^2} \times \text{Cost proposal points maximum} = \text{Cost proposal score}$$

Fractions of cost proposal points in the resultant score will be rounded up or down to the nearest whole number. See the example calculation below, which shows how many cost proposal points three hypothetical Proposers would receive with a maximum of 300 cost proposal points.

**Table 4. Cost Proposal Example Calculation**

Proposer	Cost Proposal	Calculation	Cost Proposal Score
A	\$400,000	$\frac{300,000}{400,000} \times 300$	225
B	\$350,000	$\frac{300,000}{350,000} \times 300$	257
C	\$300,000	$\frac{300,000}{300,000} \times 300$	300

## 5. PREFERENCE AND INCENTIVE PROGRAMS

Covered California will determine which Proposers, if any, are eligible to receive Proposer preferences and/or incentives and will adjust their proposal scores according to the criteria set forth below in this section, as well as any applicable State regulations.

When claiming a preference or incentive through subcontractor participation, Proposers must be aware that only Small Businesses (SBs), Microbusinesses (MBs), and/or Disabled Veteran Business Enterprises (DVBEs) that are certified by the Department of General Services (DGS) Office of Small Business and DVBE Services (OSDS) may be subcontracted to achieve eligibility. In addition, each participating SB, MB, or DVBE subcontractor must perform a commercially useful function (CUF) relevant to this solicitation. Proposers who intend to subcontract with SBs, MBs, and/or DVBEs are required to verify each subcontractor’s certification with DGS OSDS to receive the preference and/or incentive. See Government Code Section 14837(d)(4) for the

<sup>1</sup> Total one-time implementation, maintenance and operations, and work authorizations costs for non-optional years, i.e., SFYs 2021/22 through 2025/26.

<sup>2</sup> Same as previous footnote.

definition of CUF as it pertains to SBs and MBs. The definition of CUF as it pertains to DVBEs and its criteria are excerpted below.

## 1. CUF Definition for DVBEs

California Code of Regulations, Title 2, Section 1896.61(l): The term “DVBE contractor, subcontractor or supplier” means any person or entity that satisfies the ownership (or management) and control requirements of section 1896.61(f); is certified in accordance with section 1896.70; and provides services or goods that contribute to the fulfillment of the contract requirements by performing CUF.

## 2. CUF Criteria for DVBEs

As defined in Military Veterans Code section 999, a person or an entity is deemed to perform a CUF if a person or entity satisfies **all** of the following criteria:

- a. Is responsible for the execution of a distinct element of the work of the contract;
- b. Carries out the obligation by actually performing, managing, or supervising the work involved;
- c. Performs work that is normal for its business services and functions;
- d. Is responsible, with respect to products, inventories, materials, and supplies required for the contract, for negotiating price, determining quality and quantity, ordering, installing, if applicable, and making payment; and
- e. Is not further subcontracting a portion of the work that is greater than that expected to be subcontracted under normal industry practices.

A contractor, subcontractor, or supplier will not be considered to perform a CUF if the contractor's, subcontractor's or supplier's role is limited to that of an extra participant in a transaction, contract or project through which funds are passed in order to obtain the appearance of DVBE participation.

## 5.1 How the Preferences and Incentives Work

After Covered California has evaluated and scored each responsive proposal, Proposers who are eligible for a preference and/or incentive program will receive additional points. A Proposer may be eligible to receive more than one preference or incentive. After all applicable preferences and incentives have been applied, the Proposer with the highest score will be selected for the contract award. The following example demonstrates how the preferences and incentives can affect Proposer rankings based on highest score.

In this example, Proposers A, B, and C were assessed to be both responsive and responsible. Based on Covered California’s evaluation, Proposer A, a non-SB with no committed subcontractors, is initially ranked 1<sup>st</sup> with 940 points; Proposer B, a certified SB, is ranked 2<sup>nd</sup> with 915 points; and Proposer C, a certified DVBE and a certified SB, is ranked 3<sup>rd</sup> with 895 points. Proposers B and C both receive a 5% SB preference of 47 points, which is calculated by multiplying Proposer A’s score of 940 by 0.05. Proposer C also receives a 5% DVBE incentive of 50 points, which is calculated by multiplying the maximum possible score of 1,000 by 0.05. As a result, Proposer A is now ranked 3<sup>rd</sup> with 940 points; Proposer B is now ranked 2<sup>nd</sup> with 962 points; and Proposer C is now ranked 1<sup>st</sup> with 992 points and will be awarded the contract. The table below summarizes the application of the preferences and incentives.

**Table 5. Preferences and Incentives Example**

	Proposer A	Proposer B	Proposer C
Evaluated Total Score	940	915	895
Initial Ranking	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>
Certified SB (5% Preference)	No	Yes	Yes
Certified SB Preference Points	0	47	47
25% SB Subcontractor Participation (5% Preference)	No	N/A	N/A
25% SB Subcontractor Participation Preference Points	0	N/A	N/A
Certified DVBE (5% Incentive)	No	No	Yes
Certified DVBE Incentive Points	0	0	50
DVBE Subcontractor Participation (5% Incentive maximum)	No	No	N/A
DVBE Subcontractor Participation Incentive Points	0	0	N/A
Adjusted Total Score	940	962	992
Final Ranking	3 <sup>rd</sup>	2 <sup>nd</sup>	1 <sup>st</sup>

## 5.2 Small Business Preference

A five percent (5%) scoring preference is available to SB and MB Proposers who are certified by DGS OSDS. To be eligible for the preference, a Proposer must meet one of the following criteria:

1. Currently certified by DGS OSDS as a SB or MB; or
2. Applied for a DGS OSDS SB or MB certification by 5:00 p.m. on the proposal due date and was certified before the Notice of Intent to Award date in Section 1.2 above.

If the Proposer is currently certified, a copy of the certificate or the approval letter from DGS OSDS must be included in the proposal submission.

When a non-SB Proposer earns the highest evaluated score, the SB preference increases the score of SB and MB Proposers by adding five percent (5%) of the points earned by that non-SB Proposer. Note: If there is a tie for the highest score between a certified SB or MB Proposer and a certified DVBE Proposer that is also a SB or MB, the contract shall be awarded to the DVBE Proposer; if there is a tie for the highest score between a certified SB Proposer and a certified DVBE Proposer, the contract shall be awarded pursuant to Government Code Section 14838.

If a Proposer is eligible for the preference program and wishes to take advantage of it, the *Bidder Declaration (GSPD-05-105)* form (Attachment 5) must be completed accordingly and included in the proposal submission.

### **5.3 Disabled Veteran Business Enterprise Incentive**

A five percent (5%) scoring preference is available to DVBE Proposers who are certified by DGS OSDS. To be eligible for the preference, a Proposer must meet one of the following criteria:

1. Currently certified by DGS OSDS as a DVBE; or
2. Applied for a DGS OSDS DVBE certification by 5:00 p.m. on the proposal due date and was certified before the Notice of Intent to Award date in Section 1.2 above.

If the Proposer is currently certified, a copy of the certificate or the approval letter from DGS OSDS must be included in the proposal submission.

The DVBE incentive increases the score of a DVBE Proposer by adding five percent (5%) of the total points available, including cost proposal points. Note: If there is a tie for the highest score between a certified SB Proposer and a certified DVBE Proposer, the contract shall be awarded pursuant to Government Code Section 14838.

If a Proposer is eligible for the incentive program and wishes to take advantage of it, the *Disabled Veteran Business Enterprise Declarations (STD. 843)* form (Attachment 7) must be completed accordingly and included in the proposal submission.

### **5.4 Programs for Non-Small Businesses with Subcontractors**

This RFP does not require Proposers to meet a minimum SB, MB, or DVBE participation percentage or goal. Participation in these programs is optional. However, if non-SB Proposers use subcontractors, they are encouraged to subcontract with SBs, MBs, and DVBEs.

### 5.4.1 Small Business Subcontractor Preference

A five percent (5%) scoring preference is available to non-SB Proposers committing to twenty-five percent (25%) participation by SB and/or MB subcontractors that are certified by DGS OSDS. To be eligible for the preference, a non-SB Proposer must list the certified SB(s) and/or MB(s) that will be subcontracted if the Proposer is selected for the contract award, and the total value of the SB and MB subcontracts must be at least twenty-five percent (25%) of the total cost proposal. Each SB or MB subcontractor listed must meet one of the following criteria:

1. Currently certified by DGS OSDS as a SB or MB; or
2. Applied for a DGS OSDS SB or MB certification by 5:00 p.m. on the proposal due date and was certified before the Notice of Intent to Award date in Section 1.2 above.

If the subcontractor is currently certified, a copy of the certificate or the approval letter from DGS OSDS must be included in the proposal submission.

When a non-SB Proposer earns the highest evaluated score, the SB subcontractor preference increases the score of an eligible non-SB Proposer by adding five percent (5%) of the points earned by the non-SB Proposer with the highest score. Note: Application of the SB subcontractor preference shall not remove the contract award from a certified SB or MB Proposer in favor of a non-SB Proposer.

If a subcontractor is eligible for the preference program and the non-SB Proposer wishes to take advantage it, the Proposer must complete the *Bidder Declaration (GSPD-05-105)* form (Attachment 5) accordingly and include it in the proposal submission.

### 5.4.2 Disabled Veteran Business Enterprise Subcontractor Preference

A scoring incentive of up to five percent (5%) is available to non-DVBE Proposers committing to a percentage of participation by DVBE subcontractors that are certified by DGS OSDS. The participation incentive amounts are shown in the table below.

**Table 6. DVBE Participation Incentives**

<b>Committed DVBE Participation</b>	<b>DVBE Incentive Amount</b>
5% or more	5% (maximum)
4% to 4.99%	4%
3% to 3.99%	3%
2% to 2.99%	2%
1% to 1.99%	1%

To be eligible for the incentive, a non-DVBE Proposer must list the certified DVBE(s) that will be subcontracted if the Proposer is selected for the contract award, and the

total value of the DVBE subcontracts must be at least one percent (1%) of the total cost proposal. Each DVBE subcontractor listed must meet one of the following criteria:

1. Currently certified by DGS OSDS as a DVBE; or
2. Applied for a DGS OSDS DVBE certification by 5:00 p.m. on the proposal due date and was certified before the Notice of Intent to Award date in Section 1.2 above.

If the subcontractor is currently certified, a copy of the certificate or the approval letter from DGS OSDS must be included in the proposal submission.

The DVBE subcontractor incentive increases the score of an eligible non-DVBE Proposer by adding between one and five percent (1%-5%) of the total points available, including cost proposal points. Note: Application of the DVBE subcontractor preference shall not remove the contract award from a certified DVBE Proposer in favor of a non-DVBE Proposer.

If a subcontractor is eligible for the incentive program and the non-DVBE Proposer wishes to take advantage of it, the Proposer must complete the *Disabled Veteran Business Enterprise Declarations (STD. 843)* form (Attachment 7) accordingly and include it in the proposal submission.

## 5.5 Target Area Contract Preference Act

This RFP does not include Target Area Contract Preference Act (TACPA) preferences. However, during the RFP process, Proposers may apply for the preference. When doing so, Proposers are encouraged to review their request documentation carefully to ensure that their submissions conform to the preference program's requirements. More information is available at <http://www.pd.dgs.ca.gov/disputes/default.htm>.

If the Proposer is eligible for the preference program and wishes to take advantage of it, the Proposer must complete the *Target Area Contract Preference Act Preference Request for Goods and Services Solicitations (STD. 830)* form (Attachment 8) and the *Bidder's Summary of Contract Activities and Labor Hours (DGS/PD 526)* form (Attachment 9) and include them in the proposal submission.

## 6. ATTACHMENTS

The attachments listed below have been provided to potential Proposers by Covered California and are hereby incorporated into this RFP.

Table 7. Required Attachments

Number	Name
1	Proposal Cover Page
2	Payee Data Record (STD. 204)

Number	Name
3	Contractor Certification Form
4	Statement of Economic Interests Certification
5	Bidder Declaration (GSPD-05-105)
6	Administrative Requirements Checklist

**Table 8. Optional Attachments**

Number	Name
7	Disabled Veteran Business Enterprise Declarations (STD. 843)
8	Target Area Contract Preference Act Preference Request for Goods and Services Solicitations (STD. 830)
9	Bidder's Summary of Contract Activities and Labor Hours (DGS/PD 526)

## 7. MODEL CONTRACT WITH EXHIBITS

The model contract and exhibits listed below have been provided to potential Proposers by Covered California and are hereby incorporated into this RFP.

### 1. Model Contract

A Standard Agreement (STD. 213) form will be the cover and signature page for the contract.

### 2. Exhibits

- a. Exhibit A – Scope of Work
- b. Exhibit A, Attachment 1 – Work Authorization
- c. Exhibit B – Budget Detail and Payment Provisions
- d. Exhibit B, Attachment 1 – Cost Worksheet
- e. Exhibit C – General Terms and Conditions
- f. Exhibit C, Attachment 1 – Resumes
- g. Exhibit D – Privacy Addendum
- h. Exhibit E – Supplemental Privacy and Security Requirements