



**Request for Proposal  
RFP 2021-04: Public Relations Services**

**Release Date:  
Addendum # 1 – November 4, 2021**

<b>Document</b>	<b>Section(s)</b>	<b>Changes</b>
RFP 2021-04	Key Action Dates – page 4	Stages 1 and 2 Proposal due date and time changed.

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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 1.4 below.

### 1.2 Purpose

The purpose of this RFP is to solicit proposals from qualified, high-caliber public relations agencies to serve as Covered California's public relations contractor of record. The selected contractor will collaborate with Covered California to create public relations strategies and campaigns, based on the attached Scope of Work in Exhibit A, that build on the strengths and strategies of Covered California's current public relations efforts and that introduce new, creative ideas to promote Covered California's offerings to maximize health insurance enrollment and retention; promote a positive brand image with the public and targeted audiences; and generate third-party validation through effective earned media relations.

### 1.3 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>September 27, 2021</b>
<b>RFP Questions Due Date and Time:</b>	<b>October 7, 2021 by 2:00 PM</b>
<b>Responses to Questions Posted By:</b>	<b>October 14, 2021</b>
<b>Stages 1 and 2 - Administrative Requirements Minimum Qualifications and Technical Proposal Due</b>	<del><b>November 11, 2021 by 2:00 PM</b></del> <b>November 12, 2021 by 12:00 PM</b>
<b>Stage 3– Notification of Assignment to Stage 3</b>	<b>November 23, 2021</b>
<b>Stage 3 – Agency Presentations</b>	<b>Week of December 13, 2021</b>
<b>Notice of Intent to Award:</b>	<b>Week of December 27, 2021</b>
<b>Anticipated Contract Term:</b>	<b>March 1, 2022 to March 30, 2025</b>

## 1.4 Contact

For questions regarding this RFP, contact Covered California via email at [HBEXSolicitation@covered.ca.gov](mailto:HBEXSolicitation@covered.ca.gov) with "RFP 2021-04" in the subject line. The Covered California contact for this solicitation is John Chermesino.

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

## 1.5 Contract Term

The initial term of the contract shall be for three (3) years, from March 1, 2022 to March 30, 2025; however, the contract term 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.

## 1.6 Contract Amount

Proposal submissions shall not exceed \$7,500,000.00 in total proposed costs. Proposals that exceed this amount will not be considered for selection. It is expected that the approved funding for the contract will not exceed \$2,500,000.00 per year for the term of the contract, including any extensions of the term.

Covered California maintains a goal to employ public relations services that maximize value and cost-effectiveness to meet its goals and objectives. On an annual basis, Covered California will determine the budget allocated for public relations services performed by Contractor that will enable Covered California to meet its public relations goals and objectives for the year. The budget shall not exceed \$2,500,000 per year for the term of the contract, including any extensions of the term as outlined in Section 1.7, and may be proactively adjusted downward in any year of the contract, dependent on Covered California's public relations goals. While the budget will not exceed \$2,500,000 per year, total spending on these services will be limited by the winning Proposer's cost proposal

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.

## 1.7 Contract Amendment

Covered California may, at its sole discretion, extend the term of the contract for three (3) additional one-year terms not to exceed \$2.5 million per year. The total number of contract years shall not exceed six (6) 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.

## **1.8 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 1.3. Only questions sent to the email address provided in Section 1.4 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.

## **1.9 Submission of Proposals**

1. **Proposers' Cost:** Costs for developing proposals and attending Proposers' Conferences are entirely and solely the responsibility of the Proposer and are not chargeable to Covered California.
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.
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.

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 1.4 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.
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.
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 Scope of Work (SOW) and 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 a proposal package that contains 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 2021-04" in the subject line. Proposals must be provided in a searchable text format (e.g., Microsoft® Word®, searchable Adobe® PDF) and free of any password or encryption protection. Hard copy proposals will not be accepted and will be deemed non-responsive.

### 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.

### 2. Narrative Format

- a. Narrative portions of proposals should be prepared to 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. Expensive bindings, colored displays, promotional materials, etc., are not necessary nor desired.
- b. 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.

### 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. However, extensive or significant changes or exceptions to the Model Contract 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®. All Model Contract changes or exceptions must be included in the proposal package at the time of submission. No additional changes or exceptions may be presented during contract negotiations. Covered California reserves the right to reject all changes and exceptions in the proposal package.

#### 1.11 Covered California's Rights

## 1. Verification of Proposer Information

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

- i. 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,
  - ii. 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.
2. 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>.
  3. 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 not be considered for award. 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 1.3 Key Action Dates 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:

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

## 1. Non-Responsive Proposals

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

- i. The proposal is received after the exact time and date set forth in Section 1.3 Key Action Dates for receipt of each submission;
- ii. The Proposer fails to meet one or more of the minimum qualifications specified in Section 2, Project Team;
- iii. The Proposer fails to submit or fails to complete and sign any required attachments as instructed in this RFP;
- iv. The proposal contains false, inaccurate, or misleading statements or references;
- v. The Proposer is unwilling or unable to fully comply with Covered California's proposed contract provisions; or
- vi. The Proposer supplies conditional cost information, incomplete cost information, or cost information containing unsigned/uninitiated alterations or irregularities.

## 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:

### a. Corporation in Good Standing

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.

"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.

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.

## b. State Tax Delinquency

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.

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>.

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. 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.

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:

- i. Protester reasonably believes that Covered California has acted in an arbitrary and capricious manner; and/or,
- ii. 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.

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.

#### 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. PROJECT TEAM**

Covered California seeks a team with experience and knowledge of the process 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.

### **2.1 Project Team Minimum Qualifications**

The required minimum qualifications for Proposers include the following:

1. A full-service PR firm with a presence in California; For purposes of this solicitation, a "full-service PR firm" is one that offers the following services at a minimum: account management; public relations research and strategic planning; earned media strategy development and evaluation; planning and execution of media activities; use of digital media strategies; and crisis management and communications.
2. Minimum annual gross billings of at least \$2.5 million in at least two of the past three years prior to 2021; and
3. A minimum of 8 employees employed by the Proposer's California office(s) that will service the Covered California account.

These preliminary eligibility requirements must be certified by the Proposer in Stage 1 as further described in Section 4 (Proposal Submission and Stages).

Any costs incurred by those participating at any stage of the RFP process are the sole responsibility of the Proposer and will not be reimbursed by Covered California.

## 2.2 Project Team Desirable Qualifications

Covered California seeks Proposers with dynamic, full-service, and leading-edge capabilities in all of the following areas:

- Strategic Planning
- Account Management
- Event Planning and Execution
- Media Relations
- Material Development
- Crisis Communication
- Development and utilization of social and digital media
- Media and engagement strategies to reach California's ethnically diverse populations

The following qualifications are strongly desired by Covered California:

- Ability to create local, regional, statewide, and national public relations strategies, based on the attached Scope of Work, which builds upon the strengths and strategies of Covered California public relations projects.
- Ability to provide creative and innovative strategies to advance Covered California's earned media efforts and promote enrollment and retention.
- Ability to help clients obtain earned media coverage by general and targeted-segment media to reach target populations including LatinX, African American, AAPI, and LGBTQ+ audiences ages 18 to 64 with and without insurance.
- Knowledge of recent health care policy dynamics at state and federal levels; sensitivity to the politically dynamic health care policy environment; and ability to advise Covered California on message development to policy-oriented audiences.
- Ability to leverage stakeholders and external partners to advance Covered California's public relations activities, and to engage third parties in media and engagement efforts.
- Ability to integrate media and public relations efforts with other Covered California-funded projects, including marketing, outreach, and sales campaigns.
- Excellent project management skills; extensive experience working with California's diverse markets and populations; and ability to effectively utilize media relations and communications to advance Covered California priorities.

- Capability to plan, execute, and support a wide range of public relations activities in virtual and in-person environments.
- Capability to provide: training, at least annually, relative to the public relations and media landscape and emerging trends; crisis communications; media interview training, and other training topics as requested by Covered California and mutually agreed to by Covered California and Contractor.
- Capability and willingness to transfer knowledge to Covered California and its staff to support continuous client growth and to build on Covered California's ability to perform a wide range of public relations activities in-house.

### 2.3 Subcontractors

Given California's rich diversity, Covered California places great emphasis on multicultural, multi-ethnic, and multi-lingual public relations strategies that maximize reach to targeted populations, including LatinX, African American, Chinese, Korean, Vietnamese, other AAPI communities, and the LGBTQ+ market. Successful Proposers will have the capability to create, support, and execute earned media and public relations strategies reaching these populations, and all elements outlined in the Scope of Work. If the Proposer does not have full-service capabilities to effectively achieve all components of the Scope of Work, **they are required** to identify potential Subcontractors to do so. Each proposed Subcontractor must complete and sign the proposed Subcontractor Fact Sheet, Attachment 13.

Covered California reserves the right to deny any or all Subcontractors proposed by the selected Contractor. Posting the "Notice of Intent to Award" does not imply Covered California's approval of proposed Subcontractors.

If a proposed Subcontractor is denied, or if the selected Contractor does not demonstrate the capability to address a specific target population to the satisfaction of Covered California, the Proposer may be required to procure a Subcontractor or consultant through a separate competitive process.

### 2.4 Reassignment of Personnel

1. The Contractor shall not reassign nor substitute personnel assigned to the contract during the contract term without prior written approval of Covered California. If a Contractor employee is unable to perform duties due to illness, resignation, or other factors beyond the Contractor's control, the Contractor shall make every reasonable effort to provide suitable substitute personnel.
2. Substitute personnel shall not automatically receive the hourly rate of the individual or position being replaced. Covered California and the Contractor shall negotiate the hourly rate of any substitute personnel to the contract. The hourly rate

negotiated shall be dependent, in part, on the experience and individual skills of the proposed substitute personnel; however, the negotiated rate shall not exceed the hourly rate stated in the contract.

3. Covered California reserves the right to require a Contractor employee to be removed from performing any work on the contract and on written notice to the Contractor, the Contractor shall assign an acceptable substitute employee.

### **3. SCOPE OF WORK**

#### **3.1 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).

Covered California is the state's health insurance marketplace under the ACA and has enrolled California consumers into health coverage since it opened its doors in 2014. Its mission is to increase the number of insured Californians, improve health care quality, lower costs, and reduce health disparities through an innovative, competitive marketplace that empowers consumers to choose the health plan and providers that give them the best value. Covered California's core goals and objectives of Covered California are to:

- Reduce the number of uninsured Californians by operating an organized, transparent marketplace for Californians to purchase affordable, quality health care coverage to claim available federal tax credits and cost-sharing subsidies, and avoid the state's individual mandate penalty for not having qualified health insurance.
- Strengthen the health care delivery system; expand coverage and access to care; improve health care quality; promote health equity; and reduce health disparities;
- Serve as an active purchaser, including creating competitive processes to select participating health insurance carriers and other contractors;
- 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
- 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 other state agencies, including:

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 California Public Employees Retirement System (CalPERS) which administers health benefits for more than 1.5 million public employees and their families.
3. The two agencies that regulate health insurance in California, the Department of Managed Health Care and the Department of Insurance;
4. The Franchise Tax Board which administers the state's health insurance individual mandate penalty; and,
5. The Employment Development Department which administers unemployment insurance benefits to Californians who have lost employment, and potentially employer-sponsored health insurance.

Covered California works closely with a broad range of stakeholders including policymakers, consumer advocates, licensed health insurance agents, health care providers, and others. Covered California also contracts with 11 health insurance carriers to provide health insurance, creating a stable marketplace where consumers can choose plans that provide them the best value and service.

California embraced the ACA. Through the establishment of Covered California and expansion of the state's Medicaid program, California has made tremendous progress in reducing the number of uninsured Californians to record lows. Since the launch of the ACA, California experienced the nation's largest drop in the rate of uninsured. Since 2013, more than 4.7 million Californians have gained coverage through Covered California, and millions more through Medi-Cal.

Covered California conducts a major open enrollment campaign every year to promote enrollment in health insurance. During open enrollment, every eligible Californian can enroll into individual market insurance. Covered California also promotes enrollment during the "special enrollment period," where consumers who experience specific "qualifying life events" can enroll outside of the open enrollment period. Maximizing enrollment is essential to reducing the number of uninsured in California, as well as maintaining a healthy mix of enrollees to keep insurance premiums low as possible.

Over the years, the ACA has been subject to intense political debate, including an unsuccessful Congressional attempt to repeal and replace the law in 2017, and numerous actions by the prior Congress and federal administration that depressed enrollment into ACA marketplaces throughout the nation, including eliminating funding for marketing and community-based outreach, zeroing out the federal individual mandate penalty, eliminating funding for cost-sharing subsidies, and promoting non-ACA-compliant health insurance. As a state-based marketplace, Covered California was able to chart its own course, and with leadership and support from the governor, the state legislature, and its many stakeholder partners, Covered California was able to maintain strong, stable enrollment despite these federal actions. Covered California maintained robust investments in marketing and outreach, and the state implemented

state-funded health insurance subsidies and a state-level individual mandate penalty which resulted in a 40 percent increase in new enrollment and contributed to premium increases of less than one percent in 2020 and 2021.

The COVID-19 pandemic brought an unexpected and unprecedented public health and economic crisis to California and the nation. In response to the pandemic, Covered California opened a special enrollment period in March 2020 allowing any eligible Californian to sign up for health insurance through Covered California. In light of the economic recession spurred by the pandemic, Covered California also established new qualifying life events specific to Californians who lost jobs or income to ensure those affected by the pandemic and recession had access to Covered California plans. Covered California made additional marketing investments to inform newly unemployed Californians about affordable, quality insurance options available through Covered California and that financial help to pay for insurance is available.

In November 2020, Covered California launched its annual open enrollment campaign amid the pandemic, continuing heavy marketing and deploying a robust earned media campaign garnering statewide media coverage promoting critical messages related to the importance of health insurance; the risk of going uninsured during a health crisis; and the availability of financial help to bring health insurance within financial reach. Covered California launched a major mask campaign, deploying Covered California masks emblazoned with the words “Get Covered, Stay Covered” to promote the vital message of protection from the pandemic, and the importance of getting and staying covered by health insurance. The Covered California masks were provided to all enrollees, federal and state policymakers, over 10,000 Covered California certified enrollers, a wide variety of stakeholders, and physicians and clinicians throughout the state who wore the masks to promote coverage and public health.

Covered California also helped spearhead a national campaign, Get Covered 2021, to amplify messages throughout the nation about having access to care and coverage – particularly in a pandemic. The campaign was co-chaired by Covered California’s executive director and was supported by a coalition of more than 100 of the nation’s leading health organizations, community groups, states, celebrities, and professional athletes.

Covered California entered 2021 with a record-high 1.6 million Californians signed up for coverage. This new enrollment record was 200,000 enrollees higher than the same period the previous year. Additionally, with a new federal administration in place, actions have been taken to build on the ACA in ways that make health insurance through Covered California more affordable than ever before. The recently enacted federal American Rescue Plan provides new, more generous federal premium subsidies ensuring that no one pays more than 8.5 percent of their income on health coverage and providing financial help to more middle-income Californians than ever before. Covered California continues to promote the new American Rescue Plan subsidies to ensure all eligible Californians enroll in coverage and maximize their savings.

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).

### **3.2 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.

### **3.3 Contract Completion Criteria**

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

### **3.4 Deliverable Acceptance Criteria**

All proposed work must be submitted to Covered California for review and approval. Payment for all tasks performed under the contract will be based on completed and approved deliverable. Covered California will determine whether any tasks are successfully completed and acceptable.

Throughout the contract term, Covered California will validate the services performed and approve any invoices submitted by the Contractor. Covered California reserves the right to review payments to designated subcontractors to ensure compliance with applicable contractual and legal requirements.

### **3.5 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, and Contractor shall be available on an as-needed basis outside of normal business hours, including evenings and weekends.
2. Overtime rates will not be reimbursed under the contract.
3. Travel reimbursements will be determined and approved by Covered California representatives. Any and all travel that Contractor wishes to be reimbursed for must be pre-authorized pursuant to Model Contract Exhibit E – Travel Reimbursement.
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.

### **3.6 Payment and Invoicing**

If the collection of fees assessed from Qualified Health Plans (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.

## **4. REQUIRED PROPOSAL SUBMISSION CONTENT**

Proposal submissions must include content for the following categories, which are described in detail in the sections below.

- Administrative Requirements
  - Required attachments
  - Required documents
  - Updated Model Contract with Exhibits
- Technical Requirements
  - Understanding and Approach
  - Corporate Qualifications Summary
  - Project Team Qualifications
    - Resumes
  - Past Projects Completed
  - Project Assumptions
  - Cost Proposal

### **4.1 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).

### **4.2 Stage 1 - Administrative Requirements and Minimum Qualifications**

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

#### 4.2.1 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 and shall be submitted as a PDF.

- i. The *Proposal Cover Page* form (Attachment 1) completed and signed;
- ii. The *Payee Data Record (STD. 204)* form (Attachment 2) completed and signed;
- iii. The *Contractor Certification Form* (Attachment 3) completed and signed;
- iv. The *Statement of Economic Interests Certification* form (Attachment 4) completed and signed;
- v. The *Bidder Declaration (GSPD-05-105)* form (Attachment 5) completed and signed;
- vi. The *Proposal Checklist* form (Attachment 6) completed.
- vii. The *DVBE Declarations (STD. 843)* form (Attachment 7), if applicable, completed.
- viii. The *TACPA Request (STD. 830)* form (Attachment 8), if applicable completed.
- ix. The *TACPA Bidder's Summary (DGS-PD 526)* form (Attachment 9), if applicable, completed.
- x. *There is no Attachment 10 in this RFP*
- xi. The *Bankruptcy and Litigation Disclosure* form (Attachment 11) completed.
- xii. The *Public Relations Bidding Agency Fact Sheet* (Attachment 12) completed.
- xiii. The *Proposed Subcontractor Fact Sheet* (Attachment 13) completed.
- xiv. The *Proposed Account Staffing Chart* (Attachment 14) completed.
- xv. The *Client References* form (Attachment 15) 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 Disabled Veteran Business Enterprise (DVBE) incentive and/or the TACPA preference (see Section 6, Preference and Incentive Programs), the following optional attachments must also be included, as applicable:

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

#### 4.2.2 Required Documents

Proposals must include the following required insurance documents:

- i. A Certificate of Liability Insurance equal to or greater than \$1,000,000;
- ii. Proof of Workers' Compensation Liability Insurance; and,
- iii. 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.

If the Proposer cannot include a Certificate of Liability Insurance and/or a Certificate of Automobile 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 both 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 both 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:

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

#### **4.2.3 Updated Model Contract with 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 a revised Exhibit A – Scope of Work with suggested 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 a revised Exhibit B – Budget Detail and Payment Provisions with suggested tracked changes in Microsoft® Word®.
3. Using the Model Contract Exhibit C – General Terms and Conditions provided, include a revised Exhibit C – General Terms and Conditions with suggested tracked changes in Microsoft® Word®.

Covered California's Model Contract also includes Exhibit D – Privacy Addendum and Exhibit E – Travel Reimbursement. Covered California cannot accept significant changes to any exhibit and may deem the Proposal to be nonresponsive if any

proposed changes materially alter the contractual relationship between parties or otherwise violate federal or state laws. Submission of Model Contract exhibits without suggested tracked changes will constitute acceptance by the Proposer of the exhibits as drafted.

### **4.3 Stage 2 - Technical Requirements and Agency Presentation**

To be deemed responsive and responsible, Proposers must comply with the Technical Requirements in this section.

#### **4.3.1 Understanding and Approach**

Proposers must provide a narrative description of their understanding of the project's goals, emphasizing their understanding of the objectives and the major activities that must be performed to complete the work. Proposers should discuss their strategy for providing the services outlined in the SOW within the time period allocated and provide a table showing hours per week by person for the entire contract term. Proposers should also include their expectations of all entities outside their own project team, if any, and provide any assumptions used to develop the response.

(No more than four (4) pages.)

#### **4.3.2 Corporate Qualifications Summary**

Covered California seeks a Proposer with significant corporate capacity to respond to Covered California's needs for the duration of the contract, to support a high degree of qualified staff continuity, and to maintain a consistently high level of individual team member performance.

Proposers must narratively describe their overall capability and available resources and provide specific examples, as these factors relate to the general requirements set forth in Model Contract Exhibit A – Scope of Work, including the following:

- i. Strengths – Describe your agency's strengths during the past three years, including accomplishments, unique services, account leadership, and experience working on accounts of similar size or scope.
- ii. Agency experience. Describe your agency's full-service capabilities and experience as a lead agency. Full-service capabilities description should include but not be limited to account management; public relations research and strategic planning; earned media strategy development and evaluation; planning and execution of media activities, use of digital media strategies; crisis management and communications.

Also describe your agency's experience in creating annual public relations plans and campaigns, including the steps your agency takes to create the plan, the

client's involvement, how results are measured, and how this experience may be relevant to Covered California.

- iii. Multicultural and ethnic experience. Describe your agency's experience and expertise, or that of your proposed subcontractors, at successfully reaching multicultural or ethnically diverse media outlets and communities. Please include research, planning, execution, and evaluation processes as they relate to client needs and objectives. If your agency does not have such experience in-house, or if in-language experience is limited, describe how your agency would ensure that expertise to address targeted ethnic markets to meet contract requirements. Emphasis should be placed on Spanish- and Asian-language (including, but not limited to, Korean, Chinese, and Vietnamese), African American, and LGBTQ+ audiences. Provide examples of successfully engaging with these specific communities.
- iv. Describe your agency's experience performing the services outlined in the Scope of Work, including the total number of years the Proposer has been providing these services.

(No more than five (5) pages.)

### **4.3.3 Project Team Qualifications**

Covered California seeks a team of highly-qualified senior staff to provide high-level support services as required by the Model Contract. Technical and skill-based staff may also be necessary to fulfill the Scope of Work. Please carefully review Exhibit A for any requirements related to the project team and staffing.

Proposers must narratively describe the qualifications of each member of the proposed project team and identify the role each member is expected to have, including the experience, education, knowledge, and skills each possesses as they relate to the proposed role. In addition, Proposers must identify the key staff who will be the points of contact for Covered California and indicate the percentage of time that staff will be dedicated to the work detailed in Model Contract Exhibit A – Scope of Work.

(No more than five (5) pages.)

#### **4.3.3.1 Resumes**

Proposers must provide a resume of the relevant experience held by each proposed project team member. For each experience cited on a resume, the information must include the following:

- i. The total duration (i.e., the start month and year, the end month and year, and the total number of years and months); and,

- ii. A description of specific experience (i.e., a complete description of the relevant experience, including identification of the client, name of the project, roles and responsibilities of the individual, and types of services provided by the individual).

When preparing resumes for submission, Proposers should only include the individual work experiences that are most relevant to this RFP. Work experiences that are not relevant to this RFP will not be considered by Covered California in determining whether the Proposer is responsible.

#### **4.3.4 Past Projects Completed**

Proposers must narratively describe up to five (5) projects they have completed in the past two (2) years by the California-based office that relate to the tasks listed in Model Contract Exhibit A – Scope of Work.

(No more than five (5) pages.)

#### **4.3.5 Proposed Projects Based on Budget Allocation**

Given Covered California’s overarching goal of a high-value, cost-effective public relations program, Proposers must describe their proposed strategies and tactics for public relations services under varying budget allocations. Proposers shall provide a narrative description of sample consumer-focused public relations strategies and tactics to effectively reach a statewide audience that are scaled to a specific budget. Proposer must provide one set of sample public relations strategies and tactics based on a one-year budget of up to \$2,500,000, and one set of sample public relations strategies based on a one-year budget of up to \$1,000,000.

Proposers shall reference the Scope of Work when formulating the sample strategies and tactics but are not required to include all elements of the Scope of Work. The sample strategies and tactics must include comprehensive earned media strategies and tactics targeting general market media, and targeted segment ethnic media. Proposers may offer a past project as sample strategies and tactics if the Proposer believes that the past project adequately represents consumer-focused strategies and tactics to reach a statewide audience. Any past projects used to demonstrate the required sample public relations strategies and tactics must meet the budget parameters set forth in this section.

(No more than four (4) pages)

#### **4.3.6 Public Relations Agency Fact Sheet**

Proposers must complete and sign the “Public Relations Bidding Agency Fact Sheet” Form (Attachment 12). Each proposed Subcontractor shall complete and sign the “Proposed Subcontractor Fact Sheet” Form (Attachment 13.)

### 4.3.7 Project Assumptions

Proposers must document any assumptions they are making about the SOW, the responsibilities of the Contractor and Covered California, and any other issues relevant to proposal submission in response to this RFP and the ability to do the work for the proposed cost.

(No more than two (2) pages.)

### 4.3.8 Cost Proposal

Proposers must state the total dollar amount of their cost proposal for the entire contract where indicated on the *Proposal Cover Page* (Attachment 1). 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.

## 4.4 Stage 3 - Agency Presentation

Based on Covered California's review and scoring of the submitted technical proposals, a maximum of three (3) Proposers will advance to Stage 3. Proposers who move on to Stage 3 will be contacted to schedule a time and date for a virtual oral presentation on dates specified in Section 1.3 - Key Action Dates. A general overview of the structure and expectations of the Presentation is provided in Section 4.4.1 below.

Covered California will provide additional details for the following items to Proposers advancing to Stage 3. Stage 3 will include evaluation of:

1. Agency Presentation

### 4.4.1 Agency Presentation Attendance and Duration

All requirements for the Stage 3 presentation are detailed below. Every individual from the Proposer's agency assigned to the account must attend the presentation. The time limit for each presentation is 2 hours and 30 minutes. At least 15 minutes must be allotted for a break at the mid-point of the presentation, and 30 minutes must be allotted at the end for the Covered California Evaluation Team to ask questions. Time limits will be strictly adhered to, and it is the responsibility of the Proposer to monitor its time accordingly.

At least one representative (but no more than two) from each proposed Subcontractor who will perform any services under the contract must attend.

#### 4.4.1.2 Agency Presentation Overview

Provide a brief presentation that highlights the capacity and working style of the agency's California-based office(s), particularly focusing on those who would lead or

interact with Covered California or be assigned to the account. Proposed team members should provide an understanding of the agency's strategic and creative public relations capabilities and earned media experience; digital public relations experience, with emphasis on social media; and multi-cultural and multi-ethnic public relations experience. In addition, the agency's philosophy, specific strengths, and collaboration style with the client and their subcontractors should be discussed.

#### **4.4.1.3 Case History Presentation**

Select one recent public relations campaign with a multi-cultural focus that a California-based team designed and implemented. Present the details from beginning to end. The presentation must, at a minimum, include:

- a. Timeline and process, including details on planning, goals, and objectives. Note whether the campaign was proactive or reactive.
- b. Campaign budget amount, and any other relevant funding considerations undertaken to implement the campaign.
- c. Key facts from public relations research and analysis.
- d. Identification of target markets (including approximate audience size), age, range, socioeconomic status, language, culture/ethnicity, and geographic location. Include how messages were tailored and delivered to the target audience(s) and why.
- e. Challenges, other considerations, and relevant details, (e.g., detailed budget, timeline, competition, organizational and background research, environmental constraints, and level of client involvement).
- f. How the campaign results were measured what results were achieved, and how those results impacted your client's business objectives.
- g. Current agency staff who worked on this campaign and their roles.

#### **4.4.1.4 Public Relations Assignment**

An assignment to address specific challenges or issues that Covered California faces will be sent separately to all Proposers that advance to Stage 3. Proposers may be asked to present potential strategies and messages that demonstrate their ability to communicate complex information effectively in a dynamic, fast moving external environment. Proposers may be asked to discuss the assignment during its Presentation.

#### 4.4.1.5 Account Staff Proposal

For the Proposer and any proposed Subcontractors, provide a written response to the following items. These responses must be included with the presentation materials requested above and do not need discussed during the presentation:

- a. Organizational and Staff Structure: Provide a one-page visual layout of the agency's organizational and staff structure for the office(s) that would service the account. Include the total number of current full-time account employees in your California office(s). Include photos of those who would service the account and their titles.
- b. Primary Account Staffing Summary: Complete the "Proposed Account Staffing Chart" (Attachment 14), not to exceed two pages, identifying the proposed primary day-to-day account staff who will be assigned to the Covered California account. Include the total number of current full-time account employees in the California office(s). Please include a photo of each proposed account staff member with the name and title, as well as those of others who will be present during the agency presentation. Include the following information for the proposed account staff:
  - i. Brief description of duties as related to the Covered California account;
  - ii. Proposed percentage of time to be dedicated to the Covered California account;
  - iii. Highlight the day-to-day lead account staff member and their duties;
  - iv. Specific training or expertise that is relevant and would be helpful to the Covered California account;
  - v. Identify any vacancies or positions which would be filled or created upon award of the Covered California account. Specify the percentage of time each position would be dedicated to the Covered California account.
- c. Client References (two pages maximum). Complete the "Client References" Form (Attachment 15) to be included with the presentation materials requested above, but not to be presented during the presentation.

#### 4.4.1.6 Cost Proposal

Proposers must state the total dollar amount of their cost proposal for the entire contract where indicated on the *Proposal Cover Page* (Attachment 1). 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.

- a. Expenses for all items in this section shall **not** be billed to Covered California:

1. Administrative overhead including billing and budgeting.
  2. Travel time to and from local meetings unless approved in writing.
  3. Bid procurement and bid evaluation for consultants, vendors, or subcontractors.
  4. Coordination of schedule availability involving agency, Covered California, consultants, vendors, or subcontractors, including creation of meeting appointments.
  5. Recurring communication expenses including business phone, employee cell phones, fax expenses, and photocopies.
  6. Legal services for review of contract terms or subcontracts.
- b. Expenses for items in this section shall be billed to Covered California at an administrative rate of no more than \$100 per hour:
1. Work order narrative preparation and summary reports of annual activity or other compilations requested.
  2. Extraordinary travel time exceeding one hour each way, upon advance approval.
  3. Vendor and subcontractor supervision and coordination of activities.
  4. Attendance at approved Covered California meetings or conferences where significant participation is not required.
  5. Intern-level staff work.
  6. Development of status reports.
  7. General and/or reoccurring internal briefings and prep meetings within the agency.
  8. Other work as requested by Covered California to be billed at the administrative rate, which could include development of media lists, project activity reports, or other administrative tasks.
- c. Items in this section shall be reimbursed at net cost:
1. Authorized travel expenses at state rates.
  2. Sales taxes and other applicable taxes.
  3. Shipping, messenger service, and postage.
  4. External costs for development research.
  5. External costs for producing videos or other public relations materials for press events, or other activities.
  6. Other outside vendor arrangements, including subscriptions or other arrangements agreed to by Covered California.
  7. Production of materials for press events and activities.
- d. Embedded Onsite Staff

If Covered California requires embedded onsite staff as outlined in the Scope of Work, the Contractor will bill a monthly flat retainer the onsite staff pursuant to an approved work order and reconciled against actual hours worked and hourly rates,

with detail to be provided and approved by Covered California. Covered California shall specify the type embedded staff required based on its needs and determine the amount of the monthly retainer following consultation and mutual written agreement with Contractor. In no event shall Contractor invoice or bill Covered California for costs in excess of the monthly retainer. Covered California reserves the right to request an adjusted retainer amount and corresponding staffing levels with a thirty (30) day notice based on its needs.

#### **4.4.1.7 Professional Hourly Rates and Event Costs**

Proposers must submit one (1) detailed Exhibit B, Attachment 1 – Cost Worksheet to be used for the duration of the contract. Exhibit B Attachment 1 – Cost Worksheet must include the key positions with descriptions and fully loaded hourly rates that will apply to non-embedded public relations services provided during the entire term of the contract pursuant to approved work orders. Exhibit B, Attachment 1 – Cost Worksheet must also include fully loaded hourly rates for services provided by non-embedded staff of any subcontractors used by Proposer to effectuate the contract and meet Covered California’s goals and objectives.

Fully loaded hourly rates should include indirect costs (fringe, overhead, general, and administrative expenses) and any profits or fees. This list will be incorporated verbatim into the contract. Any additional hourly costs, due to promotions during the period from submittal of the cost proposal through the first fiscal year of the contract, shall be borne by the Contractor.

Exhibit B, Attachment 1 – Cost Worksheet must also outline costs related to any potential in-person earned media events Proposer would propose to Covered California as a part of its strategic public relations plan for any given year, and reflect the costs of full-service event planning and management as outlined in the Scope of Work.

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

Covered California will review and score each proposal submission in two phases according to the procedures and criteria set forth below in this section.

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 6, Preference and Incentive Programs).

#### **5.1 Stage One: Administrative Requirements and Minimum Requirements**

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. Proposers who

complete all Administrative Requirements and meet the Minimum Qualifications will continue to be evaluated during Stage 2.

## 5.2 Stage Two: Technical Requirements

The Covered California Evaluation Team will conduct a qualitative review of the technical content of each responsive proposal to determine how responsible each Proposer is by scoring the categories of Understanding and Approach, Corporate Qualifications Summary, Project Team Qualifications, and Past Projects Completed; Project Assumptions will not be scored.

Based on Covered California’s review and scoring of technical proposals, no more than three Proposers will advance to Stage 3. Proposers that do not score high enough to qualify will not be considered for the contract award.

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.

### 5.2.1 Evaluation Categories and Criteria

Proposals containing evidence of extensive previous experience and success in similar complex projects that resembled the SOW of this RFP will receive significant consideration in the evaluation and selection process. The table below shows the evaluation categories in the Stage Two evaluation of each responsive proposal, along with their relative weights and point limits.

Technical Content Evaluation Categories	Weight	Points
1. Narrative Content	55% total	550 total
a. Understanding and Approach	20%	200
b. Corporate Qualifications Summary	10%	100
c. Project Team Qualifications	10%	100
d. Past Projects Completed	15%	150
2. Cost Proposal	30%	300
3. Agency Presentations	15% total	150 total
<b>Combined Total</b>	<b>100%</b>	<b>1000</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. If interviews are conducted, these same criteria will be utilized to score the Proposers who were interviewed.

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

### 5.2.2.1 Understanding and Approach

Scoring of this factor will be based on the Evaluation Team's assessment of the Proposer's understanding of, and insight into, the challenges, issues, and risks faced by Covered California as depicted in Model Contract Exhibit A – Scope of Work, as well as the feasibility, efficiency, and expected effectiveness of the approaches planned by the Proposer to provide assistance to Covered California. Evaluators will assign scores based on the information contained in the Proposer's Understanding and Approach narrative and Work Plan described above in Section 4.3.1. The Evaluation Team will consider the following in descending order of importance:

- i. Quality of the Proposer's approach in addressing the scope of responsibilities and activities, including how the Proposer will provide the flexibility to address issues as they arise while maintaining the expected level of service quality;
- ii. Quality of the Proposer's approach to the early identification of issues and risks, especially how the approach will directly contribute to resolution and mitigation; and
- iii. Demonstrated understanding of the key characteristics of the project in general and Covered California's anticipated project timeline.

### **5.2.1.2 Corporate Qualifications Summary**

Scoring of this factor will be based on the Evaluation Team's assessment of the Proposer's corporate resources, capacity, and historical track record as they relate to the SOW. Evaluators will assign scores based on the Proposer's Corporate Qualifications Summary narrative described above in Section 4.3.2.

### **5.2.1.3 Project Team Qualifications**

Scoring of this factor will be based on the Evaluation Team's assessment of the breadth, depth, and relevance of each proposed team member's experience and credentials. Evaluators will assign scores based on information contained in the Project Team Qualifications narrative and resumes described in Section 4.3.3. The Evaluation Team will consider the following in descending order of importance:

- i. Demonstrated capacity to successfully assume responsibility comparable to that proposed for the individual in the project engagement;
- ii. Demonstrated capacity to perform at a high level in multiple areas of project management;
- iii. General breadth and extent of experience, as indicated by the number of projects and duration of individual involvement in each;
- iv. Relevance of experience as indicated by the scope and subject matter of project experience; and
- v. Relevance of education, training, and certifications.

### **5.2.1.4 Past Projects Completed**

Scoring of this factor will be based on the Evaluation Team's assessment of the breadth, depth, and relevance of the Proposer's past projects compared to the requirements detailed in Model Contract Exhibit A – Scope of Work, as well as corporate resources and capacity as indicated by the characteristics of projects previously completed. Evaluators will assign scores based on information contained in the Past Projects Completed narrative described in Section 4.3.4. Scoring may also be based on the Proposer's performance in past contracts with Covered California.

### **5.2.1.5 Agency Presentation**

After the Evaluation Team has scored each responsive proposal on the four technical content categories above, the three (3) Proposers with the highest scores will be required to give a presentation as discussed in Section 4.4. Scoring of this factor will be based upon the Evaluation Team's assessment of the Proposer's compliance with all the requirements of Section 4.4 and the extent to which the presentation addressed all issues to the Evaluation Team's satisfaction.

### **5.2.1.6 Cost Proposal**

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

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

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.

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

## 6. 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 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.

Proposers understand and agree that, if this Agreement is awarded based in part on their commitment to use a DVBE subcontractor(s) identified in their proposal, then a DVBE subcontractor may only be replaced by another DVBE subcontractor and must be approved by Covered California. This is required by Section 999.5(e) of the Military and Veterans Code. Changes to the Scope of Work that impact the DVBE subcontractor(s) identified in the proposal and approved DVBE substitutions shall be documented by an amendment to the Agreement.

Failure of the Contractor to seek substitution and adhere to the DVBE participation level identified in the proposal may be cause for contract termination, recovery of damages under rights and remedies due to Covered California, and penalties as outlined in Section 999.9 of the Military and Veterans Code.

### **6.1 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.

	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>

## 6.2 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:

- i. Currently certified by DGS OSDS as a SB or MB; or
- ii. 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 1.3 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.

### **6.3 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:

- i. Currently certified by DGS OSDS as a DVBE; or,
- ii. 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.

### **6.4 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.

#### **6.4.1 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:

- i. Currently certified by DGS OSDS as a SB or MB; or,
- ii. 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 1.3 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.

#### 6.4.2 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.

Committed DVBE Participation	DVBE Incentive Amount
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:

- i. Currently certified by DGS OSDS as a DVBE; or,
- ii. 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.

### **6.5 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.

## **7. ATTACHMENTS**

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

### **1. Required Attachments**

<b>Number</b>	<b>Name</b>
1	Proposal Cover Page
2	Payee Data Record (STD. 204)
3	Contractor Certification Form
4	Statement of Economic Interests Certification
5	Bidder Declaration (GSPD-05-105)
6	Proposal Checklist
11	Bankruptcy and Litigation Disclosure
12	Public Relations Bidding Agency Fact Sheet
13	Proposed Subcontractor Fact Sheet

14	Proposed Account Staffing Chart
15	Client References

## 2. Optional Attachments

Number	Name
2a	Payee Data Record Supplement (STD. 205)
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)

## 8. 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

- i. Exhibit A – Scope of Work
- ii. Exhibit B – Budget Detail and Payment Provisions
- iii. Exhibit B, Attachment 1 – Cost Worksheet
- iv. Exhibit C – General Terms and Conditions
- v. Exhibit C, Attachment 1 – Resumes
- vi. Exhibit D – Privacy Addendum
- vii. Exhibit E – Travel Reimbursement
- viii. Exhibit F – Contractor's Release