



# **Request for Proposal**

## **RFP 2024-21: Consumer Research Pool**

### **Addendum #2 – July 14, 2025**

<b>Document</b>	<b>Section</b>	<b>Change</b>
RFP	1.1.3 Key Action Dates	Updated NOI Dates

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## 1. INTRODUCTION

### 1.1.1 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.

### 1.1.2 Purpose

The purpose of this RFP is for Covered California to solicit proposals from qualified Proposers in order to establish a pre-approved contractor pool of qualified research organizations and/or individuals with various specialized areas of expertise from which Covered California will contract with for various research projects. These contractors will be here forward be identified as the “consumer research pool.” Covered California will utilize the consumer research pool to meet changing needs for a broad range of research objectives and goals.

The need for consumer research and evaluation is important as Covered California continues to enhance its critical efforts to better target and engage with potential consumers, learn about our members’ health care and coverage preferences and needs, improve the consumer experience, manage customer satisfaction, increase brand health, and promote services to meet acquisition, retention, and population health goals.

The consumer research pool will consist of contractors who can provide specialized services in one (1) or any combination of the three (3) following Service Areas:

- Service Area 1: Program Evaluation & Research Design
- Service Area 2: Quantitative Research and Analytics
- Service Area 3: Qualitative Research and Analytics

Covered California will utilize the consumer research pool to perform special research projects. When a project need arises, one or more contractors within the pool may be asked to prepare a proposal describing: their understanding of the project, their approach to addressing the scope of responsibilities, methodology and approach of how the project would be executed, timeline to execute the project, relevant experience or expertise, staff that would be assigned to the project, and the fee the contractor would charge for completion of the project.

Covered California will review all requested work proposals submitted and choose a contractor in the consumer research pool based on required expertise, proposed approach, ability to meet proposed timelines, and cost for the work. A Work Order (Attachment 1 to Exhibit A – Sample Work Order) will formalize the terms and conditions of each project assignment.

Covered California may select more than one (1) contractor to be included for participation in each Service Area in the consumer research pool. In order to submit a project proposal for a project within a specific Service Area, the contractor must be included in that Service Area.

If a contractor is selected to be in the consumer research pool for one (1) or more Service Areas, Exhibit A - Scope of Work (SOW) of the Model Contract will be adjusted to only include the Service Areas each successful proposer was awarded to provide.

### 1.1.3 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	
Request for Proposal Release Date:	Friday, May 30, 2025
RFP Questions Due Date and Time:	Wednesday, June 11, 2025, by 2:00 PM
Responses to Questions Posted By:	Friday, June 20, 2025
Proposal Due Date and Time:	Wednesday, July 2, 2025 by 2:00 PM PST
Notice of Intent to Award:	Week of <del>July 28, 2025</del> <b>August 11, 2025</b>
Anticipated Contract Term:	November 1, 2025, to June 30, 2028

### 1.1.4 Contact

For questions regarding this RFP, contact Covered California via email at [HBEXSolicitation@covered.ca.gov](mailto:HBEXSolicitation@covered.ca.gov) with “RFP 2024-21” in the subject line. The Covered California contact for this solicitation is Anita Tsyura.

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

### **1.1.5 Contract Term**

The initial term of the contract shall be for two (2) years and eight (8) months, from November 1, 2025, to June 30, 2028; 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.

### **1.1.6 Contract Amount**

Covered California will award multiple contracts pursuant to this RFP. The total amount for the initial two (2)-year and eight (8)-month term of all awarded contracts is \$16,500,000. It is expected that the approved funding for the contract will not exceed \$5,500,000 per year for the term of the contract, including any extensions of the term. The total contract value will encompass all work performed under various contracts awarded as a result of this RFP in the Service Areas listed in Section 1.2.

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.

### **1.1.7 Contract Amendment**

Covered California may, at its sole discretion, extend the term of the contract for an additional two (2) years for the same services and rates. The total number of contract years shall not exceed four (4) years and eight (8) months.

The parties may increase or decrease funding through an amendment but cannot exceed the amount or rates set by Contractor's proposal. Funding for option 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.

### **1.1.8 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.

### **1.1.9 Submission of Proposals**

1. **Proposers' Cost:** Costs for developing proposals 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 for 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 awarded contract(s), if executed, will be made to multiple proposers. The Scope of Work (SOW) and the selected Proposer's proposal, including proposed cost, will be incorporated by reference into the resulting contract.

#### **1.1.10 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 2024-21" in the subject line. 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. Proposers only need to complete the narrative sections for the Service Areas for which they are proposing to provide services for.
- 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 (1)-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.

All Covered California contract exhibits are considered non-negotiable and are expected to be adhered to as presented. Assumptions, clarifications, modifications or alterations to the Model Contract will not be accepted with final bids, unless a proposer submits comprehensive written justification clearly outlining compelling circumstances that necessitate such changes.

Understanding this, revisions to any of the exhibits must be requested using the Contract Modification Matrix, Attachment A. Requested revisions will be reviewed, and depending on the revisions requested, Covered California will consider how they align with our technical and operational requirements and scoring criteria. It is important to note, requested revisions do not automatically result in a lower score for a bidder.

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.

#### **1.1.11 Covered California's Rights**

##### 1. Verification of Proposer Information

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

- a. 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
- b. 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.

#### **1.1.12 Rejection of Proposals**

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

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

- a. The proposal is received after the exact time and date set forth in Section 1.3 Key Action Dates for receipt of each submission;
- b. The Proposer fails to meet one (1) or more of the minimum qualifications specified in Section 2, Project Team;

- c. The Proposer fails to submit or fails to complete and sign any required attachments as instructed in this RFP;
- d. The proposal contains false, inaccurate, or misleading statements or references;
- e. The Proposer is unwilling or unable to fully comply with Covered California's proposed contract provisions; or
- f. The Proposer supplies conditional cost information, incomplete cost information, or cost information containing unsigned/uninitiated alterations or irregularities.

#### 5. 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:

#### 6. 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.

#### 7. State Tax Delinquency

- a. Covered California will verify with the California Franchise Tax Board (FTB) and California Department of Tax and Fee Administration (CDTFA) that the

Proposer is not on a prohibited list due to tax delinquencies. The proposal will be considered non-responsive if the Proposer is on any of these lists.

- b. The list established by FTB can be found at: <https://www.ftb.ca.gov/about-ftb/newsroom/top-500-past-due-balances/corporate-income-tax-list.html>.
- c. The list established by CDTFA can be found at: <https://www.cdtfa.ca.gov/taxes-and-fees/top500.htm>.

#### 8. Executive Order N-6-22 – Russia Sanctions

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

### 1.1.13 Errors in Proposals

- 1. 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.
  - a. 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.
  - b. Covered California may, in its sole discretion, correct obvious clerical errors.
  - c. A Proposer may modify a proposal after submission by withdrawing its original proposal and resubmitting a new one (1) 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.
  - d. 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.

- e. No oral understanding or contract shall be binding on either party.
- 2. 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.

#### **1.1.14 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:

- a. Protester reasonably believes that Covered California has acted in an arbitrary and capricious manner; and/or
- b. 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 emailed to the email address shown in Section 1.4 above.

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.

#### 1.1.15 Debrief Process

1. Once the contract has been awarded, any bidder can request a debrief of their bid by emailing the BSB contract analyst at [HBEXSolicitation@covered.ca.gov](mailto:HBEXSolicitation@covered.ca.gov). Debriefs will be coordinated with bidders upon request up to **10 business days after the Notice of Intent to Award has been issued**. If a request is received after this date, it will be declined.
2. The Contract Analyst will work with the Evaluation Team to determine which sections of the Evaluation and Selection Report (ESR) will be shared with the requested bidder.
3. A debrief will be presented via written letter, email, phone, or video call (i.e., Microsoft Teams, Zoom, etc.) at the discretion of the Contracts Unit.
4. Per Government Code Section 100508, the debrief will not include the deliberative processes, discussions, communications, any other portion of the negotiations, records that reveal claims data, encounter data, cost detail, information about payment methods, contracted rates paid by qualified health plans to providers, or enrollee coinsurance or other cost sharing that can be used to determine contracted rates paid by plans to providers.

### **1.1.16 Disposition of Proposals**

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

### **1.1.17 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.

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

### **1.1.18 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.

### **1.1.19 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.

### **1.1.20 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.

### **2.1.1 Project Team Minimum Qualifications**

The required minimum qualifications for Proposers include the following:

All required minimum qualifications are outlined in Attachment 9 – Proposer Minimum Qualifications Certification. Please carefully review Attachment 9 to ensure that your organization meets the relevant minimum requirements before submitting a proposal. Failure to meet any minimum qualification will result in disqualification.

### **2.1.2 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**

### **3.1.1 Background**

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

The statute that established Covered California enabled the board to operate the marketplace as an “active purchaser” on behalf of the consumers we serve, enacting patient-centered standard benefit designs and rigorously negotiating with health insurance companies on rates, network composition and delivery system requirements. As an active purchaser, Covered California also holds health insurers accountable to meet consumers' needs, address health disparities and continue to drive to improved quality and equity.



The mission of Covered California 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. The vision of Covered California is to improve the health of all Californians by assuring their access to affordable, high-quality care. Covered California achieves its mission and vision through its six strategic pillars:

- Affordable Choices: we connect consumers to financial assistance and a choice of affordable plans and providers that give them the best value.
- Quality Care: we ensure consumers consistently receive accessible, equitable, high-quality care.
- Organizational Excellence: we foster a nimble culture of continuous improvement that empowers and motivates our team to deliver on our mission with high standards.
- Reaching Californians: we are unwavering in our pursuit to reach Californians and connect them to comprehensive and affordable coverage.
- Catalyst for Change: we pioneer new ideas and disseminate our learning to drive improvements in health care in California and nationally.
- Exceptional Service: we provide the highest level of service and exceed our consumers' expectations.

Covered California is an independent public entity within California State Government. It is governed by a five (5)-member board appointed by the Governor and Legislature.

Covered California works in close partnership with:

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

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

### **3.1.2 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.

### **3.1.3 Contract Completion Criteria**

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

### **3.1.4 Project Assumptions and Constraints**

1. As requested by Covered California, the Contractor's staff must be capable of meeting with Covered California's key staff on-site or via video conferencing. Normal business hours are 8:00 AM to 5:00 PM, Monday through Friday, except for State holidays.
2. Overtime rates will not be reimbursed under the contract.
3. The reimbursement of travel expenses has been approved as outlined in 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.

### **3.1.5 Payment and Invoicing**

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

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

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

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

1. Administrative Requirements
  - a. Required attachments
  - b. Required documents
  - c. Updated Model Contract with Exhibits
2. Technical Requirements
  - a. Understanding and Approach
  - b. Corporate/Organization Qualifications Summary
  - c. Project Team Qualifications
  - d. Project Assumptions
  - e. Cost Worksheet (Exhibit B, Attachment 1)
  - f. Client References (Attachment 8)

### **4.1.1 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).

### **4.1.2 Stage 1 - Administrative Requirements**

To be deemed responsive, Proposers must comply with the Administrative Requirements in this section and will be assessed on a pass/fail basis to verify compliance with all Administrative Requirements. Proposers only need to provide the administrative content required attachments (a-j) listed below in 4.2.1 once regardless of number of Service Areas for which they are proposing to provide.

### **4.1.3 Required Attachments**

1. 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.

- a. The *Proposal Cover Page* form (Attachment 1) completed and signed;
  - b. The *Payee Data Record (STD. 204)* form (Attachment 2) completed and signed;
  - c. The *Contractor Certification Form* (Attachment 3) completed and signed;
  - d. The *Statement of Economic Interests Certification* form (Attachment 4) completed and signed;
  - e. The *Bidder Declaration (GSPD-05-105)* form (Attachment 5) completed and signed;
  - f. The *Proposal Checklist* (Attachment 6) completed; and
  - g. The *Generative Artificial Intelligence Risk Assessment (HBEX 707)* (Attachment 7) completed.
  - h. The *Client References* (Attachment 8) completed and signed.
  - i. Proposer's *Minimum Qualifications Certification Form* (Attachment 9) completed and signed.
  - j. Proposer's Questionnaire (Attachment 10) completed and signed.
2. 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>.
  3. If the Proposer wishes to claim the DVBE incentive and/or the SB preference (see Section 6, Preference and Incentive Programs), the following optional attachments must also be included, as applicable:
    - a. The *Disabled Veteran Business Enterprise Declarations (STD. 843)* form (Attachment 11) completed and signed;
  4. Proposers must complete Attachment 9 for each research Service Area they are proposing to provide. Proposers that fail to comply with any of the Certification's terms may result in disqualification from participation in this RFP solicitation process.

**a. Service Area 1: Program Evaluation & Research Design  
Minimum Qualifications:**

- i. Proposer has a minimum of ten (10) years of experience performing in-depth analysis of health care policy and program evaluation and/or consumer experience research.
- ii. Proposer has a minimum of five (5) years of experience in research design and program evaluation pertaining to administration of public benefits, health care quality, and/or consumer experience outcomes. While the preference is for research pertaining to California residents, research examples that have been done in the United States will be accepted.
- iii. Proposer has at least three (3) separate clients that have utilized proposer's research design, program evaluation, or consumer experience evaluation services. For consumer experience evaluation, projects involving large, diverse groups of consumers, including consumers who do not speak English, are preferred.

**b. Service Area 2: Quantitative Research and Analytics Minimum Qualifications:**

- i. Proposer has a minimum of ten (10) years of experience in the general field of quantitative research;
- ii. Proposer has a minimum of five (5) years of experience conducting quantitative research in domains of health care administration, public health, health and human services public policy implementation, marketing and outreach strategies, consumer/user experience, or related domains;
- iii. Proposer has implemented at least three (3) separate quantitative research projects in domains of health care administration, public health, or health and human services public policy implementation, marketing and outreach strategies, consumer/user experience, or related domains. Experience with projects involving data collection from diverse groups, including consumers who do not speak English, is preferred.

**c. Service Area 3: Qualitative Research and Analytics Minimum Qualifications:**

- i. Proposer has a minimum of ten (10) years of experience in the general field of qualitative research;
- ii. Proposer has a minimum of five (5) years of experience conducting qualitative research in domains of health care

administration, public health, or health and human services public policy implementation, marketing and outreach strategies, consumer/user experience, or related domains;

- iii. Proposer has experience implementing at least twenty (20) separate qualitative research projects;
- iv. Proposer has at least three (3) separate clients that have utilized proposer's qualitative research services;

#### **4.1.4 Required Documents**

1. Proposals must include the following required insurance documents:
  - a. A Certificate of Liability Insurance equal to or greater than \$1,000,000.00;
  - b. Proof of Workers' Compensation Liability Insurance;
  - c. Cyber Liability Insurance
  - d. Proof of Automobile Liability Insurance, including non-owned auto liability, of \$1,000,000.00 per occurrence for persons used by the Contractor for services provided pursuant to this contract; and
  - e. Proof of Professional Liability Insurance.
2. If the Proposer cannot include a Certificate of Liability Insurance and/or a Certificate of Automobile Liability Insurance and/or Proof of Professional 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 (1) 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.
3. If the Proposer organization is incorporated, proof of Active status with the California SOS must be provided in one (1) of the following forms:
  - a. A copy of the Proposer's current Certificate of Status issued by the SOS; or

- b. A copy of the Proposer's Entity Detail page from the SOS's Business Search website (<https://bizfileonline.sos.ca.gov/search/business>).

#### **4.1.5 Updated Model Contract with Exhibits**

1. All Covered California contract exhibits are considered non-negotiable and are expected to be adhered to as presented. Assumptions, clarifications, modifications or alterations to the Model Contract will not be accepted with final bids, unless a proposer submits comprehensive written justification clearly outlining compelling circumstances that necessitate such changes.
2. Understanding this, revisions to any of the exhibits must be requested using the Contract Modification Matrix, Attachment A. Requested revisions will be reviewed, and depending on the revisions requested, Covered California will consider how they align with our technical and operational requirements and scoring criteria.
3. Submission of Model Contract exhibits without suggested tracked changes will constitute acceptance by the Proposer of the exhibits as drafted.
4. 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.

#### **4.1.6 Generative Artificial Intelligence (GenAI)**

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

Proposer must notify the State in writing if their solution or service includes, or makes available, any GenAI including GenAI from third parties or subcontractors.

The State has developed a Generative Artificial Intelligence Risk Assessment (HBEX 707) to be completed by the Proposer.

Failure to submit the Generative Artificial Intelligence Risk Assessment (HBEX 707) will result in disqualification of the Proposer.

Failure to report GenAI to Covered California may void any resulting contract. Covered California reserves its right to seek any and all relief it may be entitled to as a result of such non-disclosure.

Upon receipt of a Proposer's Generative Artificial Intelligence Risk Assessment (HBEX 707), Covered California reserves the right to

incorporate GenAI Special Provisions into the final contract or reject bids/offers that present an unacceptable level of risks.

#### **4.1.7 Stage 2 - Technical Requirements**

Proposers must comply with the Technical Requirements in the section below for each Service Area they are proposing to provide and customize their response to the various Service Areas. Proposers only need to complete this section for the Services Areas for which they are proposing to provide.

#### **4.1.8 Understanding and Approach**

Proposers must provide a narrative description of their understanding of the Scope of Work and RFP's goals, emphasizing their understanding of the objectives and the major activities that must be performed to complete the work. Proposer should describe their strategy for providing the services outlined in the Model Contract, Exhibit A – Scope of Work. If Proposers anticipate using any subcontractors to provide the services outlined in the Model Contract, Exhibit A – Scope of Work, include the subcontractor's name(s) and type of services they would be providing. Proposer must provide any assumptions used to develop its response.

This Understanding and Approach must be no more than two (2) pages.

#### **4.1.9 Corporate/Organization Qualifications Summary**

1. Please review this section carefully, as Proposers should describe their specific knowledge, experience, qualifications based on the instructions and needs of each Service Area. Requirements vary for different Service Areas. Proposers only need to complete the narrative for Service Areas for which they are proposing to provide. For each of the three (3) Service Areas that the Proposer would provide services, 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. The narrative must provide sufficient detail to demonstrate the Proposers ability to perform specialized evaluation needs as described in this RFP. Proposer must include a summary of relevant background information to demonstrate that they meet the minimum qualifications certified in the Attachment 9 – Proposer's Minimum Qualifications Certification, including years of experience.
2. The Corporate/Organization Qualifications Summary must be no more than six (6) pages per Service Area.
3. Please see the specific knowledge, experience, qualifications based on the instructions and needs of each Service Area. Requirements vary for different Service Areas.



**a. Service Area 1: Research Design and Program Evaluation**

- i. Describe your organization's expertise and knowledge of the health care market, coverage, and policy landscape in California, and how your expertise can help Covered California improve policy, health care, and consumer experience outcomes for Californians.
- ii. Briefly describe your experience implementing at least three (3) separate research or program evaluation projects (ideally California-based) including research design, sample(s) of interest, methodology used for each research project, and outcomes of interest. Please note what roles and responsibilities were carried out by the project team members proposed for Covered California.
- iii. Explain your approach to partnering with public agencies to help them implement new programs or consumer experience resources in innovative ways.
- iv. Describe your experience and ability to develop actionable recommendations on mid- and long-term goals to improve program goals, especially in the areas identified in the proposed Model Contract, Exhibit A – Scope of Work.
- v. Briefly describe your experience with at least three (3) separate clients (ideally California-based) where you have provided research design, program evaluation, or consumer experience evaluation services, preferably specific to health care and/or government entities.

**b. Service Area 2: Quantitative Research and Analytics**

- i. Describe your organization's expertise, capacity, experience, and ability to develop, implement and provide analysis of quantitative research.
- ii. Briefly describe your experience implementing at least three (3) separate quantitative research projects (preferably California-based), preferably in the domains of health care administration, public health, health and human services public policy implementation, marketing and outreach strategies, consumer/user experience, or related domains. For each project include a discussion of: research objectives, design, data collection, main variables, sample(s) of interest, methodology used, how the results were applied, and client involvement. Please note what roles and responsibilities were carried out by the project team members proposed for Covered California.

- iii. Describe your agency's research and evaluation processes, including how the resulting information is provided to the client (format, data visualization types), and used to provide actionable results. Include in your description whether these functions are normally performed in-house or by a subcontractor or consultant.
- iv. Describe your agency's strengths and capacity in quantitative research and analytics during the past five (5) years, including accomplishments, unique services, account leadership, and experience working on accounts of similar size or scope.
- v. Describe the experience and expertise of your agency at successfully researching multicultural or ethnically diverse communities, preferably in California, including your processes for ensuring non-English materials are accurate and culturally appropriate and what communities and languages for which you have conducted research.

**c. Service Area 3: Qualitative Research and Analytics**

- i. Describe your organization's expertise, capacity, experience, and ability to develop, implement and analyze qualitative research.
- ii. Briefly describe your experience implementing at least three (3) separate qualitative research projects (preferably California-based and preferably including at least one user or consumer experience project), and for each project, include a discussion of: research objectives, design, recruitment, methodology used, how the results were applied, and client involvement. Please note what roles and responsibilities were carried out by the project team members proposed for Covered California.
- iii. Describe the various qualitative methodologies you have used in the last five (5) years and new methodologies that you likely will be using in the future.
- iv. Describe your agency's research and evaluation processes, including how the resulting information is provided to the client (format, data visualization types), and used to provide actionable results. Include in your description whether these functions are normally performed in-house or by a subcontractor or consultant.
- v. Describe the experience and expertise of your agency at successfully researching multicultural or ethnically diverse communities, preferably in California, including your processes for ensuring non-English materials are accurate and culturally appropriate and what communities and languages for which you have conducted research.

#### **4.1.10 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 perform all services as outlined in the Model Contract. Please carefully review the Model Contract for any requirements related to the project team and staffing.

Proposers must narratively describe the qualifications of the proposed project team and identify the role each member is expected to perform, including the experience, education, knowledge, and skills each possesses. Highlight the qualifications that staff possess which are most relevant to this RFP and the Service Areas for which the Proposer is proposing to provide. In addition, Proposer must identify the key staff, who will be the point of contact for communication with Covered California.

This Project Team Qualifications must be no more than three (3) pages.

#### **4.1.11 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.)

#### **4.1.12 Cost Proposal**

Proposers must submit one (1) detailed Exhibit B, Attachment 1 – Cost Worksheet to be used for the duration of the contract. Please note, the markup fee is only allowed for subcontractors and any additional proposed markup costs will not be accepted.

Contractor will provide a written cost estimate bid (work order pursuant to Exhibit A, Section J) with specification detail for each requested project. Cost estimates cannot exceed the rates and subcontractor markup fees listed in the cost worksheet. Contractor may only commence work once Covered California has executed a work order.

In order to be considered and fairly evaluated, Contractor must have competitive pricing on all projects.

#### **4.1.13 Client References**

Proposers must submit one (1) detailed Attachment 8, Client References and must list three (3) clients served in the past three (3) years for which

Proposer provided services similar to those listed in in the Model Contract Exhibit A - Scope of Work.

The Client References must be submitted in Attachment 8 – Client References.

#### **4.1.14 Questionnaire**

Proposers must indicate their interest and ability to participate in projects that require Personally Identifiable Information (PII).

The response must be submitted in Attachment 10 – Proposer’s Questionnaire.

#### **4.1.15 Submission Format Instructions**

Narrative portions of the technical proposal responses should be prepared in such a way as to provide a straightforward and concise delineation of capabilities to satisfy the requirements of this RFP. Emphasis should be placed on conformance to the RFP instructions, responsiveness to the RFP requirements, completeness, and clarity of content.

Proposals for one (1) or any combination of the three (3) following Service Areas should be organized in the same order as below:

- Service Area 1: Research Design & Program Evaluation
- Service Area 2: Quantitative Research and Analytics
- Service Area 3: Qualitative Research and Analytics

For each Service Area, the Proposer must address the required technical requirements: Understanding and Approach, Project Team Qualifications, Corporate/Organization Qualifications Summary, Cost Proposal, and Client References. For any Service Area the Proposer is **NOT** proposing to provide, the Proposer shall include a single piece of paper stating the name of the Service Area the Proposer is **NOT** proposing to provide and the words “This is intentionally not addressed.”

In addition, Attachment 1 – Proposal Cover Page should be completed by the Proposer to indicate the Service Areas for which it is proposing to provide.

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

Covered California will review and score each proposal submission in two (2) 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).

### 5.1.1 Phase One: Administrative 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.

### 5.1.2 Phase 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/Organization Qualifications Summary, Project Team Qualifications, Cost Proposal, and Client References; Project Assumptions will not be scored.

After the proposals have been scored on each of the aforementioned categories, interviews may be conducted with some or all of the Proposers. The number of Proposers interviewed and the decision whether to conduct interviews at all is within the sole discretion of Covered California. The specific staff to be interviewed will be agreed upon by Covered California and the Proposer at the time the interview is scheduled.

Next, the cost proposal score (Exhibit B, Attachment 1 – Cost Worksheet) 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.

Not all bidders who meet the minimum qualifications will be awarded a Contract. It is up to Covered California's sole discretion the number of contracts that are awarded for each area.

### 5.1.3 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.

Scoring Criteria	Weight	Points
Administrative Requirements	Pass/Fail	Pass/Fail
Proposer's Minimum Qualifications Certification	Pass/Fail	Pass/Fail

Understanding and Approach	15%	15
Project Team Qualifications	15%	15
Corporate/Organization Qualifications Summary	35%	35
Cost Worksheet	30%	30
Client References	5%	5
<b>Totals</b>	<b>100%</b>	<b>100</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

#### 5.1.4 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 4.1.8.3.4. The Evaluation Team will consider the following in descending order of importance:

1. 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;
2. 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
3. Demonstrated understanding of the key characteristics of the project in general and Covered California's anticipated project timeline.

#### **5.1.5 Corporate/Organization 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/Organization Qualifications Summary narrative described above in Section 4.3.2.

#### **5.1.6 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 described in Section 4.3.3. The Evaluation Team will consider the following in descending order of importance:

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

### 5.1.7 Cost Proposal

Covered California will use the list of positions, with descriptions and fully loaded hourly rates, in Exhibit B, Attachment 1 – Cost Worksheet, Table 1: Rates, to score the cost proposal. Proposer's will list their positions and rates under each of the following four (4) classification categories in Table 1: Rates:

- Executive Staff
- Senior Staff
- Staff
- Administrative Staff

In each one (1) of the categories mentioned above, proposer's will list all proposed staff for that category, along with a description of that personnel's duties, the proposed fully loaded hourly rate for Original Contract Term, and the fully loaded hourly rate for the optional amendment years. For evaluation purposes, Covered California will then take the average of all the proposed rates in each of the categories, review those rates against the ranges in the table below, and award the points based on where in the range the rates are. Rates must be rounded to the nearest dollar.

Executive Staff	
Rates	Points Awarded
\$0 - \$150	6
\$151 - \$200	5.5
\$201 - \$250	5
\$251 - \$300	4.5
\$301 - \$350	4
\$351 - \$400	3.5
\$401 - \$450	3
\$451 - \$500	2.5
\$501 - \$550	2



\$551 - \$600	1.5
\$601	1
Senior Staff	
Range of Rates	Points Awarded
\$0 - \$125	6
\$126 – \$150	5.5
\$151 – \$175	5
\$176 - \$200	4.5
\$201 - \$225	4
\$226 - \$250	3.5
\$251 - \$300	3
\$301 - \$350	2.5
\$351 - \$400	2
\$401 - \$450	1.5
\$451+	1
Staff	
Range of Rates	Points Awarded
\$0 - \$75	6
\$76 - \$100	5.5
\$101 - \$125	5
\$126 - \$150	4.5
\$151 - \$175	4
\$176 - \$200	3.5
\$201 - \$250	3

\$251 - \$300	2.5
\$301 - \$350	2
\$351 - \$400	1.5
\$401+	1
Admin Staff	
Range of Rates	Points Awarded
\$0 - \$50	6
\$51 - \$75	5.5
\$76 – \$100	5
\$101 - \$125	4.5
\$126 - \$150	4
\$151 - \$175	3.5
\$176 - \$200	3
\$201 - \$225	2.5
\$226 - \$250	2
\$251 - \$275	1.5
\$276+	1

See the example calculation below, which shows how many cost proposal points three (3) hypothetical Proposers would receive with a maximum of 24 cost proposal points.

Proposer	Classification Categories	Proposed Average Cost	Points Awarded	Initial Cost Proposal Score
A	Executive Staff	<u>\$551.00</u>	<b>1.5</b>	18
	Senior Staff	<u>\$176.00</u>	<b>4.5</b>	
	Staff	<u>\$65.00</u>	<b>6</b>	
	Administrative Staff	\$45.00	<b>6</b>	
B	Executive Staff	\$600.00	<b>1.5</b>	18

	Senior Staff	\$200.00	4.5	
	Staff	\$75.00	6	
	Administrative Staff	\$50.00	6	
C	Executive Staff	\$325.00	$4 \times 4/3 = 16/3$	18
	Senior Staff*	\$0.00	$0 \times 4/3 = 0$	
	Staff	\$75.00	$6 \times 4/3 = 8$	
	Administrative Staff	\$151.00	$3.5 \times 4/3 = 14/3$	
*in the case of Proposer C above, they did not propose any personnel under the Senior Staff category. Total points will be weighted in accordance with the number of categories applicable to each vendor. This ensures that total points are comparable across all vendors.				

From there, Proposers are then given up to 6 additional points for their Subcontractor Markup Fee, found in Exhibit B, Attachment 1, Table 2: Fees. If Proposers choose to bid lower than the 5% allowable subcontractor markup fee, then they can be awarded additional cost points as shown below:

<b>Markup Fee</b>	<b>Extra Points Awarded</b>
5%	1 points
4%	2 point
3%	3 points
2%	4 points
1%	5 points
0%	6 points

Below is how the final Cost Proposal Score will be awarded:

$$\begin{array}{ccccc} \text{Initial Cost} & & \text{Extra Points} & & \\ \text{proposal score} & + & \text{from Markup} & = & \text{Total Cost Proposal} \\ & & \text{Fee} & & \text{Score} \end{array}$$

## 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 (DVBs) 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.

### 6.1.1 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 (1) 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

	Proposer A	Proposer B	Proposer C
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>

### 6.1.2 Small Business Preference

1. 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 (1) of the following criteria:
  - a. Currently certified by DGS OSDS as a SB or MB; or
  - b. Applied for a DGS OSDS SB or MB certification by 5:00 p.m. on the proposal due date and was certified before the Notice of Intent to Award date in Section 1.2 above.
2. 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.
3. 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.
4. 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.

### 6.1.3 Disabled Veteran Business Enterprise Incentive

1. 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 (1) of the following criteria:
  - a. Currently certified by DGS OSDS as a DVBE; or

- b. 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.
2. 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.
3. 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.
4. 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 11) must be completed accordingly and included in the proposal submission.

#### **6.1.4 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.

#### **6.1.5 Small Business Subcontractor Preference**

1. 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 (1) of the following criteria:
  - a. Currently certified by DGS OSDS as a SB or MB; or
  - b. Applied for a DGS OSDS SB or MB certification by 5:00 p.m. on the proposal due date and was certified before the Notice of Intent to Award date in Section 1.2 above.
2. 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.
3. 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.

4. 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.

#### **6.1.6 Disabled Veteran Business Enterprise Subcontractor Preference**

1. 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%

2. 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 (1) of the following criteria:
  - a. Currently certified by DGS OSDS as a DVBE; or
  - b. 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.
3. 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.
4. 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.



5. 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 11) accordingly and include it in the proposal submission.

#### 6.1.7 Target Area Contract Preference Act

This RFP does not include Target Area Contract Preference Act (TACPA) preferences.

## 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

Number	Name
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
7	Generative Artificial Intelligence Risk Assessment (HBEX 707)
8	Client References
9	Proposer's Minimum Qualifications Certification
10	Proposer's Questionnaire

### 2. Optional Attachments

Number	Name
A	Contract Language Modification Matrix
2a	Payee Data Record Supplement (STD. 205)

10	Disabled Veteran Business Enterprise Declarations (STD. 843)
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## 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

- a. Exhibit A – Scope of Work
- b. Exhibit A, Attachment 1 – Sample Work Order
- c. Exhibit B – Budget Detail and Payment Provisions
- d. Exhibit B, Attachment 1 – Cost Worksheet
- e. Exhibit C – General Terms and Conditions
- f. Exhibit D – Privacy Addendum
- g. Exhibit D, Attachment 1 – Security Attachment
- h. Exhibit D, Attachment 2 – Privacy and Security Incident Intake Form
- i. Exhibit E – Travel Reimbursement