



Request for Proposal RFP 2019-08: Agent Service Centers

Re-Solicitation dated November 13, 2019

In accordance with its Procurement Manual, Covered California has decided to re-release RFP 2019-08. Those who have previously submitted Proposals for RFP 2019-08 must submit a new Proposal following the requirements as stated in this re-solicitation RFP 2019-08. Please note that all original provisions of the solicitation continue to apply unless they are addressed in this re-solicitation. Please note the following changes:

Document	Section	Changes
RFP 2019-08	Key Action Dates	Date changes due to re-solicitation.
RFP 2019-08	4.2.2 and 6.4	Additional language added for new Attachment – Exhibit B, Attachment 2 – Staffing Allocations Worksheet: to be completed by Proposers.
Attachment 9		Language Added – Exhibit B, Attachment 2
Exhibit AA		Language Changes
Exhibit AB		Language Changes

Exhibit AA, Attachment 3		Language Changes
Exhibit B, Attachment 1		New Cost Worksheet added
Exhibit B, Attachment 2		New Attachment Added: Staffing Allocations Worksheet

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1. INTRODUCTION

1.1 Overview

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

Read this document and any attachments in their entirety and carefully, as they may contain binding provisions that affect your rights and obligations. You must comply with the instructions contained in this document. Responses to this RFP must be submitted to the Covered California contact noted in Section 1.3 below.

IMPORTANT: This RFP has an optional bid component.

Bidders are required to submit a bid on the following:

Exhibit AA: Individual Agent Service Center (IASC) and Small Business Agent Service Center (SBASC)

Bidders may optionally submit a bid on the following:

Exhibit AB: Small Business Eligibility & Enrollment and Financial Administration

Clarifying note: Both the Individual Agent Service Center (IASC) and the Covered California for Small Business Agent Service Center (SBASC) work with Agents selling offerings through the Covered California Exchange. However, while some Agents sell to both markets and there are services similar in supporting both markets, there are also clear differences in service center knowledge and activities required when comparing the individual market to the small group market. As such, and to keep scopes of work appropriately and clearly descriptive to the needs of the market served, the requirements for each have been delineated within Exhibit AA. To further emphasize Bidder recognition and accounting for these differences, for Exhibit AA, Bidders are required to provide line item pricing for IASC and SBASC separately (reference Exhibit B, Attachment 1).

1.2 Key Action Dates

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

KEY ACTION DATES

Re-Solicitation Request for Proposal Release Date:	Wednesday, November 13, 2019
Proposals Due Date and Time:	Wednesday, November 20, 2019 by 12:00 p.m. PST
Optional Estimated Interview Period:	Week of 12/16/19
Estimated Notice of Intent to Award:	Week of 2/3/20 or sooner
Estimated Term Dates:	3/1/2020 to 3/31/2024

1.3 Contact

For questions regarding this Request for Proposal (RFP), please contact:

E-mail address: HBEXSolicitation@covered.ca.gov

(For all communications, subject line must include: RFP 2019-08)

Covered California
Business Services Branch/Jessie Larson
1601 Exposition Blvd.
Sacramento, CA 95815

Phone calls will not be accepted.

1.4 Contract Amount

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.

1.5 Contract Term

The initial term of the contract shall be for an effective estimated at Q1, 2020. Implementation period will from effective date to solution go-live date estimated to be 4/1/2021. Initial term of agreement is projected to end three years following go-live date and end 3/31/2024. The contract term is subject to change.

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

1.6 Contract Amendment

Covered California may, in its sole discretion, extend the term of the contract an additional two times. Each extension shall be for no longer than two years each. The total number of contract years shall not exceed seven (7) years.

If mutually agreed upon by Covered California and the Bidder, the contract may be amended to include additional funding at the same rates provided in the Bidder's original proposal.

1.7 Bidders' Conference and Registration

Covered California will conduct a **voluntary** pre-proposal Bidders' Conference on during the week of 7/29/2019. The Bidders' Conference will be conducted via webinar.

Prospective Bidders are not required, but are strongly encouraged, to participate. The purpose of the conference is for Covered California to provide an overview of itself, discuss the RFP process, and give prospective Bidders an opportunity to ask questions about proposal preparation and submission.

To register for and attend the pre-proposal Bidders' Conference, send an email request to the email address listed in Section 1.3 by 7/29/2019 by 12:00 p.m. The business name, name(s) of those attending, and contact information must be clearly identified.

Remarks and explanations expressed during the Bidders' Conference shall not take precedence over the written provisions in the RFP documents and are not binding unless confirmed in writing by Covered California and posted on the website listed in Section 1.8 below.

1.8 Bidders' Questions

Bidders must submit any questions regarding this RFP by the due date and time specified in the Key Action Dates table in Section 1.2. Only email questions addressed to the contact person listed in Section 1.3 will be accepted. Bidders must provide sufficient specific information to enable Covered California to identify and respond to their questions. When submitting questions, please reference the RFP number.

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

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

1.9 Submission of Final Proposal

1. Bidders' Cost: Costs for developing proposals and attending Bidder Conferences are entirely and solely the responsibility of the Bidder and are not chargeable to Covered California.
2. Completion of Proposals: Bidders are required to be both responsive (fully compliant) and responsible (capable and qualified to perform work) relative to 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 Final Proposal may be rejected by Covered California, in its sole discretion, if it is conditional or incomplete, or if it contains any alterations of form or other irregularities of any kind. A Final 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 which do not support an attribute or condition claimed by the Bidder, may be rejected. If, in the opinion of Covered California, such information was intended to mislead Covered California in its evaluation of the proposal or was included in Covered California's sole opinion as a result of gross negligence attributable to the bidder, 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 Bidder discovers any ambiguity, conflict, discrepancy, omission or other error in this RFP, the Bidder shall immediately notify Covered California of such error by email to the contact in Section 1.3 and request 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 failure to correct errors or any Bidder's failure to regularly and timely check the website for changes.

5. Importance of Meeting Deadlines: Bidders are responsible and assume all risks for the delivery and receipt by Covered California of all submissions prior to the submission deadline. If a Bidder mails or otherwise ships the submission via a generally recognized approved transportation entity such as the U.S. Postal Service, Federal Express, United Parcel Service, etc. and provides Covered California with the entity's package tracking information and the tracking information indicates its delivery at Covered California by the submission deadline, the package will be considered to have arrived on time. U.S. Postal Service postmarks or other indicia of mailing of shipment, however, will not be accepted as proof of timely delivery. Faxed or electronic submissions will not be accepted. The stated deadlines for submitting and receipt of all materials to 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 determining the "Best Value" in the sole opinion of Covered California and the selection, if made, will be made to a single Bidder. The Scope of Work (SOW), bidder's proposal, and bid may, in Covered California's sole discretion, be made a part of the resulting Contract. See Section 5 "Award and Selection Criteria" for additional information.

1.10 Format of Proposals

This RFP requires Bidders to submit a Final Proposal that contains all required Administrative and Technical Attachments and Exhibits, and that is submitted in a sealed envelope or container when delivered to Covered California. The sealed package must be plainly and clearly marked on its face with: (1) the RFP number and title; (2) the Bidder's name and address; and (3) the words "DO NOT OPEN", as shown in the following example:

RFP 2019-08: Agent Service Centers
Attention: Jessie Larson
Covered California
Business Services Branch
1601 Exposition Blvd.
Sacramento, CA 95815
DO NOT OPEN

Bids not submitted under sealed cover may be rejected in the sole discretion of Covered California.

1. Copies Required

Provide one hardcopy marked "MASTER," seven (7) additional hard copies marked "COPIES" and one USB flash drive. All copies requested must be

identical to the MASTER including the USB flash drive. Each copy of the proposal must be complete, including all required attachments and documentations.

The digital copy, including all attachments and exhibits, must be provided in searchable text format (e.g., Microsoft™ Excel®, Microsoft™ Word®, Microsoft™ PowerPoint®, searchable Adobe® PDF) and free of any password or encryption protection.

2. Narrative Format

- a. Narrative portions of proposal responses should be prepared so as to provide a straightforward, concise delineation of the Bidder'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 or desired.
- b. Bidders must follow the format requirements listed below for all narrative portions of the RFP. 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. Exception: if a form is required by Covered California that contains a smaller font.
 - 2) Print all pages single-sided on letter size (8.5 by 11 inches) white paper with single line spacing, unless otherwise noted.
 - 3) Use one-inch margins at the top, bottom and sides.
 - 4) 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.
 - 5) Place the Bidder's name in a header or footer on every page. If the Bidder's name is not already entered elsewhere on a completed certification or form, add it to a header, footer or signature block. Have a person who is authorized to bind the proposing entity sign each RFP attachment that requires a signature in **blue** ink. Signature stamps are not acceptable.
 - 6) Place the original signed attachments in the set marked "MASTER."

Additional copies may have photocopied signatures on attachments and throughout the document.

3. All proposals must be based on and conform to the Model Contract provided with this solicitation as described in Exhibit A – Scope of Work, and the contract General Terms and Conditions provided in Exhibit C. Bidders should review the Model Contract in its entirety prior to submitting a proposal. Bidders must submit as part of their response any changes or exceptions to the Model Contract that they wish to negotiate. However, extensive or significant 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 exceptions materially change the contractual relationship between the parties. Bidder proposed changes or exceptions must be documented via tracked changes to the documents contained in the Model Contract. All Model Contract changes or exceptions must be included in the Bidder Proposal at the time of submission. No additional exceptions may be presented during contract negotiations. Covered California reserves the right to reject all exceptions in the Bidder Proposal.

1.11 Covered California Rights

1. Verification of Bidder Information

By submitting a proposal, Bidders authorize Covered California to:

- a. Verify any and all claims made by the Bidder including, but not limited to, verification of prior experience and possession of all other required qualifications.
 - b. Check any and all references identified by Bidder, or any other resource known or identified by Covered California, to confirm the Bidder's business integrity and history of providing effective, efficient, competent and timely services.
2. Covered California may, in its sole discretion, modify the RFP prior to the bid submission deadline by the issuance of an addendum on the website listed at <http://hbex.coveredca.com/solicitations/>.
 3. Covered California may, in its sole discretion, award more than one successful bidder in response to this RFP.
 4. Covered California reserves the right to reject any bid that does not satisfy the requirements set forth in the RFP. Before submitting a response to this RFP, Bidders should review, correct all errors, and confirm compliance with all the RFP's requirements.

1.12 Rejection of Proposals

Deviations may cause a proposal to be deemed non-responsive and not to 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 Bidder from full compliance with the RFP specifications if awarded a contract.

FINAL PROPOSALS NOT RECEIVED BY THE DATE AND TIME SPECIFIED IN SECTION 1.2 KEY ACTION DATES OR THAT ARE NOT SEALED, will remain unopened and, if delivery is accepted, will be maintained separately from proposals that have been timely received. Proposals received after expiration of the deadline may only be opened and 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 reject any or all proposals, or portions of proposals, received in response to this RFP, or to amend or cancel this RFP at any time. In the event of such cancellation, Covered California may reissue the RFP at a later date.

Covered California reserves the right to consider Bidder's past performance with Covered California in its selection of a Bidder pursuant to this RFP.

1. Non-Responsive Proposals

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

- a. A submission is received after the exact time and date set forth in Section 1.2 Key Action Dates for receipt of each submission.
- b. The Bidder fails to meet any of the eligibility requirements specified in Section 2, Project Team Qualifications.
- c. The Bidder fails to submit or fails to complete and sign any required Attachments as instructed in this RFP.
- d. The submission contains false, inaccurate or misleading statements or references.
- e. The Bidder is unwilling or unable to fully comply with the proposed contract provisions.

- f. The Bidder supplies conditional cost information, incomplete cost information, or cost information containing unsigned/uninitiated alterations or irregularities.

2. Business in Good Standing

Bidder 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:

Corporation in Good Standing

Covered California will verify with the California Secretary of State (SOS) that the Bidder is a corporation currently qualified to do business in California. The bid will be considered non-responsive if the Bidder is not listed with SOS.

“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 Bidder 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.

Note: To become a corporation qualified to do business in California, out of state corporations need to file [Form S&DC-S/N](#) with the California SOS. For additional information and for organizations other than a corporation, reference the SOS website:

www.sos.ca.gov/business-programs/business-entities/forms/

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

The list established by FTB can be found at:

<https://www.ftb.ca.gov/aboutFTB/Delinquent-Taxpayers.shtml>

The list established by CDTFA can be found at:

<https://www.cdtfa.ca.gov/taxes-and-fees/top500.htm>

1.13 Errors in Final Proposals

An error in the Final 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 the RFP, and any unusual complexity of the format and content required by the RFP.

1. If the Bidder's intent, as determined by Covered California, is clearly established based on its review of the complete Final Proposal submittal, 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 Bidder may modify a bid after submission by withdrawing its original bid and resubmitting a new bid if it is received prior to the bid submission deadline. Bidder modifications offered in any other manner, oral or written, will not be considered.
4. A Bidder may withdraw its bid by submitting a written withdrawal request to Covered California, signed by the Bidder or an authorized agent. Bids may not be withdrawn subsequent to the bid submission deadline without cause.
5. No oral understanding or contract shall be binding on either party.

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

1.14 Protest

For formal competitive solicitations, any protest properly submitted within five (five) working 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 and apply to all formal competitive solicitations:

General

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

Grounds

Protestant 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 protestant has demonstrated sufficient grounds to allow the protest to be heard. Abuse of the protest process by unsuccessful bidders for the purpose of securing confidential information about other bidders will be rejected by Covered California. The sole grounds for a protest are:

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

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

Requirements for Protest

Protests must be submitted in writing, signed by an individual who is authorized to contractually bind the Bidder, 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 protestant 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 protestant should obtain a delivery receipt. Protests must be received by Covered California no later than the close of business five days after the Notice of Intent to Award has been posted.

Protests must be mailed or delivered to:

Mailing Address:
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.

Terms of Protest

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

A protestant 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 protestant'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 protestant as part of the protest process.

1.15 Disposition of Bids

Upon bid opening, all documents submitted in response to the 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 the RFP by Covered California and after the contract is fully executed, unless a later date is mutually agreed upon by Covered California and the Bidder. Notwithstanding any other provision, should the Bidder fail to commence work on the agreed date and time, Covered California, upon five (5) days written notice to the Bidder, reserves the right to terminate the contract. In such an event, the Bidder shall be liable to Covered California for the difference between the Bidder's bid price 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 negotiation of an agreement with the successful Bidder, Covered California determines it is not able to reach an agreement with the successful Bidder, Covered California may, in its sole discretion, terminate the negotiations and engage the next-highest-ranked bid without performing a subsequent solicitation.

1.18 Addition or Subtraction of Services

Notwithstanding that bids 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 Final Proposals has passed as of the time the addendum is posted, and bids have been received, Covered California, in its sole discretion, may restrict responses to the modified SOW so that only entities that submitted timely bids in response to the initial RFP may respond to the addendum.

1.19 News Releases and Social Media

By submitting a Final Proposal, Bidders and the selected Bidder 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 AA and Exhibit AB – Scopes of Work as they apply. Bidder must demonstrate that project team members assigned to the project possess the experience, education, knowledge and skills required to perform the work described in this RFP.

Positions to consider are in areas or roles of:

- Director
- Quality Assurance
- Service Center Manager
- Chief Information Officer
- Training
- Work Force Management
- Eligibility (as applicable for Exhibit AB, SBASC)

2.1 Project Team Minimum Qualifications

Project Leadership is to have the following experience:

5+ years' experience leading a contract center and providing contract center services as a service provider.

4+ years working with current (i.e., bidding) company.

4+ years' experience working with the health insurance industry.

2.2 Project Team Desirable Qualifications

Key project staff (below leadership level) is to have the following experience:

- 3+ years' experience providing contract centers services as a service provider.
- 3+ years working with current (i.e., bidding) company.
- 3+ years' experience working with the health insurance industry.

2.3 Reassignment of Personnel

1. The Bidder shall not reassign nor substitute personnel assigned to the contract during the contract term without prior written approval of Covered California. If a Bidder employee is unable to perform duties due to illness, resignation, or other factors beyond the Bidder's control, the Bidder shall make every reasonable effort to provide suitable substitute personnel.
2. Covered California reserves the right to require a Bidder employee to be removed from performing any work on the contract and on written notice to the Contactor, the Bidder 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).

The goals and objectives of Covered California are to:

- Reduce the number of uninsured Californians by creating an organized, transparent marketplace for Californians to purchase affordable, quality health care coverage to claim available federal tax credits and cost-sharing subsidies, and to meet the personal responsibility requirements imposed under the federal act (ACA);
- Strengthen the health care delivery system;
- Serve as an active purchaser, including creating competitive processes to select participating 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:

- The Department of Health Care Services, which oversees and administers California's Medicaid Program (Medi-Cal) and other specifically-focused health programs;
- The two 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.

3.2 Purpose

See attachment Model Contract Exhibit AA and Exhibit AB – Purpose.

3.3 Scope of Work

See attachment Model Contract Exhibit AA and Exhibit AB – Scope of Work, for a detailed description of the services and work to be performed by the successful Bidder.

3.4 Contract Completion Criteria

The contract resulting from this RFP will be considered complete when Covered California has approved and accepted all assigned contract deliverables. For on-going services provided over duration of agreement, services will be considered complete at end of contract term.

3.5 Deliverable Acceptance Criteria

All concluded work must be submitted to Covered California for review and approval or rejection. Payment for all tasks performed under this RFP will be based on deliverables. It will be Covered California's sole determination as to whether any tasks have been successfully completed and are acceptable.

Throughout the contract term, Covered California will review and validate the services performed. In addition, the Covered California Representative will

verify and approve the Bidder's invoices. Covered California reserves the right to review payments to designated subcontractors to ensure compliance with applicable contractual and legal requirements. Signed acceptance is required from the Covered California Representative prior to approval of an invoice for payment.

Deliverable acceptance criteria consist of the following:

1. Deliverable-specific work was completed as specified and the final deliverable product or service was rendered.
2. Plans, schedules, designs, documentation, digital files, photographs and reports (deliverables) were completed as specified and approved.
3. All deliverable documentation and artifact gathering have been completed.
4. All deliverables are in a format useful to Covered California.
5. If a deliverable is not accepted, Covered California will provide the reason, in writing, within ten (10) business days of receipt of the deliverable. If the deliverable is of such complexity that additional time is required, Covered California will so notify the Bidder within the ten (10) business day period and include an estimated date by which Bidder can expect a response.

3.6 Bidder's Roles and Responsibilities

The Bidder shall:

1. Designate a person to whom all project communications may be addressed and who has the authority to act on all aspects of the contract. This person shall be responsible for the overall project and the contact for all invoicing and Bidder staffing issues.
2. Provide written reports for review and approval by Covered California, and formally respond to Covered California review findings as necessary.
3. Meet as required with Covered California staff to discuss progress.
4. Make its best efforts to maintain staff continuity throughout the life of the project. If a substitution becomes necessary, the Bidder shall submit resumes for Covered California's review, in advance, for all proposed personnel substitutions. All Bidder personnel substitutions must be approved in writing by the Covered California Representative. Failure to obtain the required approvals or acceptable substitute staff may, in Covered California's sole discretion, result in termination of the contract.

5. Provide appropriate staffing during each phase of the project to ensure deliverables and requirements are completed on schedule with sufficient quality per the Statement of Work.
6. The Contractor shall provide detailed reporting of all work activities (volume of calls and data entry) on a daily, weekly, and monthly basis. Staffing and service level reporting shall be provided on a weekly and monthly basis.

3.7 Covered California's Roles and Responsibilities

Covered California shall:

1. Designate a Covered California Representative to whom all Bidder communications may be addressed and who has the authority to act on all aspects of the contract.
2. Provide access to business and technical documents as necessary for the Bidder to complete the tasks identified in this RFP.
3. Ensure appropriate resources are available to perform assigned tasks, attend meetings, and answer questions.
4. Ensure that decisions are made in a timely manner.
5. Provide work areas and meeting rooms as needed.
6. Identify and provide access to Subject Matter Experts (SME) to assist in the development of technical requirements.
7. Through Covered California's training program, Covered California University, work with the Contractor training team to provide the Contractor with the Covered California training course curricula necessary to support the call center. Covered California University will provide instructor guides, student guides, access to the Covered California's Learning Management System and other training systems necessary to support training.
8. Covered California University will provide training for trainers to ensure trainer readiness and will act as Subject Matter Experts (SMEs) and support for the Contractor training program.
9. Through Covered California University, provide support to the Contractor Training Team as necessary to support the Vendor Call Center. Covered California University will act as an SME and provide any clarification or response to questions from the Training Team who are assisting and supporting the Bidder Call Center.

10. Provide appropriate number of CRM per-seat per-month licenses to meet workforce management plan.
11. Provide technical support required to provide Virtual Private Network (VPN) connectivity to Covered California required applications and systems.
12. Provide appropriate technical resources to coordinate voice, data and cloud based systems.

3.8 Project Assumptions and Constraints

1. The Bidder's management work hours shall be at a minimum consistent with Covered California's key staff on-site, whose normal business hours are 8:00 a.m. to 5:00 p.m. Pacific Time, Monday through Friday, except for observed State holidays. Service Center staffing hours shall be as stated in Exhibit AA and Exhibit AB.
2. Overtime rates will not be reimbursed under the contract unless agreed in advance in writing.
3. Travel will not be reimbursed under the contract.
4. Any modifications to tasks within Exhibit AA or Exhibit AB – Scopes of Work of the contract as each scope of work may apply shall be defined, documented, and mutually agreed upon by the Bidder 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 Bidder 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 Bidder's project team manager, respectively, within forty-eight (48) hours of becoming aware of the problem or issue.

3.9 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 Agreement with no liability occurring to Covered California or offer an agreement amendment to the Bidder to reflect the reduced amount.

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

4. PROPOSAL RESPONSE CONTENT

Final proposal requirements include the following areas, each of which is described in detail in subsequent sections of this document:

1. Administrative Requirements
 - a. Attachments
 - b. Model Contract with Exhibits
2. Technical Requirements

4.1 Proprietary Information and Confidential Status of Responses

Any documentation submitted which has been marked “Proprietary” or “Trade Secrets” may be rejected.

4.2 Administrative Requirements

Final Proposals will be assessed on a pass/fail basis to verify compliance with all Administrative Requirements.

4.2.1 All Final Proposals must be submitted within the timelines specified in Section 1.2 of this RFP, and must include the following Administrative Requirements in this order:

1. The “Proposal Cover Page” form (*Attachment 1*) completed and signed by a representative authorized to bind the bidding organization.
2. A Certificate of Liability Insurance equal to or greater than \$1,000,000.
3. Proof of Workers’ Compensation Liability Insurance.
4. Proof of Automobile liability, including non-owned auto liability, of \$1,000,000 per occurrence for persons used by Bidder for services provided pursuant to this Agreement.

5. A completed certification form showing, upon contract execution, that the Bidder and applicable staff if identified as a code filer agree to provide a completed Title 10, California Code of Regulations, Chapter 12, Article 1, Statement of Economic Interests (Form 700) (*Attachment 2*). For more information, see the California Health Benefit Exchange Conflict of Interest Code: <http://hbex.coveredca.com/resources/>, and the Fair Political Practices Commission site: <http://www.fppc.ca.gov/>.
6. A signed Payee Data Record form STD 204 (*Attachment 3*)
7. Contractor Certification Form (*Attachment 4*)

4.2.2 Updated Model Contract

1. Using the Exhibit AA and Exhibit AB – Scope of Work templates, include revised Exhibit AA and Exhibit AB with updated Scope of Work, as applicable, using track changes.
 - a. Understanding and Description of the tasks to be performed (Reference Exhibit AA, Attachment 1).
2. Costs: Include revised Exhibit B – Budget Detail and Payment Provisions and Exhibit B, Attachment 1 – Cost Worksheet as well as Exhibit B, Attachment 2 – Staffing Allocations Worksheet.

Include Exhibit C with any proposed tracked changes to the General Terms and Conditions. Submission of Exhibits without tracked changes will constitute acceptance by the Bidder of the Exhibits as drafted.

4.3 Technical Requirements

In addition to the Administrative Requirements, all Final Proposals must:

4.3.1 Understanding and Approach

Include a description of the Bidder's understanding of the project's goals, emphasizing the Bidder's understanding of the objectives and the major activities that must be performed to complete the work. Discuss the Bidder's strategy for providing the services outlined in the solicitation within the schedule allocated (reference Exhibit AA/AB, Attachment 1). Include expectations of all entities outside the Bidder's own team, if any. Provide any assumptions used to develop the response. In particular, include any assumptions of the level of support from Covered California resources and subject matter experts.

Your response must include consideration of the following:

- a. Describe capabilities and approach for performing the following functions. If capability does not currently exist, please state as such. If work is underway or planned to implement functionality not currently existing, please state timing for implementation and extent of capabilities anticipated upon implementation:
 1. Multi-channel contact functionality:
 - i. Voice
 - ii. Chat
 - iii. Email
 - iv. Mobile/text
 - v. Social
 2. Integrated inbound/outbound contact center
 3. Computer Telephony Integration (CTI). Integration to CRM – Screen pops to Salesforce.com real time synchronization.
 4. Cloud-based API integration (API output from any in-house systems proposed to be utilized to Covered California CRM).
 5. Multiple (Blended) Dialer functionality:
 - i. Predictive
 - ii. Progressive
 - iii. Power
 - iv. Preview
 - v. Telephone Consumer Protection Act (TCPA) compliance
 6. DNC (Do Not Call) List Compliance
 7. Reporting
 8. Interactive Voice Response (IVR)
 9. Transfer to IVR or prerecorded messaging for outbound
 10. Personal call back
 11. Campaign management
 12. Quality management
 13. Workforce management
 14. Unified Communications (UC) Integration
 15. Automatic Call Distribution (ACD)
- b. Describe the staffing ratio (supervisor to phone representative) proposed and rationale.
- c. Succinctly describe how solution proposed includes capability to favorably position Covered California.
- d. Project schedule overview for both standing up initial operations and ongoing operations.
- e. Forward-looking capabilities with estimated implementation timelines Bidder is pursuing that are relevant to Covered California.
- f. Detailed description of support services included in proposal for working with each of the following: Agents, Carriers, and Covered California staff.
- g. Knowledge of and familiarity with Covered California and our mission.

- h. Understanding of the importance of properly servicing Agents.
- i. As applicable, provide information regarding specific staff dedicated or designated to Covered California support for the term of the agreement. Include information defining dedicated vs. designated, and reasonable response times Covered California can expect for staff listed.
- j. Document any assumptions being made about the SOW, the responsibilities of the Bidder and Covered California, and any other issues relevant to the Bidder's offer and ability to do the work for the proposed cost.
- k. Additional items applicable to Exhibit AA:
 - 1. Provide base FTE positions and counts per position as well as estimation of shrinkage by month.
 - 2. For outbound campaigns, describe the approach you would recommend and the requirements made of Covered California.
- l. Additional items applicable to Exhibit AB:
 - 1. Knowledge of small business owners and their health insurance needs.
 - 2. Knowledge of the California insurance markets (both individual and small business).
 - 3. Detailed description of support services included in proposal for working with each of the following: Employers and General Agents.
 - 4. Understanding of the importance of properly servicing Employers.

(No more than 20 pages.)

Additionally, Exhibit AA, Attachment 2 -- Solution Requirements Inventory must be completed indicating to what extent each requirement can be met via standard solution offered and to what extent solution offered may need to be modified to do so.

4.3.2 Corporate Qualifications Summary

Describe and provide examples of the Bidder's overall capability and resources as they relate to the general requirements set forth in this RFP's Model Contract Exhibit AA and Exhibit AB – Scope of Work, including the following:

- 1. Experience, including number of years, Bidder has providing Contact Center Infrastructure services.

2. Ability to manage both implementation of the project along with ongoing services post-implementation and the risks involved.
3. Ability to complete projects on time and within budget.
4. Ability to provide quality deliverables.
5. Evidence of the Bidder's experience performing the services outlined in this RFP, including the total number of years the Bidder has been providing these services.
6. Assessment of current client workload and current staffing as it pertains to ability to perform the services as outlined in this RFP.
7. Evidence of Bidder's financial sustainability to perform the services as outlined in this RFP for the duration of the contract term and all potential extensions.

(No more than 5 pages.)

4.3.3 Project Team Qualifications

Describe the qualifications of each member of the proposed project team. Identify the role each member is expected to play and describe the experience, education, knowledge and skills each possesses as they relate to their proposed role.

Bidder must identify the key staff that will be the points of contact for Covered California and the percentage of time that staff will be dedicated to the work detailed in the Model Contract Exhibit AA and Exhibit AB – Scopes of Work as applicable.

(No more than 2 pages per key staff member.)

4.3.3.1 Resumes

Provide a resume of the relevant experience for each proposed project team member. For each experience cited on a resume, the resume must include:

1. Total Duration: Indicate the start (month/year), end (month/year), and duration (total number of years and months) for each job experience submitted;

2. Description of Specific Experience: 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.

4.3.4 Past Projects Completed

Describe in a narrative up to five (5) projects the Bidder has completed in the last two (2) years that relate to the tasks listed in Model Contract Exhibit AA and Exhibit AB – Scope of Work as applicable. Include reference information for an individual at the reference project who can be contacted to discuss and verify the project information provided, if needed.

Include in response relevant service center infrastructure implementation information.

(No more than 2 pages per reference project.)

5. AWARD AND SELECTION CRITERIA

5.1 Written Responses to This RFP Will Be Evaluated In Phases

Phase 1 – Administrative Requirements. The Evaluation Team will review responses to the Administrative Requirements as more fully described in 4.2 above.

Phase 2 – Technical Requirements. The Evaluation Team will review the narratives describing understanding and approach, corporate qualifications, project team qualifications, resumes and past projects completed. The evaluation team may also conduct reference checks as needed.

Phase 3 – Interviews (if conducted). The Evaluation team may or may not, at the Covered California's sole discretion, conduct interviews with all or a subset of Bidders. If conducted, Bidders may be scored based on their presentation and communication of submitted materials.

5.2 Interviews

After Phase 2, interviews may be conducted with highest-rated Bidders. The number of Bidders interviewed and the decision whether to conduct interviews at all shall be within the sole discretion of Covered California. The specific staff to be interviewed will be agreed upon by Covered California and the Bidder at the time the interview is scheduled. At Covered California's option, interviews

may take place at Covered California headquarters, bidder’s location(s), or via electronic communication..

5.3 Evaluation Criteria

Evaluation includes pass/fail Administrative Requirements as described in section 4.2 of this exhibit.

Evidence of extensive previous experience in similar complex efforts will receive significant consideration in the evaluation process, as will demonstrated experience related to the SOW.

The table below lists the evaluation categories and the weight each will carry in the evaluation of Exhibit AA and Exhibit AB as applicable to each proposal:

Exhibit AA – Scope of Work

Technical Requirements Scoring Criteria	Weight	Points
1. Understanding and Approach	35%	350
2. Corporate Qualifications/Capacity	20%	200
3. Project Team Qualifications and Resumes	10%	100
4. Past Projects Completed	10%	100
Cost	25%	250
Totals	100%	1000

Exhibit AB (Optional) – Scope of Work

Technical Requirements Scoring Criteria	Weight	Points
5. Understanding and Approach	35%	350
6. Corporate Qualifications/Capacity	20%	200
7. Project Team Qualifications and Resumes	10%	100
8. Past Projects Completed	10%	100
Cost	25%	250
Totals	100%	1000

After application of the weighted evaluation criteria described above, Covered California will combine the technical requirements with the final cost score and will tentatively identify the firm with the highest combined proposal score for each Exhibit AA and Exhibit AB as applicable. Covered California will determine which Bidders, if any, are eligible to receive a bidding preference (i.e., small business or non-small business subcontractor preference, DVBE incentive, TACPA). The highest-rated proposal from a responsible Bidder shall be recommended for selection for further consideration. Refer to Section 6 for details on applicable preferences/incentives.

If an Interview Phase is conducted, the table below lists additional points that will be available to add to each bidder’s initial evaluation score of Exhibit AA and Exhibit AB as applicable:

Exhibit AA – Scope of Work

Interview Scoring Criteria	Points
Interview Phase	250
Previous Evaluation Phase Points Available	1000
Total Possible Points	1250

Exhibit AB – Scope of Work

Interview Scoring Criteria	Points
Interview Phase	250
Previous Evaluation Phase Points Available	1000
Total Possible Points	1250

The Covered California Evaluation Team will evaluate Bidder proposals in these areas:

5.3.1 Understanding and Approach

Scoring of this factor shall be based on the Evaluation Team's assessment of the Bidder's understanding of, and insight into, the challenges, issues and risks faced by Covered California as depicted in Model Contract Exhibit AA and Exhibit AB Scopes of Work as applicable, and the feasibility, efficiency and expected effectiveness of the approaches offered by the Bidder to provide assistance to Covered California. Evaluators will assign scores based on information contained in the Bidder's Understanding and Approach Narrative described above in Section 4.3.1. The Evaluation Team will consider, in descending order of importance:

1. Quality of the Bidder's approach in addressing scope of responsibilities and activities, including how the Bidder will provide the flexibility to address issues as they arise, while maintaining a high level of quality in the approach;
2. Quality of the Bidder's approach to early identification of issues and risks, and how the approach will directly contribute to resolution and mitigation; and
3. Demonstrated understanding of the key characteristics of the project in general.

5.3.2 Corporate Qualifications/Capacity

Covered California seeks a vendor with significant corporate capacity to respond to Covered California needs for the duration of the contract, to maintain a consistently high level of system performance, and to have a process in place to maintain a high degree of qualified staff continuity.

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

5.3.3 Project Team Qualifications

Covered California seeks a team of highly-qualified, senior staff to provide services as depicted in Model Contract Exhibit AA and Exhibit AB – Scopes of Work as applicable to Bidder's submission, combined with technical- or skill-based staff as described above in Section 4.3.3. The following describes the evaluation and scoring of key staff qualifications.

1. Project Team Experience and Credentials

Scoring of this factor shall 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. The Evaluation Team will consider, in descending order of importance:

1. Demonstrated capacity to successfully assume responsibility comparable to that proposed for the team members in the project engagement;
2. Demonstrated capacity to perform at a high level in multiple areas;
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.

5.3.4 Past Projects Completed

Scoring of this factor shall be based on the Evaluation Team's assessment of the breadth, depth and relevance of past projects to the requirements detailed in Model Contract Exhibit AA and Exhibit AB – Scopes of Work as applicable to Bidder's submission, 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. Scoring may also be based on Bidder's performance in past contracts with Covered California.

5.4 Technical Requirements Scoring Criteria

Evaluators will assign technical points to all categories using these technical requirements scoring criteria:

Rating	Relation to Requirements	Strengths	Deficiencies	Weaknesses	Likelihood of Success	Score
Excellent	Superior attainment of all requirements	Numerous and significant in key areas	None	Minor, if any	Very High	10.0
Good	Expected to meet all requirements	Some and significant in key areas	None	Minor, but are far outweighed by strengths	High	7.5
Acceptable	Capable of meeting all requirements	Some in non-key areas	Minor	Minor, but are outweighed by strengths	Fair	5.0
Marginal	May not be capable of meeting all requirements	None, or some that are outweighed by weaknesses or deficiencies	Significant	Significant	Poor	2.5
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

5.5 Cost Score

Cost (250 points)

Each Bidder's cost score will be calculated using the ratio of the lowest cost proposal to the Bidder's cost, multiplied by the maximum number of cost points available (300 for this example), as shown in the calculation below:

$$\frac{\text{Lowest Total Cost Bid}}{\text{Bidder Total Cost}} \times \text{Total cost points available}$$

Example: Refer to the table below for an example of the cost score calculation process. **Cost figures in the example below explain the calculations and have no other significance.**

Cost Evaluation and Scoring Methodology (Example only)

Bidder	Grand Total Cost	Calculation	Cost Points Awarded
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 PROGRAMS

Covered California will determine which Bidders, if any, are eligible to receive a bidding preference (i.e., small business or non-small business subcontractor preference, DVBE incentive, TACPA, etc.).

Covered California will adjust the total score for applicable preference(s)/incentives for eligible Bidder(s). Once a Bidder has been determined eligible for a preference or incentive, Covered California will apply preference adjustments to eligible Bidder(s) according to the criteria as set forth in this section as well as any applicable State regulations.

6.1 Small Business (SB) Preference

This RFP does not require Bidders to meet a minimum SB participation percentage or goal. Participation in this program is optional. However, if Bidders use subcontractors, Bidders are encouraged to subcontract with SBs.

A five percent (5%) preference will be applied to certified small businesses submitting proposals for this RFP. To obtain the preference, Bidder must either be certified as a small business or submit a copy of their certification approval letter from DGS / Office of Small Business and DVBE Services (OSDS) by 8/30/19 12:00 p.m. PST on the proposal due date. The 5% preference is used only for computation purposes to determine the winning Bidder and does not alter the amounts of the resulting contract.

A five percent (5%) preference is available to a non-small business (NSB) claiming twenty-five percent (25%) California certified small business subcontractor participation. If claiming the NSB subcontractor preference, the proposal must include a list of the small businesses with which the Bidder commits to subcontract in an amount of at least 25% of the net proposal price with one or more California certified small businesses. Each listed certified small

business must perform a “commercially useful function” in the performance of the contract as defined in Government Code Section 14837(d)(4).

Bidders claiming the 5% preference must commit to subcontract for at least 25% of the net proposal price with one or more California certified small businesses. The preference to a non-small business firm that commits to California certified small business subcontractor participation of 25% of its net proposal price shall be 5% of the points from the highest scoring proposal.

If the Bidder or proposed subcontractor possesses a Small Business Certification and wishes to take advantage of the preference program, the Bidder must complete and submit the Bidder Declaration – Attachment 5 with its proposal package.

Once each proposal has been scored, if the highest scored proposal is from a non-certified small business, then 5% of the points from the highest scoring proposal is added to the total "earned" points for each proposal submitted by a certified small business. These final numbers, with the 5% included, are then used to determine the highest scoring proposal.

How the SB Preference Works

1. SB Awards Based on High Points

In the example below, Bidder A is ranked 1 with 1250 points. Bidders B and C are in ranks 2 and 3 respectively and both are certified small businesses. The SB preference is calculated by factoring $.05 \times 1250$ (high point score) which equals 62.5 points. This amount is added to each point score for Bidder B and Bidder C. As a result, Bidder B moves into Rank 1 with 1257.5 points, Bidder C remains in Rank 3 with 1177.5 points and Bidder A drops to Rank 2 with 1250 points.

	Bidder A	Bidder B	Bidder C
Point Score	1250	1195	1115
Initial Ranking	1	2	3
SB Status	No	Yes	Yes
SB 5% Preference	No	Yes	Yes
Preference Points Applied	0 Points	62.5	62.5
Adjusted Points	1250	1257.5	1177.5
New Ranking	2	1	3

2. NSB Award Based on High Points

In the example below, Bidder A is ranked 1 with 1300 points. Bidder A is not a certified small business and has not identified a certified small business subcontractor. Neither bidders B and C are certified small businesses, but they've identified certified small business subs. Each firm receives an

additional 65 NSB preference points added to their scores for 1260 and 1200 respectively.

	Bidder A	Bidder B	Bidder C
Point Score	1300	1195	1135
Initial Ranking	1	2	3
SB Status	No	No	No
SB Subcontractor	No	Yes	Yes
SB 5% Preference	No	Yes	Yes
Preference Points Applied	0 Points	65	65
Adjusted Points	1300	1260	1200
New Ranking	1	2	3

Small business bidders shall have precedence over non-small business bidders in that the application of a bidder preference shall not result in the denial of the award to a small business bidder.

Ties between a certified SB bidder and a certified disabled veteran owned small business bidder shall be awarded pursuant to Government Code Section 14838.

6.2 Disabled Veteran Business Enterprise (DVBE)–Declaration and Program Incentive

This RFP does not require Bidders to meet a minimum DVBE participation percentage or goal. Participation in this program is optional. However, Bidders are encouraged to subcontract with DVBEs. A bidder may achieve participation by qualifying as a DVBE or by contracting with DVBE subcontractors. DVBEs must perform a commercially useful function, related to the bid specifications as required by Military and Veterans Code Section 999 (b)(5)(B).

Pursuant to California laws and regulations, a DVBE incentive will be awarded as points to the sum of the technical requirements score (non-cost score) of qualified responsive/responsible Bidders that provide for utilization of California certified DVBEs. The application of the DVBE incentive is for evaluation purposes only. The maximum DVBE incentive allowed is 5% of the total possible points.

Ties between a certified SB bidder and a certified disabled veteran owned small business bidder shall be awarded pursuant to Government Code Section 14838.

In order to encourage DVBE participation, Covered California will apply a DVBE incentive as follows:

Confirmed DVBE Participation	DVBE Incentive
5% or More	5%
4% to 4.99%	4%
3% to 3.99%	3%
2% to 2.99%	2%

1% to 1.99%

1%

If the Bidder or proposed subcontractor possesses a Disabled Veteran Enterprise Certification and wishes to take advantage of the preference program, the Bidder must complete and submit the Bidder Declaration – Attachment 5, and Disabled Veteran Business Enterprise (DVBE) Declaration – Attachment 6 with its proposal package.

How the DVBE Preference Works

The example below is provided to show how to determine whether the designated DVBE incentive points fall within the acceptable percentage range. The following provides an example of how points MAY be assigned for a solicitation. It does **not** represent, nor should be considered, the only approach that may be used for an award based on high points.

DVBE Incentives Based on High Points

As an example, a solicitation has assigned 700 as the maximum (high point) score available for the technical (non-cost) requirements. Likewise, the cost score assigned equals a maximum amount of 300 points (refer to Section 5.5 Cost Score table as the sample for this example). The point designation reflects an evaluation methodology weight of 70% for non-cost technical requirements and 30% for cost score.

Total DVBE incentives, excluding points for socioeconomic incentives or preferences, range from 35 points (.05 x 700) to 7 points (.01 x 700). These points are factored based on the confirmed level of DVBE participation times the total possible non-cost points that could be awarded.

In the example below, Bidder A (a non-small business) is ranked 1 with 700 points. Bidders B and C are in ranks 2 and 3 respectively and both are certified DVBE (only) businesses. The DVBE preference is calculated based on a participation level of 5% or more. Therefore, Bidders B and C receive 35 (.05 x 700) additional points while Bidder C receives 0 points for no DVBE participation. These incentive points are added to each non-cost technical score. As a final step, the cost score points are added to the total amounts (technical score plus incentive points) in order to make the final award determination. The results are as follows: Bidder B moves into Rank 1 with 1030 points, Bidder A is Rank 2 with 957 points and Bidder C remains in Rank 3 with 945 points

	Bidder A	Bidder B	Bidder C
Point Score (Technical Non-Cost)	700	695	685
Initial Ranking	1	2	3
DVBE Status	No	Yes	Yes

SB Status	No	No	No
DVBE Incentive Points Applied	0	35	35
SB Preference Points Applied	0	0	0
Cost Score Points	257	300	225
Adjusted Points	957	1030	945
New Ranking	2	1	3

Note: Administrative Requirements in this example are pass/fail only and therefore are not included as points.

6.3 Commercially Useful Function

Only State of California, Office of Small Business and DVBE Services (OSDS), certified DVBEs who perform a Commercially Useful Function (CUF) relevant to this solicitation may be used to satisfy the DVBE participation goal. The criteria and definition for performing a CUF are below. When responding to this RFP, Bidders will need to verify each DVBE subcontractor's certification with OSDS to ensure DVBE eligibility.

CUF Definition 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.

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

1. Is responsible for the execution of a distinct element of the work of the contract.
2. Carries out the obligation by actually performing, managing, or supervising the work involved.
3. Performs work that is normal for its business services and functions.
4. 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.
5. 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.

6.4 Target Area Contract Preference Act (TACPA)

This RFP does not include TACPA preferences. However, during the RFP process, Bidders may apply for the preference. Bidders are encouraged to review the package carefully to ensure that their submittals conform to the program's preference requirements. See <http://www.pd.dgs.ca.gov/disputes/default.htm>.

If the Bidder wishes to take advantage of the TACPA preference program, the bidder must complete and submit the Target Area Contract Preference Act Preference Request for Goods and Services Solicitations, Form STD 830 (Attachment 7) and Form DGS/PD 526 (Attachment 8) with its proposal package.

Attachments

Attachment 1: Proposal Cover Page

Attachment 2: Form 700 Statement of Economic Interest Certification

Attachment 3: Form STD 204 – Payee Data Record

Attachment 4: Contractor Certification Form

Attachment 5: Form GSPD-05-105 – Bidder Declaration

Attachment 6: Form STD 843 – Disabled Veteran Business Enterprise (DVBE) Declaration

Attachment 7: Form STD 830 – Target Area Contract Preference Act (TACPA)

Attachment 8: Form DGS/PD526 Bidder's Summary (TACPA)

Attachment 9: Proposal Checklist

Model Contract with Exhibits

Standard 213

Exhibit AA, Scope of Work – Individual Agent Service Center and Small Business Agent Service Center

Exhibit AB, Scope of Work – Small Business Eligibility & Enrollment and Financial Administration (Optional)

Exhibit AA, Attachment 1 – Project Schedule

Exhibit AA, Attachment 2 – Solution Requirements Inventory

Exhibit AA, Attachment 3 – Service Level Agreement and Liquidated Damages

Exhibit B – Budget Provisions

Exhibit B, Attachment 1 – Cost Worksheet

[Exhibit B, Attachment 2 – Staffing Allocations Worksheet](#)

Exhibit C – General Terms and Conditions

Exhibit C, Attachment 1 – Resumes

Exhibit D - Privacy and Security

Exhibit D, Attachment 1 – Privacy and Security – Information Technology