

Solicitation OTS RFP No. 10-01

Public Relations, Advertising and Marketing Services

State of California

Odwyerpr.com

Bid OTS RFP No. 10-01 Public Relations, Advertising and Marketing Services

Bid Number OTS RFP No. 10-01
Bid Title Public Relations, Advertising and Marketing Services

Bid Start Date Mar 29, 2011 8:47:15 AM PDT
Bid End Date Apr 18, 2011 5:00:00 PM PDT
Question & Answer
End Date Mar 31, 2011 5:00:00 PM PDT

Bid Contact Shannon Brasfield
 916-509-3048
 sbrasfield@ots.ca.gov

Pre-Bid Conference Apr 4, 2011 1:00:00 PM PDT
Attendance is mandatory
Location: Department of General Services
Ziggurat Building
707 3rd Street, First Floor
West Sacramento, CA 95798

Standard Disclaimer The State of California advises that prospective bidders periodically check the websites, including but not limited to Bidsync, and/or other state department links for modifications to bid documents. The State of California is not responsible for a prospective bidder's misunderstanding of the bid solicitation or nonresponsive bid due to failure to check these websites for updates or amendments to bid documents, and/or other information regarding the bid solicitations. Failure to periodically check these websites will be at the bidder's sole risk.

The information published and/or responded to on these websites is public information. Confidential questions/issues/concerns should be directed to the contact on the ad.

Changes made on Mar 30, 2011 8:35:03 AM PDT

New Documents Final RFP 10-01 Addendum.doc
 RFP A-6b Cost Proposal Worksheet Addendum.doc
 RFP A-6a Cost Proposal Instructions Addendum.doc
 RFP A-17 Scoring Sheet Addendum.doc

Removed Documents Final RFP 10-01.doc
 RFP A-6a Cost Proposal Instructions.doc
 RFP A-6b Cost Proposal Worksheet.doc
 RFP A-17 Scoring Sheet.doc

Changes were made to the following items:
[Public Relations, Advertising and Marketing Services](#)

Description

You are invited to review and respond to this Request for Proposal (RFP), entitled RFP No. 10-01, Public Relations,

Advertising and Marketing Services. In submitting your proposal, you must comply with all instructions.

Added on Mar 30, 2011:

1. Removed Final RFP 10-01 and replaced with Final RFP 10-01 Addendum (changes to total points) II. Minimum Qualifications for Proposer (page 4).
2. Removed RFP A-6a and replaced with RFP A-6a Addendum (added job title) Proposal Scoring Criteria (page 3) and adjusted total score available (page 4).
3. Removed RFP A-6b and replaced with RFP A-6b Addendum (description changes to 1.B and 2) Cost Proposal (pages 1 and 2)
4. Removed RFP A-17 Scoring Sheet and replaced with RFP A-17 Scoring Sheet Addendum (changes to total points) Pages 11 and 12

Changes made on Mar 30, 2011 8:35:03 AM PDT

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STATE OF CALIFORNIA

EDMUND G. BROWN JR., GOVERNOR

OFFICE OF TRAFFIC SAFETY

2208 KAUSEN DRIVE, SUITE 300
ELK GROVE, CA 95758
www.ots.ca.gov
(916) 509-3030
(800) 735-2929 (TT/TDD-Referral)
(916) 509-3055 (FAX)



March 28, 2011

**REQUEST FOR PROPOSAL – NO. 10-01
Notice to Prospective Proposers**

You are invited to review and respond to the enclosed Request for Proposal (RFP), entitled RFP No. 10-01, Public Relations, Advertising and Marketing Services. In submitting your proposal, you must comply with all instructions.

Please note that this Agreement with the State of California will include General Terms and Conditions (GTC-610) and Contractor Certification Clauses (CCC-307) that may be viewed and down loaded at www.ols.dgs.ca.gov/standard+language. A hard copy of both is included in this RFP.

This RFP is complete and without need of explanation. However, if you have any questions, or should need any clarifying information for this RFP, please contact:

Chris Cochran
Assistant Director, Marketing and Public Affairs
California Office of Traffic Safety
2208 Kausen Drive, Suite 300
Elk Grove, CA 95758
Telephone: (916) 509-3063
Fax: (916) 509-3055
Email: chris.cochran@ots.ca.gov

Please note that no verbal information given will be binding upon the State unless such information is issued in writing as an official addendum to this RFP.

Sincerely,

A handwritten signature in black ink that reads "Chris Murphy".

CHRISTOPHER J. MURPHY
Director

SB:kn

Enclosures

Office of Traffic Safety
RFP No. 10-01

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Required Attachment Check List

A complete proposal or proposal package will consist of items identified below. Complete this checklist to confirm the items in your proposal. Place a check mark or "X" next to each item that you are submitting to the State. For your proposal to be responsive, all required attachments must be returned. Attachments 3, 8, 16 and 17 are provided for additional information only and are not required to be returned. This Checklist should be returned with your proposal package. Standard Forms are available at www.dgs.ca.gov.

_____	Attachment 1	Required Attachment Check List
_____	Attachment 2	Proposal/Proposer Certification Sheet
_____	Attachment 3	General Terms and Conditions (GTC-610)
_____	Attachment 4	Proposer References
_____	Attachment 5	Small and Microbusiness Preference/State Contractor Certification Number
_____	Attachment 6a	Cost Proposal Worksheet
_____	Attachment 6b	Cost Proposal Form
_____	Attachment 7	Disabled Veteran Business Enterprise Declarations (STD. 843)
_____	Attachment 8	Travel Allowance and Reimbursement
_____	Attachment 9	Payee Data Record (STD. 204)
_____	Attachment 10	Contractor Certification Clauses (CCC-307)
_____	Attachment 11	Nondiscrimination Compliance Statement (STD.19)
	Complete Attachment(s) 12, 13 and 14 only to request preferences for this bid.	
_____	Attachment 12	Target Area Contract Preference Act (TACPA) (STD. 830)
_____	Attachment 13	Enterprise Zone Act (EZA) (STD.831)
_____	Attachment 14	Local Agency Military Base Recovery Act (LAMBRA) (STD.832)
_____	Attachment 15	Darfur Contracting Act Certification
_____	Attachment 16	Minimum Proposal Qualifications (includes additional required information, i.e. account team resumes, financial statements, business license, etc.)
_____	Attachment 17	Proposal Scoring Criteria and Worksheet

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PROPOSAL/PROPOSER CERTIFICATION SHEET

This Proposal/Proposer Certification Sheet must be signed and returned along with all the "required attachments" as an entire package in duplicate with original signatures. The proposal must be transmitted in a sealed envelope in accordance with RFP instructions.

- A. Place all required attachments behind this certification sheet.
- B. I have read and understand the DVBE Participation requirements and have included documentation demonstrating that I have met the participation goals or have made a good faith effort.
- C. The signature affixed hereon and dated certifies compliance with all the requirements of this proposal document. The signature below authorizes the verification of this certification.

**An Unsigned Proposal/Proposer Certification Sheet
May Be Cause For Rejection**

1. Company Name	2. Telephone Number ()	2a. Fax Number ()
3. Address		
Indicate your organization type:		
4. <input type="checkbox"/> Sole Proprietorship	5. <input type="checkbox"/> Partnership	6. <input type="checkbox"/> Corporation
Indicate the applicable employee and/or corporation number:		
7. Federal Employee ID No. (FEIN)	8. California Corporation No.	
9. Indicate applicable license and/or certification information:		
10. Proposer's Name (Print)	11. Title	
12. Signature	13. Date	
14. Are you certified with the Department of General Services, Office of Small Business Certification and Resources (OSBCR) as:		
a. California Small Business Yes <input type="checkbox"/> No <input type="checkbox"/>	b. Disabled Veteran Business Enterprise Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, enter certification number: _____	If yes, enter your service code below: _____	
NOTE: A copy of your Certification is required to be included if either of the above items is checked "Yes".		
Date application was submitted to OSBCR, if an application is pending:		

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Completion Instructions for Proposal/Proposer Certification Sheet

Complete the numbered items on the
Proposal/Proposer Certification Sheet by following the instructions below.

Item Numbers	Instructions
1, 2, 2a, 3	Must be completed. These items are self-explanatory.
4	Check if your firm is a sole proprietorship. A sole proprietorship is a form of business in which one person owns all the assets of the business in contrast to a partnership and corporation. The sole proprietor is solely liable for all the debts of the business.
5	Check if your firm is a partnership. A partnership is a voluntary agreement between two or more competent persons to place their money, effects, labor, and skill, or some or all of them in lawful commerce or business, with the understanding that there shall be a proportional sharing of the profits and losses between them. An association of two or more persons to carry on, as co-owners, a business for profit.
6	Check if your firm is a corporation. A corporation is an artificial person or legal entity created by or under the authority of the laws of a state or nation, composed, in some rare instances, of a single person and his successors, being the incumbents of a particular office, but ordinarily consisting of an association of numerous individuals.
7	Enter your federal employee tax identification number.
8	Enter your corporation number assigned by the California Secretary of State's Office. This information is used for checking if a corporation is in good standing and qualified to conduct business in California.
9	Complete, if applicable, by indicating the type of license and/or certification that your firm possesses and that is required for the type of services being procured.
10, 11, 12, 13	Must be completed. These items are self-explanatory.
14	If certified as a California Small Business, place a check in the "yes" box, and enter your certification number on the line. If certified as a Disabled Veterans Business Enterprise, place a check in the "Yes" box and enter your service code on the line. If you are not certified to one or both, place a check in the "No" box. If your certification is pending, enter the date your application was submitted to OSBCR.

GTC 610 (6/9/10)

GENERAL TERMS AND CONDITIONS

1. **APPROVAL**: This Agreement is of no force or effect until signed by both parties and approved by the Department of General Services, if required. Contractor may not commence performance until such approval has been obtained.
2. **AMENDMENT**: No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties.
3. **ASSIGNMENT**: This Agreement is not assignable by the Contractor, either in whole or in part, without the consent of the State in the form of a formal written amendment.
4. **AUDIT**: Contractor agrees that the awarding department, the Department of General Services, the Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. Contractor agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated. Contractor agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, Contractor agrees to include a similar right of the State to audit records and interview staff in any subcontract related to performance of this Agreement. (Gov. Code §8546.7, Pub. Contract Code §10115 et seq., CCR Title 2, Section 1896).
5. **INDEMNIFICATION**: Contractor agrees to indemnify, defend and save harmless the State, its officers, agents and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by Contractor in the performance of this Agreement.
6. **DISPUTES**: Contractor shall continue with the responsibilities under this Agreement during any dispute.
7. **TERMINATION FOR CAUSE**: The State may terminate this Agreement and be relieved of any payments should the Contractor fail to perform the requirements of this Agreement at the time and in the manner herein provided. In the event of such termination the State may proceed with the work in any manner deemed proper by the State. All costs to the State shall be deducted from any sum due the Contractor under this Agreement and the balance, if any, shall be paid to the Contractor upon demand.

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8. INDEPENDENT CONTRACTOR: Contractor, and the agents and employees of Contractor, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the State.

9. RECYCLING CERTIFICATION: The Contractor shall certify in writing under penalty of perjury, the minimum, if not exact, percentage of post consumer material as defined in the Public Contract Code Section 12200, in products, materials, goods, or supplies offered or sold to the State regardless of whether the product meets the requirements of Public Contract Code Section 12209. With respect to printer or duplication cartridges that comply with the requirements of Section 12156(e), the certification required by this subdivision shall specify that the cartridges so comply (Pub. Contract Code §12205).

10. NON-DISCRIMINATION CLAUSE: During the performance of this Agreement, Contractor and its subcontractors shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (e.g., cancer), age (over 40), marital status, and denial of family care leave. Contractor and subcontractors shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Contractor and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12990 (a-f) et seq.) and the applicable regulations promulgated there under (California Code of Regulations, Title 2, Section 7285 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Agreement by reference and made a part hereof as if set forth in full. Contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other Agreement.

Contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the Agreement.

11. CERTIFICATION CLAUSES: The CONTRACTOR CERTIFICATION CLAUSES contained in the document CCC 307 are hereby incorporated by reference and made a part of this Agreement by this reference as if attached hereto.

12. TIMELINESS: Time is of the essence in this Agreement.

13. COMPENSATION: The consideration to be paid Contractor, as provided herein, shall be in compensation for all of Contractor's expenses incurred in the performance hereof, including travel, per diem, and taxes, unless otherwise expressly so provided.

14. GOVERNING LAW: This contract is governed by and shall be interpreted in accordance with the laws of the State of California.

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15. ANTITRUST CLAIMS: The Contractor by signing this agreement hereby certifies that if these services or goods are obtained by means of a competitive bid, the Contractor shall comply with the requirements of the Government Codes Sections set out below.

a. The Government Code Chapter on Antitrust claims contains the following definitions:

1) "Public purchase" means a purchase by means of competitive bids of goods, services, or materials by the State or any of its political subdivisions or public agencies on whose behalf the Attorney General may bring an action pursuant to subdivision (c) of Section 16750 of the Business and Professions Code.

2) "Public purchasing body" means the State or the subdivision or agency making a public purchase. Government Code Section 4550.

b. In submitting a bid to a public purchasing body, the bidder offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the bidder. Government Code Section 4552.

c. If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the bid price, less the expenses incurred in obtaining that portion of the recovery. Government Code Section 4553.

d. Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action. See Government Code Section 4554.

16. CHILD SUPPORT COMPLIANCE ACT: For any Agreement in excess of \$100,000, the contractor acknowledges in accordance with Public Contract Code 7110, that:

a. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and

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b. The contractor, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department.

17. UNENFORCEABLE PROVISION: In the event that any provision of this Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Agreement have force and effect and shall not be affected thereby.

18. PRIORITY HIRING CONSIDERATIONS: If this Contract includes services in excess of \$200,000, the Contractor shall give priority consideration in filling vacancies in positions funded by the Contract to qualified recipients of aid under Welfare and Institutions Code Section 11200 in accordance with Pub. Contract Code §10353.

19. SMALL BUSINESS PARTICIPATION AND DVBE PARTICIPATION REPORTING REQUIREMENTS:

a. If for this Contract Contractor made a commitment to achieve small business participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) report to the awarding department the actual percentage of small business participation that was achieved. (Govt. Code § 14841.)

b. If for this Contract Contractor made a commitment to achieve disabled veteran business enterprise (DVBE) participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) certify in a report to the awarding department: (1) the total amount the prime Contractor received under the Contract; (2) the name and address of the DVBE(s) that participated in the performance of the Contract; (3) the amount each DVBE received from the prime Contractor; (4) that all payments under the Contract have been made to the DVBE; and (5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation. (Mil. & Vets. Code § 999.5(d); Govt. Code § 14841.)

20. LOSS LEADER:

If this contract involves the furnishing of equipment, materials, or supplies then the following statement is incorporated: It is unlawful for any person engaged in business within this state to sell or use any article or product as a "loss leader" as defined in Section 17030 of the Business and Professions Code. (PCC 10344(e).)

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PROPOSER REFERENCES

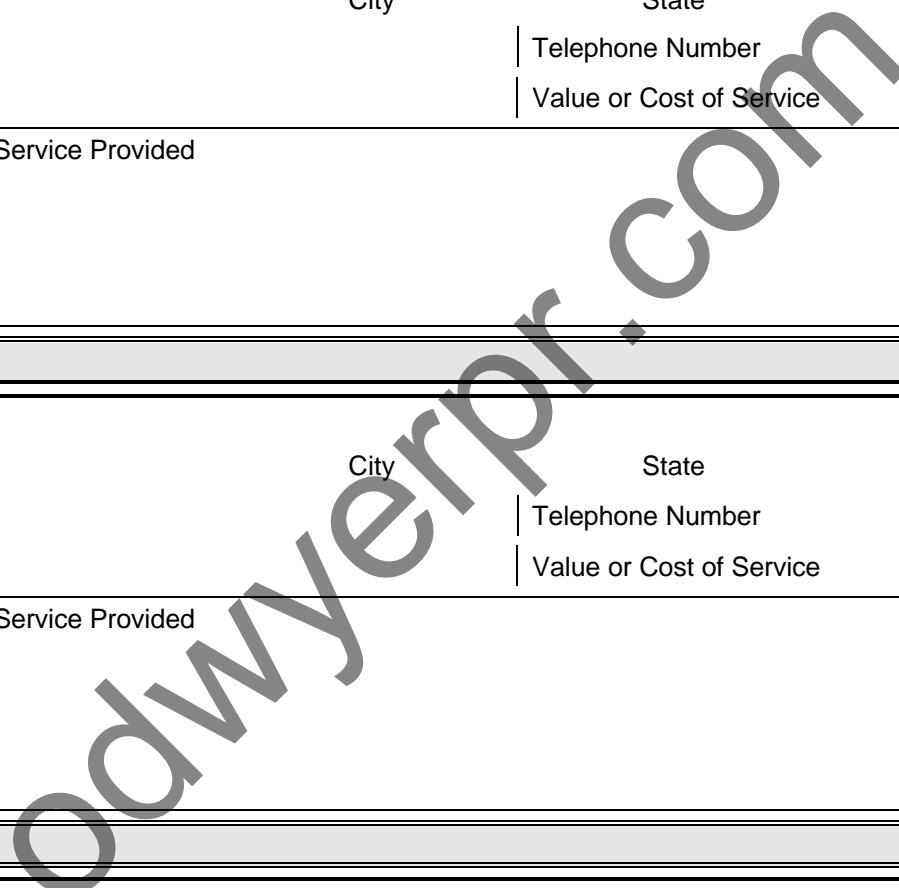
Submission of this attachment is mandatory. Failure to complete and return this attachment with your proposal will cause your proposal to be rejected and deemed nonresponsive.

List below three references for services performed within the last five years, which are similar to the scope of work to be performed in this contract. If three references cannot be provided, please explain why on an attached sheet of paper.

REFERENCE 1				
Name of Firm				
Street Address		City	State	Zip Code
Contact Person		Telephone Number		
Dates of Service		Value or Cost of Service		
Brief Description of Service Provided				

REFERENCE 2				
Name of Firm				
Street Address		City	State	Zip Code
Contact Person		Telephone Number		
Dates of Service		Value or Cost of Service		
Brief Description of Service Provided				

REFERENCE 3				
Name of Firm				
Street Address		City	State	Zip Code
Contact Person		Telephone Number		
Dates of Service		Value or Cost of Service		
Brief Description of Service Provided				



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Small and Microbusiness Preference/State Contractor Certification Number

Section 14835, et. seq. Small Business Procurement and Contract Act of the California Government Code requires that a 5% preference be given to bidders who qualify as a small business.

Small business means a business certified by Office of Small Business and DVBE Services (OSDC) in which:

1. Have its principal place of business located in California.
2. The officers are domiciled in California.
3. The business is independently owned and operated.
4. The business, with any affiliates, is not dominant in its field of operation.
5. And either:
 - a. The business, together with any affiliates, has 100 or fewer employees and average annual gross receipts of \$10,000,000 (10 million) or less over the previous three years, or
 - b. The business is a manufacturer with 100 or fewer employees.

Microbusiness means a small business certified by OSDC in which:

1. Have its principal place of business located in California.
2. The officers are domiciled in California.
3. The business is independently owned and operated.
4. The business, with any affiliates, is not dominant in its field of operation.
5. And either:
 - a. The business, together with any affiliates, has 25 or fewer employees and average annual gross receipts of \$2,500,000 (2.5 million) or less over the previous three years, or
 - b. The business is a manufacturer with 25 or fewer employees.

A business must be formally certified by OSDC to be considered for the small business or microbusiness preference

Please indicate if you are claiming preference as a small or microbusiness?

YES

NO

(If yes, attach copy of OSDC Certification Approval Letter)

Small Business Number
(for bidders claiming small business preference)

Federal ID Number or Taxpayer ID Number (Social Security No.)

Authorized Signature

Date

Company/Organization: _____

Address: _____
Street City/County Zip Code Telephone

STATE OF CALIFORNIA – GENERAL SERVICES PROCUREMENT DIVISION

DOCUMENTATION OF DISABLED VETERAN BUSINESS ENTERPRISE PROGRAM REQUIREMENTS

STD. 840 (REV. 3/2007)

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Attachment 7**

A. Designation Of Option – Check the appropriate box(es) to indicate the option(s) with which you choose to comply, complete the applicable sections and attach the required supporting documentation. You are advised to read all instructions carefully prior to completing this form. Remember that only California certified DVBEs who can provide related goods and/or services may be used to satisfy these program solicitation requirements. DVBEs must perform a commercially useful function. During contract performance, all requests for substituting DVBE subcontractors must be made in accordance with the provisions of California Code of Regulations, Title 2, §1896.64(c).

OPTION A – I commit to meeting the full DVBE Agreement participation requirement.

Complete: STD. 840, Section A (check the box on this form) and Bidder Declaration form GSPD-05-105 (located elsewhere in the solicitation)

OPTION B – I performed and documented a Good Faith Effort (GFE) in an attempt to obtain DVBE participation.

Complete: STD. 840, Section A (check the box on this form), STD. 840, Section B (for GFE Steps 1 & 2), STD. 840 (REVERSE), Section C (for GFE Steps 3-5), and Bidder Declaration form GSPD-05-105 (located elsewhere in the solicitation)

OPTION C – I submit a copy of my firm’s “Notice of Approved DVBE Business Utilization Plan.”

Complete: STD. 840, Section A (check the box on this form) and Bidder Declaration form GSPD-05-105 (located elsewhere in the solicitation)

B. Documentation of Good Faith Effort Steps 1 and 2 – Full information must be provided. Remember to carefully read all instructions prior to completing this form. Please refer to the Resources & Information page for detailed contact information.

STEP 1. Contact the Awarding Department (the contracting official, unless another contact is specified) to identify potential DVBE subcontractors, and document this contact below.

Date Contacted / /	Contact Name	Telephone Number () ext.
Describe Result		

STEP 2. Contact all of the following and document your contacts as required: Other State and federal agencies and local organizations to identify potential DVBE subcontractors. **Attach screen print(s) of Web Results for verification.**

Other State Agency – Procurement Division, Office of Small Business and DVBE Services (OSDS)

PHONE CONTACT OR ONLINE SEARCH	Date / /	Telephone Number (916) 375-4940	Contact Name	<input type="checkbox"/> I contacted the OSDS for a list of California certified DVBEs.
	Date / /	Internet Address www.pd.dgs.ca.gov/smbus		<input type="checkbox"/> I searched the OSDS online database to identify California certified DVBEs.
Describe Result				

Federal Agency – U.S. Small Business Administration (SBA) online database

Date / /	Internet Address www.ccr.gov/.	<input type="checkbox"/> I searched the federal online database for California DVBEs.
Describe Result		

Local DVBE Organizations – Contact at least one local DVBE organization – refer to the DVBE Resource Packet for a list of acceptable contacts. (www.pd.dgs.ca.gov/smbus – select “DVBE Resource Packet”)

Date / /	Organization Name	Contact Name	Telephone Number and/or Internet Address () www.
Describe Result			

Date / /	Organization Name	Contact Name	Telephone Number and/or Internet Address () www.
Describe Result			

Go to Page 2, Section C to continue Good Faith Effort documentation

TRAVEL ALLOWANCE AND REIMBURSEMENTS

1. Accountability/Claim Requirements:

- a. Receipts are required for each item of expenses of \$25.00 or more. As specified below, receipts are also required for item of expense of less than \$25.00. Receipts shall be submitted with claims for every item of business expenses incurred while away from headquarters conducting state business except for actual expenses as follows:
 - Railroad and bus fares of less than \$25.00 when travel is wholly within the State of California.
 - Street car, ferry fares, bridge and road tolls, local rapid transit system, taxi, shuttle of hotel bus fares and parking fees of \$10.00 or less for each continuous period of parking or each item of transportation expenses noted in this item.
 - Telephone, telegraph, fax or other business charges related to State business of \$5.00 or less.
- b. In the absence of a receipt, reimbursement will be limited to the non-receipted amount above.
- c. Regardless of the exceptions in (a) above, the authority approving the claim and/or the appointing power may require any additional verification, or information, he/she deems necessary to determine that an expense was actually and reasonably incurred. In the absence of satisfactory explanation, no reimbursement shall be allowed. If there is reason to believe that inappropriate non-receipted expenses have been claimed, receipts may be required for each item of expense listed above for future travel.

2. Headquarters/Residence

- a. Travelers may not claim meals or lodging expenses within (50) miles of their headquarters. Travelers may not claim lodging within 50 miles of their primary residence. Meal expenses may be claimed within 50 miles of their primary residence only when the circumstances surrounding business-related meal is beyond the control of the travelers and it must be impractical to complete the business during normal work hours.
- b. Business meals are not reimbursable when departments call meetings with their own and or other department employees to conduct business. Claims for meal expenses where business is incidental to the meal or the attendance of the employee is primary for public or community relations are specifically prohibited.

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3. Reimbursement for Business Expenses:

Travelers on travel status will be reimbursed actual expenses for lodging, meals and incidentals. Lodging and/or meals provided by the state or included in hotel expenses or conferences fees, or in transportation cost such as airline tickets, or otherwise provided shall not be claimed for reimbursement. Snack and continental breakfast, such as rolls, juice and coffee are not considered to be meals.

Meals/Timeframes:

Reimbursement shall be for actual expenses, subject to the following maximum rates:

Breakfast.....	\$ 6.00
Lunch.....	\$10.00
Dinner.....	\$18.00
Incidentals.....	\$ 6.00

In computing reimbursement for continuous travel of less than 24 hours use the following timeframes.

Breakfast: May be claimed if travel begins at or before 6:00 a.m. and ends at or after 9:00 a.m.

Lunch: May **not** be claimed for travel of less than 24 hours.

Dinner: May be claimed if travel begins at or before 4:00 p.m. and ends at or after 7:00 p.m.

In computing reimbursement for continuous travel of more than 24 hours use the following timeframes.

Breakfast: May be claimed if travel begins at or before 6:00 a.m. and ends at or after 8:00 a.m.

Lunch: May be claimed if travel begins at or before 11:00 a.m. and ends at or after 2:00 p.m.

Dinner: May be claimed if travel begins at or before 5:00 p.m. and ends at or after 7:00 p.m.

Lodging:

Statewide Lodging Expense (up to) supported by a receipt \$84.00 + tax

Los Angeles/San Diego Counties (up to) supported by a receipt \$110.00 + tax

San Francisco, San Mateo, Santa Clara and Alameda Counties (up to)
\$140.00 + tax

Out of State Lodging plus taxes with lodging receipt and prior permission of the State.

Mileage Allowances:

- 1) Mileage reimbursement is fifty one cents (.51) per mile.
- 2) Mileage Reimbursement Rates: When a traveler uses a privately owned automobile to travel to and from a common carrier and the automobile is not parked at the terminal during the period of travel, the traveler may claim double the number of miles between the terminal and home or headquarters, whichever is less.
3. Method of Travel: The traveler is required to choose the most economical method of transportation, unless so doing would compromise program objectives or result in significant costly delays.

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STATE OF CALIFORNIA-DEPARTMENT OF FINANCE

PAYEE DATA RECORD

STD. 204 (Rev. 6-2003) (REVERSE)

1	<p>Requirement to Complete Payee Data Record, STD. 204</p> <p>A completed Payee Data Record, STD. 204, is required for payments to all non-governmental entities and will be kept on file at each State agency. Since each State agency with which you do business must have a separate STD. 204 on file, it is possible for a payee to receive this form from various State agencies.</p> <p>Payees who do not wish to complete the STD. 204 may elect to not do business with the State. If the payee does not complete the STD. 204 and the required payee data is not otherwise provided, payment may be reduced for federal backup withholding and nonresident State income tax withholding. Amounts reported on Information Returns (1099) are in accordance with the Internal Revenue Code and the California Revenue and Taxation Code.</p>
2	<p>Enter the payee's legal business name. Sole proprietorships must also include the owner's full name. An individual must list his/her full name. The mailing address should be the address at which the payee chooses to receive correspondence. Do not enter payment address or lock box information here.</p>
3	<p>Check the box that corresponds to the payee business type. Check only one box. Corporations must check the box that identifies the type of corporation. The State of California requires that all parties entering into business transactions that may lead to payment(s) from the State provide their Taxpayer Identification Number (TIN). The TIN is required by the California Revenue and Taxation Code Section 18646 to facilitate tax compliance enforcement activities and the preparation of Form 1099 and other information returns as required by the Internal Revenue Code Section 6109(a).</p> <p>The TIN for individuals and sole proprietorships is the Social Security Number (SSN). Only partnerships, estates, trusts, and corporations will enter their Federal Employer Identification Number (FEIN).</p>
4	<p>Are you a California resident or nonresident?</p> <p>A corporation will be defined as a "resident" if it has a permanent place of business in California or is qualified through the Secretary of State to do business in California.</p> <p>A partnership is considered a resident partnership if it has a permanent place of business in California. An estate is a resident if the decedent was a California resident at time of death. A trust is a resident if at least one trustee is a California resident.</p> <p>For individuals and sole proprietors, the term "resident" includes every individual who is in California for other than a temporary or transitory purpose and any individual domiciled in California who is absent for a temporary or transitory purpose. Generally, an individual who comes to California for a purpose that will extend over a long or indefinite period will be considered a resident. However, an individual who comes to perform a particular contract of short duration will be considered a nonresident.</p> <p>Payments to all nonresidents may be subject to withholding. Nonresident payees performing services in California or receiving rent, lease, or royalty payments from property (real or personal) located in California will have 7% of their total payments withheld for State income taxes. However, no withholding is required if total payments to the payee are \$1,500 or less for the calendar year.</p> <p>For information on Nonresident Withholding, contact the Franchise Tax Board at the numbers listed below: Withholding Services and Compliance Section: 1-888-792-4900 E-mail address: wscs.gen@ftb.ca.gov For hearing impaired with TDD, call: 1-800-822-6268 Website: www.ftb.ca.gov</p>
5	<p>Provide the name, title, signature, and telephone number of the individual completing this form. Provide the date the form was completed.</p>
6	<p>This section must be completed by the State agency requesting the STD. 204.</p>
	<p>Privacy Statement</p> <p>Section 7(b) of the Privacy Act of 1974 (Public Law 93-579) requires that any federal, State, or local governmental agency, which requests an individual to disclose their social security account number, shall inform that individual whether that disclosure is mandatory or voluntary, by which statutory or other authority such number is solicited, and what uses will be made of it.</p> <p>It is mandatory to furnish the information requested. Federal law requires that payment for which the requested information is not provided is subject to federal backup withholding and State law imposes noncompliance penalties of up to \$20,000.</p> <p>You have the right to access records containing your personal information, such as your SSN. To exercise that right, please contact the business services unit or the accounts payable unit of the State agency(ies) with which you transact that business.</p> <p>All questions should be referred to the requesting State agency listed on the bottom front of this form.</p>

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Attachment 10
Page 1 of 4**

CCC-307

CERTIFICATION

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective Contractor to the clause(s) listed below. This certification is made under the laws of the State of California.

<i>Contractor/Bidder Firm Name (Printed)</i>		<i>Federal ID Number</i>
<i>By (Authorized Signature)</i>		
<i>Printed Name and Title of Person Signing</i>		
<i>Date Executed</i>	<i>Executed in the County of</i>	

CONTRACTOR CERTIFICATION CLAUSES

1. **STATEMENT OF COMPLIANCE:** Contractor has, unless exempted, complied with the nondiscrimination program requirements. (Gov. Code §12990 (a-f) and CCR, Title 2, Section 8103) (Not applicable to public entities.)

2. **DRUG-FREE WORKPLACE REQUIREMENTS:** Contractor will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:

a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.

b. Establish a Drug-Free Awareness Program to inform employees about:

- 1) the dangers of drug abuse in the workplace;
- 2) the person's or organization's policy of maintaining a drug-free workplace;
- 3) any available counseling, rehabilitation and employee assistance programs; and,
- 4) penalties that may be imposed upon employees for drug abuse violations.

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c. Every employee who works on the proposed Agreement will:

- 1) receive a copy of the company's drug-free workplace policy statement; and,
- 2) agree to abide by the terms of the company's statement as a condition of employment on the Agreement.

Failure to comply with these requirements may result in suspension of payments under the Agreement or termination of the Agreement or both and Contractor may be ineligible for award of any future State agreements if the department determines that any of the following has occurred: the Contractor has made false certification, or violated the certification by failing to carry out the requirements as noted above. (Gov. Code §8350 et seq.)

3. NATIONAL LABOR RELATIONS BOARD CERTIFICATION: Contractor certifies that no more than one (1) final unappealable finding of contempt of court by a Federal court has been issued against Contractor within the immediately preceding two-year period because of Contractor's failure to comply with an order of a Federal court, which orders Contractor to comply with an order of the National Labor Relations Board. (Pub. Contract Code §10296) (Not applicable to public entities.) ♦

4. CONTRACTS FOR LEGAL SERVICES \$50,000 OR MORE- PRO BONO REQUIREMENT: Contractor hereby certifies that contractor will comply with the requirements of Section 6072 of the Business and Professions Code, effective January 1, 2003.

Contractor agrees to make a good faith effort to provide a minimum number of hours of pro bono legal services during each year of the contract equal to the lessor of 30 multiplied by the number of full time attorneys in the firm's offices in the State, with the number of hours prorated on an actual day basis for any contract period of less than a full year or 10% of its contract with the State.

Failure to make a good faith effort may be cause for non-renewal of a state contract for legal services, and may be taken into account when determining the award of future contracts with the State for legal services.

5. EXPATRIATE CORPORATIONS: Contractor hereby declares that it is not an expatriate corporation or subsidiary of an expatriate corporation within the meaning of Public Contract Code Section 10286 and 10286.1, and is eligible to contract with the State of California.

6. SWEATFREE CODE OF CONDUCT:

a. All Contractors contracting for the procurement or laundering of apparel, garments or corresponding accessories, or the procurement of equipment, materials, or supplies, other than procurement related to a public works contract, declare under penalty of perjury that

**Office of Traffic Safety
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Attachment 10
Page 3 of 4**

no apparel, garments or corresponding accessories, equipment, materials, or supplies furnished to the state pursuant to the contract have been laundered or produced in whole or in part by sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor, or with the benefit of sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor. The contractor further declares under penalty of perjury that they adhere to the Sweatfree Code of Conduct as set forth on the California Department of Industrial Relations website located at www.dir.ca.gov, and Public Contract Code Section 6108.

b. The contractor agrees to cooperate fully in providing reasonable access to the contractor's records, documents, agents or employees, or premises if reasonably required by authorized officials of the contracting agency, the Department of Industrial Relations, or the Department of Justice to determine the contractor's compliance with the requirements under paragraph (a).

7. DOMESTIC PARTNERS: For contracts over \$100,000 executed or amended after January 1, 2007, the contractor certifies that contractor is in compliance with Public Contract Code section 10295.3.

DOING BUSINESS WITH THE STATE OF CALIFORNIA

The following laws apply to persons or entities doing business with the State of California.

1. CONFLICT OF INTEREST: Contractor needs to be aware of the following provisions regarding current or former state employees. If Contractor has any questions on the status of any person rendering services or involved with the Agreement, the awarding agency must be contacted immediately for clarification.

Current State Employees (Pub. Contract Code §10410):

- 1). No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.
- 2). No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.

Former State Employees (Pub. Contract Code §10411):

- 1). For the two-year period from the date he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the

**Office of Traffic Safety
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Page 4 of 4**

negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the contract while employed in any capacity by any state agency.

2). For the twelve-month period from the date he or she left state employment, no former state officer or employee may enter into a contract with any state agency if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed contract within the 12-month period prior to his or her leaving state service.

If Contractor violates any provisions of above paragraphs, such action by Contractor shall render this Agreement void. (Pub. Contract Code §10420)

Members of boards and commissions are exempt from this section if they do not receive payment other than payment of each meeting of the board or commission, payment for preparatory time and payment for per diem. (Pub. Contract Code §10430 (e))

2. LABOR CODE/WORKERS' COMPENSATION: Contractor needs to be aware of the provisions which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions, and Contractor affirms to comply with such provisions before commencing the performance of the work of this Agreement. (Labor Code Section 3700)

3. AMERICANS WITH DISABILITIES ACT: Contractor assures the State that it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 et seq.)

4. CONTRACTOR NAME CHANGE: An amendment is required to change the Contractor's name as listed on this Agreement. Upon receipt of legal documentation of the name change the State will process the amendment. Payment of invoices presented with a new name cannot be paid prior to approval of said amendment.

5. CORPORATE QUALIFICATIONS TO DO BUSINESS IN CALIFORNIA:

a. When agreements are to be performed in the state by corporations, the contracting agencies will be verifying that the contractor is currently qualified to do business in California in order to ensure that all obligations due to the state are fulfilled.

b. "Doing business" is defined in R&TC Section 23101 as actively engaging in any transaction for the purpose of financial or pecuniary gain or profit. Although there are some statutory exceptions to taxation, rarely will a corporate contractor performing within the state not be subject to the franchise tax.

c. Both domestic and foreign corporations (those incorporated outside of California) must be in good standing in order to be qualified to do business in California. Agencies will

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Attachment 10
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determine whether a corporation is in good standing by calling the Office of the Secretary of State.

6. RESOLUTION: A county, city, district, or other local public body must provide the State with a copy of a resolution, order, motion, or ordinance of the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement.

7. AIR OR WATER POLLUTION VIOLATION: Under the State laws, the Contractor shall not be: (1) in violation of any order or resolution not subject to review promulgated by the State Air Resources Board or an air pollution control district; (2) subject to cease and desist order not subject to review issued pursuant to Section 13301 of the Water Code for violation of waste discharge requirements or discharge prohibitions; or (3) finally determined to be in violation of provisions of federal law relating to air or water pollution.

8. PAYEE DATA RECORD FORM STD. 204: This form must be completed by all contractors that are not another state agency or other governmental entity.

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STATE OF CALIFORNIA

NONDISCRIMINATION COMPLIANCE STATEMENT

STD. 19 (REV. 3-95)

**Office of Traffic Safety
RFP 10-01
Attachment 11
Page 1 of 1**

COMPANY NAME

The company named above (hereinafter referred to as "prospective contractor") hereby certifies, unless specifically exempted, compliance with Government Code Section 12990 (a-f) and California Code of Regulations, Title 2, Division 4, Chapter 5 in matters relating to reporting requirements and the development, implementation and maintenance of a Nondiscrimination Program. Prospective contractor agrees not to unlawfully discriminate, harass or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), medical condition (cancer), age (over 40), marital status, denial of family care leave and denial of pregnancy disability leave.

CERTIFICATION

I, the official named below, hereby swear that I am duly authorized to legally bind the prospective contractor to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

OFFICIAL'S NAME

DATE EXECUTED

EXECUTED IN THE COUNTY OF

PROSPECTIVE CONTRACTOR'S SIGNATURE

PROSPECTIVE CONTRACTOR'S TITLE

PROSPECTIVE CONTRACTOR'S LEGAL BUSINESS NAME

**TARGET AREA CONTRACT PREFERENCE ACT
PREFERENCE REQUEST FOR GOODS AND SERVICES SOLICITATIONS**

Complete this form to request TACPA preferences for this bid.

SOLICITATION NUMBER	AGENCY/DEPT
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Target Area Contract Preference Act (TACPA) preferences are available only if the lowest responsible bid and resulting contract exceeds \$100,000. Your firm must be California based. You must certify, under penalty of perjury, to perform either 50% of the labor hours required to complete a contract for GOODS, or 90% of the labor hours required to complete a contract for SERVICES in the Target Area Contract Preference Act zone(s) you identify in Section I. The TACPA provides bid selection preferences of 5% for eligible worksites (Section I), and 1% intended worksite or visit the U.S. Census Bureau website (www.census.gov).

Section I. 5% WORKSITE(S) PREFERENCE ELIGIBILITY AND LABOR HOURS

To the Bidder: Preference may be denied for failure to provide the following required information:

- (1) Identify each firm in the supply chain, including yours, that will perform any of the contract labor hours required to complete this contract. Identify your role in the distribution process. Transportation hours performed by each carrier must be reported separately.
- (2) List complete addresses for each firm named below.
- (3) Report projected number of labor hours required to perform the contract for each firm.
- (4) Enter the CENSUS TRACT number.
- (5) Enter the BLOCK GROUP number.
- (6) Identify the California designated TACPA worksite(s) by entering the proper Criteria letter A, B, C, D, E, F (see reverse for instructions) in the Criteria column.

FIRM NAME and CONTRACT FUNCTION: (Manufacturing, transportation, shipping, warehousing, admin., etc.) Use additional pages, as needed, to fully report worksite information.	WORKSITE ADDRESS (2) Street Address, City, County, State, Zip Code, Phone Number	PROJECTED LABOR HOURS (3)	COMPLETE FOR ALL SITES LOCATED WITHIN A TACPA PREFERENCE AREA(S)		
			TRACT NUMBER (4)	BLOCK NUMBER (5)	CRITERIA (A – F) (6)
TOTAL PROJECTED LABOR HOURS:		0.00			

Section II. 1% TO 4% WORKFORCE PREFERENCE

Bidders must qualify their firm's worksite eligibility to request an additional 1% to 4% workforce preference in Section II.

- I request a 1% preference for hiring eligible persons to perform 5 to 9.99% of the total contract labor hours.
- I request a 2% preference for hiring eligible persons to perform 10 to 14.99% of the total contract labor hours.
- I request a 3% preference for hiring eligible persons to perform 15 to 19.99% of the total contract labor hours.
- I request a 4% preference for hiring eligible persons to perform 20% or more of the total contract labor hours.

Section III. CERTIFICATION FOR WORKSITE AND WORKFORCE PREFERENCES

To receive TACPA preferences, the following certification must be completed and signed by the Bidder.

I hereby certify under penalty of perjury that the bidder (1) is a California based company as defined in the TACPA regulations; (2) shall ensure that at least 50% of the labor hours required to complete a contract for Goods, or 90% of the labor hours to complete a Services contract shall be performed at the designated TACPA worksite(s) claimed in Section I; (3) shall hire persons who are TACPA eligible employees to perform the specified percent of total contract labor hours as claimed in Section II; (4) has provided accurate information on this request. I understand that any person furnishing false certification, willfully providing false information or omitting information, or failing to comply with the TACPA requirements is subject to sanctions as set forth in the statutes.

BIDDER'S NAME & TITLE	BIDDER'S SIGNATURE	PHONE NUMBER	DATE
		FAX NUMBER	

TARGET AREA CONTRACT PREFERENCE ACT PREFERENCE REQUEST FOR GOODS AND SERVICES SOLICITATIONS

Target Area Contract Preference Act References and Instructions

The Target Area Contract Preference Act (TACPA), GC §4530 et seq., and 2 CCR §1896.30 et seq., promotes employment and economic development at designated distressed areas by offering 5% worksite and 1% to 4% workforce bidding preferences in specified state contracts. The TACPA preferences do not apply to contracts where the worksite is fixed by the contract terms. These preferences only apply to bidders who are California based firms, and only when the lowest responsible bid and resulting contract exceed \$100,000. Bidders must certify, under penalty of perjury to perform either 50% (for GOODS contracts) or 90% (for SERVICES contracts) of the labor hours required to complete this contract in the eligible TACPA area workite(s) identified in Section I on the reverse side of this page. TACPA preferences are limited to 9%, or a maximum of \$50,000 per bid. In combination with any other preferences, the maximum limit is 15% of the lowest responsible bid; and, in no case more than \$100,000 per bid.

Section I Worksite Preference Eligibility and Labor Hours

Bidders must identify at least one eligible TACPA worksite by entering the criteria letter A, B, C, D, E or F in the "Criteria" column and enter the "Census Tract" and "Block Group" Numbers to be eligible for the preference. You must name each and every firm or site where contract labor hours will be worked. Preference requests may be denied if an eligible California TACPA workite is not identified, or all firms performing contract labor hours are not identified. Enter one of the following "Criteria" letters to identify each TACPA workite on the reverse page:

- A. The firm is located in a California eligible distressed area(s).
- B. The firm will establish a workite(s) in a California eligible distressed area(s).
- C. The firm is in a census tract with a contiguous boundary adjacent to a California eligible distressed area.
- D. The firm will establish a workite(s) located directly adjoining a valid TACPA census tract/block group that when attached to the California eligible distressed area(s) forms a contiguous boundary.
- E. The bidder will purchase the contract goods from a manufacturer(s) in a California eligible distressed area(s). **This option applies to solicitations for GOODS only.**
- F. The bidder will purchase contract goods from a manufacturer(s) in directly adjoining census tract blocks that when attached to the California eligible distressed area(s) forms a contiguous boundary. **This option applies to solicitations for GOODS only.**

Enter labor hours for each listed firm and site. The hours shall be reasonable and shall only include the labor hours necessary and required to complete the contract activities. Artificially increasing hours at a claimed TACPA worksite, or understating labor hours worked outside the eligible worksite may result in a denied preference request. Do not include machine time and non-labor time when projecting contract labor hours. Report all bidder work hours and those of any subcontractor performing this contract. All transportation hours must be reported for each carrier separately and must not be combined or included with hours for manufacturing, processing, or administration, or at any eligible TACPA site. Failure to list all the labor hours to be performed at the reportable sites will result in a denial of this preference request.

The bidder must explain, by activity, their firm's projected contract labor hours by completing and signing the *Bidder's Summary* form (included with this solicitation).

STATE OF CALIFORNIA - DEPARTMENT OF GENERAL SERVICES DISPUTE RESOLUTION AND PREFERENCE PROGRAMS

If supplying goods, the bidder must also provide a completed and signed *Manufacturer's Summary* form (included with this solicitation) that specifies the number of projected labor hours necessary to make the product(s).

Section II Workforce Preference

Eligibility to request a workforce preference is based on the bidder first claiming and receiving approval of the 5% TACPA worksite preference. The workforce preferences are only awarded if the bidder hires and employs the TACPA qualified individuals. Workforce preferences will not be approved for another firm's employees. By claiming a workforce preference percentage, the bidder must have its eligible employees perform the specified percentage of the total contract workforce labor hours. See Section I, "Total Projected Labor Hours," STD. 830. To claim the workforce preferences select or check the appropriate box for percent of requested bid preferences in Section II.

Section III Certification for Worksite and Workforce Preferences

Bidder must sign, under penalty of perjury, the certification contained in Section III to be eligible for any of the preferences requested pursuant to this form. The penalties associated with the TACPA statute are: GC §4535.1, a business which requests and is given the preference by reason of having furnished a false certification, and which by reason of that certification has been awarded a contract to which it would not otherwise have been entitled, shall be subject to all of the following:

- (a) Pay to the State any difference between the contract amount and what the State's cost would have been if the contract had been properly awarded.
- (b) In addition to the amount specified in subdivision (a), be assessed a penalty in an amount of not more than 10 percent of the amount of the contract involved.
- (c) Be ineligible to directly or indirectly transact any business with the State for a period of not less than six months and not more than 36 months.

Prior to the imposition of any sanction under this chapter, the contractor or vendor shall be entitled to a public hearing and to five days notice of the time and place thereof. The notice shall state the reasons for the hearing.

If you receive an award based on these preferences you will be required to report monthly on your contract performance, labor hours, and TACPA compliance.

For questions concerning preferences and calculations, or if a bid solicitation does not include preference request forms, please call the awarding Department's contract administrator. Only another California certified small business can use TACPA, EZA or LAMBRA preferences to displace a California certified small business bidder.

To identify TACPA distressed worksites contact the local city or county Planning/Economic Development offices of the proposed worksite, or go to <http://factfinder.census.gov> and click on "Enter a street address" to find a Census Tract and Block Group. Verify the Census Tract and Block numbers for TACPA sites by calling the DGS, Procurement Division preference line at (916) 375-4609.

ENTERPRISE ZONE ACT PREFERENCE (EZA) REQUEST FOR GOODS AND SERVICES SOLICITATIONS

OTS, RFP 10-01, Attachment 13

STATE OF CALIFORNIA - DEPARTMENT OF GENERAL SERVICES
DISPUTE RESOLUTION AND PREFERENCE PROGRAMS

Complete this form only to request EZA preferences for this bid.

SOLICITATION NUMBER	AGENCY/DEPT
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Enterprise Zone Act (EZA) preferences are available only if the lowest responsible bid and resulting contract exceeds \$100,000. Your firm must be California based. You must certify under penalty of perjury to perform either 50% of the labor hours required to complete a contract for GOODS or 90% of the labor hours required to complete a contract for SERVICES in an eligible enterprise zone worksite(s). (Identify in Section I.) The EZA provides bid selection preferences of 5% for eligible worksites (Section I), and 1% to 4% for hiring eligible workforce employees (Section II). EZA addresses can be verified or confirmed with city-county Economic Development Offices or visit the Department of Housing and Community Development website (www.hcd.ca.gov).

Section I. 5% WORKSITE(S) PREFERENCE ELIGIBILITY AND LABOR HOURS

To the Bidder: Preference may be denied for failure to provide the following required information:

- (1) Identify each firm in the supply chain, including yours, that will perform any of the contract labor hours required to complete this contract. Identify your role in the distribution process.
 - (2) Transportation hours performed by each carrier must be reported separately.
 - (3) List complete addresses for each firm named below.
 - (4) Report projected number of labor hours required to perform the contract for each firm.
 - (5) Enter the Enterprise Zone Name.
- Identify the California designated EZA worksite(s) by entering the proper **Criteria** letter A, B, or C (see reverse for instructions) in the Criteria column.

(1) FIRM NAME and CONTRACT FUNCTION: <small>(Manufacturing, transportation, shipping, warehousing, admin., etc.) Use additional pages, as needed, to fully report worksite information.</small>	(2) WORKSITE ADDRESS <small>Street Address, City, County, State, Zip Code, Phone Number</small>	(3) Projected Labor Hours	COMPLETE FOR ALL SITES LOCATED WITHIN THE EZA PREFERENCE AREA(S)	
			(4) Enterprise Zone Name	(5) Criteria <small>(A, B, C)</small>
TOTAL PROJECTED LABOR HOURS:		0.00		

Section II. 1% TO 4% WORKFORCE PREFERENCE

Bidders must qualify their firm's worksite eligibility to request an additional 1% to 4% workforce preference in Section II.

- I request a 1% preference for hiring eligible persons to perform 5 to 9.99% of the total contract labor hours.
- I request a 2% preference for hiring eligible persons to perform 10 to 14.99% of the total contract labor hours.
- I request a 3% preference for hiring eligible persons to perform 15 to 19.99% of the total contract labor hours.
- I request a 4% preference for hiring eligible persons to perform 20% or more of the total contract labor hours.

Section III. CERTIFICATION FOR WORKSITE AND WORKFORCE PREFERENCES

To receive EZA preferences, the following certification must be completed and signed by the Bidder.

I hereby certify under penalty of perjury that the bidder (1) is a California based company as defined in the EZA regulations; (2) shall ensure that at least 50% of the labor hours required to complete a contract for Goods, or 90% of the labor hours to complete a Services contract shall be performed at the designated EZA worksite(s) claimed in Section I; (3) shall hire persons who are EZA eligible employees to perform the specified percent of total contract labor hours as claimed in Section II; (4) has provided accurate information on this request to receive EZA preferences. I understand that any person furnishing false certifications, willfully providing false information or omitting information, or failing to comply with the EZA requirements is subject to sanctions as set forth in the statutes.

BIDDER'S NAME AND TITLE	BIDDER'S SIGNATURE		PHONE NUMBER
			DATE
			FAX NUMBER

ENTERPRISE ZONE ACT PREFERENCE (EZA) REQUEST FOR GOODS AND SERVICES SOLICITATIONS

Enterprise Zone Act References and Instructions

The Enterprise Zone Act (EZA), GC §7070 et seq., and 2CCR §1896.100 et seq. promotes employment and economic development at designated Enterprise Zones by offering 5% worksite, and 1% to 4% workforce bidding preferences in specified State contracts. The EZA preferences do not apply to contracts where the worksite is fixed by the contract terms. These preferences only apply to bidders who are California based firms, and only when the lowest responsible bid and resulting contract exceeds \$100,000. Bidders must certify, under penalty of perjury, to perform either 50% (for GOODS contracts) or 90% (for SERVICES contracts) of the contract labor hours required to complete this contract in the eligible EZA area workite(s) identified in Section I on the reverse side of this page. EZA preferences are limited to 9%, or a maximum of \$50,000 per bid. In combination with any other preferences, the maximum limit is 15% of the lowest responsible bid; and, in no case more than \$100,000 per bid.

SECTION I

Worksite Preference Eligibility and Labor Hours

Bidders must identify at least one eligible EZA worksite by entering the EZA Zone Name and the "Criteria" letter A, B, or C in section 4 and 5, on the reverse of this form, to be eligible for the preference. You must name each and every firm or site where contract labor hours will be worked. Preference requests may be denied if an eligible California EZA worksite is not identified, or if all firms performing contract labor hours are not identified. Enter one of the following "Criteria" letters to identify each EZA worksite on the reverse page:

- A.** The firm is located in a California designated Enterprise Zone(s).
- B.** The firm will establish a worksite(s) in a California eligible distressed EZA area(s).
- C.** The bidder will purchase the contract goods from a manufacturer(s) located in a California designated EZA area(s). **This option applies to solicitations for GOODS only.**

Enter labor hours for each listed firm and site. The hours shall be reasonable and shall only include the labor hours necessary and required to complete the contract activities. Artificially increasing hours at a claimed EZA worksite, or understating labor hours worked outside the eligible worksite may result in a denied preference request. Do not include machine time and non-labor time when projecting contract labor hours. Report all bidder work hours and those of any subcontractor performing this contract. All transportation hours must be reported for each carrier separately and must not be combined or included with hours for manufacturing, processing, or administration, or at any eligible EZA site. Failure to list all the labor hours to be performed at the reportable sites will result in a denial of this preference request.

The bidder must explain, by activity, their firm's projected contract labor hours by completing and signing the *Bidder's Summary* form (included with this solicitation).

If supplying goods, the bidder must also provide a completed and signed *Manufacturer's Summary* form (included with this solicitation) that specifies the number of projected labor hours necessary to make the product(s).

SECTION II

Workforce Preference

Eligibility to request a workforce preference is based on the bidder first claiming and receiving approval of the 5% EZA worksite preference. The workforce preferences are only awarded if the bidder hires and employs the EZA qualified individuals. Workforce preferences will not be approved for another firm's employees. By claiming a workforce preference percentage the bidder must have its eligible employees perform the specified percentage of the total contract workforce labor hours. See Section I, "Total Projected Labor Hours," form STD. 831. To claim the workforce preference select or check the appropriate box for percent of requested bid preferences in Section II.

SECTION III

Certification for Worksite and Workforce Preferences

Bidder must sign, under penalty of perjury, the certification contained in Section III to be eligible for any of the preferences requested. The penalties associated with the EZA statute are: GC §7084 (g)(1), a business that requests and is given the preference by reason of having furnished a false certification, and that by reason of this certification has been awarded a contract to which it would not otherwise have been entitled, shall be subject to all of the following:

- (A) Pay to the State any difference between the contract amount and what the State cost would have been if the contract had been properly awarded.
- (B) In addition to the amount specified in subparagraph (A), be assessed a penalty in an amount of not more than 10% of the amount of the contract involved.
- (C) Be ineligible to directly or indirectly transact any business with the State for period of not less than 6 months and not more than 36 months

Prior to the imposition of any sanction under this chapter, the contractor or vendor shall be entitled to a public hearing and to five days' notice of the time and place thereof. The notice shall state the reasons for the hearing.

If you receive an award based on these preferences, you will be required to report monthly on your contract performance, labor hours and EZA compliance.

For questions concerning preferences and calculations, or if bid solicitation does not include preference request forms, please call the awarding department's contract administrator. Only another California certified small business can use TACPA, EZA or LAMBRA preferences to displace a California certified small business bidder.

To locate California designated EZA sites visit the Department of Housing and Community Development website (www.hcd.ca.gov) and select "Community Affairs." Scroll down and select "Enterprise Zone Programs." Scroll down and select "Enterprise Zone Maps and Street Ranges." You may contact the city or county Planning/Economic Development offices for the proposed worksite location, or the Department of General Services, Procurement Division preference line at (916) 375-4609.

LOCAL AGENCY MILITARY BASE RECOVERY AREA ACT FOR GOODS AND SERVICES SOLICITATIONS

STATE OF CALIFORNIA – DEPARTMENT OF GENERAL SERVICES
DISPUTE RESOLUTION AND PREFERENCE PROGRAMS

Complete this form if you request LAMBRA preferences for this bid.

SOLICITATION NUMBER	AGENCY/DEPT
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Local Agency Military Base Recovery Area (LAMBRA) Act preferences are available only if the lowest responsible bid and the resulting contract exceeds \$100,000. Your firm must be California based. You must certify, under penalty of perjury, to perform either 50% of the labor hours required to complete a contract for GOODS, or 90% of the labor hours required to complete a contract for SERVICES in the LAMBRA area you identify in Section I. The LAMBRA provides bid selection preferences of 5% for eligible worksites (Section I), and 1% to 4% for hiring eligible workforce employees (Section II). To identify LAMBRA worksites contact the city or county Planning / Economic Development offices, or visit the Department of Housing and Community Development website (www.hcd.ca.gov).

Section I. 5% WORKSITE(S) PREFERENCE ELIGIBILITY AND LABOR HOURS

To the Bidder: Preference may be denied for failure to provide the following required information:

1. Identify each firm in the supply chain, including yours, that will perform any of the contract labor hours required to complete this contract.
2. Identify your role in the distribution process. Transportation hours performed by each carrier must be reported separately.
3. List complete addresses for each firm named below.
4. Report projected number of labor hours required to perform the contract for each firm.
5. Enter the name of the designated LAMBRA site.
6. Identify the California designated LAMBRA worksite(s) by entering the proper Criteria letter A, B, or C (see reverse for instructions) in the Criteria column.

(1) Firm Name and Contract Function: (Manufacturing, Transportation, Shipping, Warehousing, Administration, etc.) Use additional pages, as needed, to fully report worksite information.	(2) WORKSITE ADDRESS Street Address, City, County, State, Zip Code, Phone Number	(3) Projected Labor Hours	COMPLETE FOR ALL SITES LOCATED WITHIN THE LAMBRA PREFERENCE AREA(S)	
			(4) LAMBRA Site Name	(5) Criteria (A, B, or C)
TOTAL PROJECTED LABOR HOURS:		0.00		

Section II. 1% TO 4% WORKFORCE PREFERENCE

Bidders must qualify their firm's worksite eligibility to request an additional 1% to 4% workforce preference in Section II.

- I request a 1% preference for hiring eligible persons to perform 5 to 9.99 % of the total contract labor hours.
- I request a 2% preference for hiring eligible persons to perform 10 to 14.99 % of the total contract labor hours.
- I request a 3% preference for hiring eligible persons to perform 15 to 19.99 % of the total contract labor hours.
- I request a 4% preference for hiring eligible persons to perform 20% or more of the total contract labor hours.

Section III. CERTIFICATION FOR WORKSITE AND WORKFORCE PREFERENCES

To receive LAMBRA preferences, the following certification must be completed and signed by the Bidder.

I hereby certify under penalty of perjury that the bidder: (1) is a California based company as defined in the LAMBRA regulations; (2) shall ensure that at least 50% of the labor hours required to complete a Goods contract, or 100% of the labor hours to complete a Services contract shall be performed at the designated LAMBRA worksite claimed in Section I; (3) shall hire persons who are LAMBRA eligible employees to perform the specified percent of total contract labor hours as claimed in Section II; (4) has provided accurate and complete information on this request. I understand that any person falsely certifying, willfully providing false information or omitting information, or furnishing false certification with the LAMBRA requirements is subject to sanctions as set forth in the statutes.

BIDDER'S NAME AND TITLE	BIDDER'S SIGNATURE		PHONE NUMBER	DATE
			FAX NUMBER	

LOCAL AGENCY MILITARY BASE RECOVERY AREA ACT FOR GOODS AND SERVICES SOLICITATIONS

LAMBRA References and Instructions

The Local Agency Military Base Recovery Area Act (LAMBRA) GC §7118 et seq. promotes employment and economic development at designated military bases by offering 5% worksite and 1% to 4% workforce bidding preferences in specified State contracts. The LAMBRA preferences do not apply to contracts where the worksite is fixed by the contract terms. These preferences only apply to bidders who are California based firms, and only when the lowest responsible bid and resulting contract exceed \$100,000. Bidders must certify, under penalty of perjury, to perform either 50% (for GOODS contracts) or 90% (for SERVICES contracts) of the labor hours required to complete this contract in the eligible LAMBRA area worksite(s) identified in Section I on the reverse side of this page. LAMBRA preferences are limited to 9%, or a maximum of \$50,000 per bid. In combination with any other preferences, the maximum limit is 15% of the lowest responsible bid, and in no case more than \$100,000 per bid.

Section I Worksite Preference Eligibility and Labor Hours

Bidders must identify at least one eligible LAMBRA worksite by entering the qualifying "Criteria" letter A, B, or C in section 5 and the LAMBRA name in section 4, in order to be eligible for the 5% preference. You must name each and every firm or site where contract labor hours will be worked. Preference requests may be denied for failure to identify an eligible California LAMBRA worksite, or if all firms performing contract labor hours are not identified. Enter one of the following "Criteria" letters to identify each LAMBRA worksite on the reverse page:

- A. The firm is located in a designated California LAMBRA site.
- B. The firm will establish a worksite within a designated California LAMBRA site.
- C. The bidder will purchase the contract goods from a manufacturer(s) located in a California designated LAMBRA site. **This option applies to solicitations for GOODS only.**

Enter labor hours for each listed firm and site. The hours shall be reasonable and shall only include the labor hours necessary and required to complete the contract activities. Artificially increasing hours at a claimed LAMBRA worksite, or understating labor hours worked outside the eligible worksite may result in a denied preference request. Do not include machine time and non-labor time when projecting contract labor hours. Report all bidder work hours and those of any subcontractor performing this contract. All transportation hours must be reported for each carrier separately and must not be combined or included with hours for manufacturing, processing, or administration, or at any eligible LAMBRA site. Failure to list all the labor hours to be performed at the reportable sites will result in a denial of this preference request.

The bidder must explain, by activity, their firm's projected contract labor hours by completing and signing the *Bidder's Summary* form (included with this solicitation).

If supplying goods, the bidder must also provide a completed and signed *Manufacturer's Summary* form (included with this solicitation) that specifies the number of projected labor hours necessary to make the product(s).

Section II Workforce Preference

Eligibility to request a workforce preference is based on the bidder first claiming and receiving approval of the 5% LAMBRA worksite preference. The workforce preferences are only awarded if the bidder hires and employs the LAMBRA qualified individuals. Workforce preferences will not be approved for another firm's employees. By claiming a workforce preference percentage the bidder must have its eligible employees perform the specified percentage of the total contract workforce hours. See Section I, "Total Projected Labor Hours," form STD. 832. To claim the workforce preference, select the appropriate box for percent of requested bid preferences in Section II.

Section III Certification for Worksite and Workforce Preferences

Bidder must sign, under penalty of perjury, the certification contained in Section III to receive any of the preferences requested pursuant to this form. The penalties associated with the LAMBRA statute are: GC §7118 (g)(1): A business that requests and is given the preference by reason of having furnished a false certification, and that by reason of this certification has been awarded a contract to which it would not otherwise have been entitled, shall be subject to all of the following:

- a) Pay to the state any difference between the contract amount and what the State's cost would have been if the contract had been properly awarded.
- b) In addition to the amount specified in subparagraph (a), be assessed a penalty in an amount of not more than 10 percent of the amount of the contract involved.
- c) Be ineligible to transact any business with the state for period of not less than six months and not more than 36 months.

Prior to the imposition of any sanction under this chapter, the contractor or vendor shall be entitled to a public hearing and to five days' notice of the time and place thereof. The notice shall state the reasons for the hearing.

If you receive an award based on these preferences you will be required to report monthly on your contract performance, labor hours, and LAMBRA compliance.

For questions concerning preferences and calculations, or if a bid solicitation does not include preference request forms, please call the awarding department's contract administrator. Only another California certified small business can use TACPA, EZA or LAMBRA preferences to displace a California certified small business bidder.

To locate California designated LAMBRA sites visit the Housing and Community Development website (www.hcd.ca.gov) and select "Community Affairs." Scroll down and select "Enterprise Zone Programs." Scroll down and select "Local Agency Military Base Reuse Act." You may contact the city or county Planning/Economic Development offices for the proposed worksite location, or the Department of General Services, Procurement Division preference line at (916) 375-4609.

DARFUR CONTRACTING ACT CERTIFICATION

Public Contract Code Sections 10475 -10481 applies to any company that currently or within the previous three years has had business activities or other operations outside of the United States. For such a company to bid on or submit a proposal for a State of California contract, the company must certify that it is either a) not a scrutinized company; or b) a scrutinized company that has been granted permission by the Department of General Services to submit a proposal.

If your company has not, within the previous three years, had any business activities or other operations outside of the United States, you do **not** need to complete this form.

OPTION #1 - CERTIFICATION

If your company, within the previous three years, has had business activities or other operations outside of the United States, in order to be eligible to submit a bid or proposal, please insert your company name and Federal ID Number and complete the certification below.

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that a) the prospective proposer/bidder named below is **not** a scrutinized company per Public Contract Code 10476; and b) I am duly authorized to legally bind the prospective proposer/bidder named below. This certification is made under the laws of the State of California.

<i>Company/Vendor Name (Printed)</i>	<i>Federal ID Number</i>
<i>By (Authorized Signature)</i>	
<i>Printed Name and Title of Person Signing</i>	
<i>Date Executed</i>	<i>Executed in the County and State of</i>

OPTION #2 – WRITTEN PERMISSION FROM DGS

Pursuant to Public Contract Code section 10477(b), the Director of the Department of General Services may permit a scrutinized company, on a case-by-case basis, to bid on or submit a proposal for a contract with a state agency for goods or services, if it is in the best interests of the state. If you are a scrutinized company that has obtained written permission from the DGS to submit a bid or proposal, complete the information below.

We are a scrutinized company as defined in Public Contract Code section 10476, but we have received written permission from the Department of General Services to submit a bid or proposal pursuant to Public Contract Code section 10477(b). A copy of the written permission from DGS is included with our bid or proposal.

<i>Company/Vendor Name (Printed)</i>	<i>Federal ID Number</i>
<i>Initials of Submitter</i>	
<i>Printed Name and Title of Person Initialing</i>	

MINIMUM PROPOSAL QUALIFICATIONS SUBMISSION CHECKLIST

<p>Each proposal will be evaluated to determine compliance with the Minimum Qualifications.</p>	<p>PROPOSER: EVALUATOR: DATE:</p>	
<p>EVALUATION CRITERIA</p>	<p>YES</p>	<p>NO*</p>
<p>A. One (1) original plus five (5) copies of proposal received.</p>		
<p>B. Cover Letter/Introduction (Maximum of two (2) pages)</p>		
<p>C Table of Content (Information shall be organized as presented in Technical Proposal, Section IV)</p>		
<p>D. Minimum Qualifications Statement – Proposer shall provide a narrative demonstrating that the Proposer, a.k.a. “Prime Contractor” meets all of the minimum qualifications for the RFP as specified in Minimum Proposal Qualifications, Attachment 16. (Maximum of three (3) pages)</p>		
<p>E. Description of Organization</p>		
<p>1. Services and Activities – Provide description of the nature of the organization’s services and activities. Note when the business was established, firm size and list the location(s) of the office(s) from which the primary work on this contract would be performed. OTS may make an onsite inspection prior to the award of the agreement to confirm the location and availability of resources necessary to satisfactorily perform this agreement.</p>		
<p>2. Conflict of Interest – The Proposer must certify in writing that there is no conflict of interest between existing client relationships and the ability to fully and vigorously represent OTS.</p>		
<p>3. The Proposer shall have a minimum of five (5) years of verifiable experience in marketing, public relations and media buys and be able to analyze program requirements to determine optimum placement of campaign messages to ensure maximum audience impact.</p>		
<p>F. Personnel/Management</p>		
<p>1. Contract Manager – Identify one (1) individual on the Proposer’s account team who will manage the contract work. Must be available on a sufficiently larger percentage of his/her time for managing the OTS account.</p>		
<p>2. Account Team/Resumes – The Proposer shall submit a resume for the Account Manager and Account Executive the Proposer intends to utilize if awarded the Agreement. The OTS has determined that both the Account Manager and Account Executive will exercise the major administrative role or major policy or consultant role in the performance of the Agreement. The Proposer shall not submit resumes for other contractor personnel unless requested by OTS.</p>		
<p>EVALUATION CRITERIA</p>	<p>YES</p>	<p>NO*</p>

**Office of Traffic Safety
RFP No. 10-01
Attachment 16
Page 2 of 2**

<p>3. References – The Proposer must supply OTS with a minimum of three (3) client reference letters, including at least one (1) from a government agency, with needs of similar degree of complexity and billables from the last five (5) years. The reference letters shall include the name of the firm or government agency, the nature of the work performed, the contact person, their business and email addresses, and the contact telephone and fax numbers. (Client reference letters shall not exceed two (2) pages each). References may be contacted by OTS as part of the evaluation of each Proposal. Negative responses from identified references may result in the disqualification of a submitted Proposal.</p>		
<p>4. Organization Chart – The Proposer must submit a chart showing the hierarchy and proposed duties of contractor personnel that will be working on project(s). Chart must show relationship between Account Manager and key personnel of the proposer’s organization and all other parties (subcontractors) to the proposal.</p>		
<p>G. Subcontractors</p>		
<p>Identify all proposed subcontractor(s) for work that exceeds \$5000. Document which portions of service will be performed by subcontractors and their ability to perform the work. Include resumes of subcontractor(s) key personnel. Do not exceed two (2) pages per person.</p>		
<p>H. Required Documents</p>		
<p>1. One (1) set of Financial Statements – Proposer must provide evidence of financial stability. The Proposer must document sufficient financial resources necessary to perform all services associated with this contract. Financial statements are required in the form of a balance sheet and or income statement for the last year these are available. Note: Financial Statements are confidential and must be labeled “confidential” and submitted in a separate sealed envelope.</p>		
<p>2. Licenses – Copy of current California business license from the city or county in which the business is located, however, if a corporation, a copy of their incorporation documents/letter from the Secretary of State’s Office can be submitted. If a Contractor is outside the State of California, a copy of their business license or incorporation papers for their respective State showing that the company is in good standing in that State.</p>		
<p>Comments:</p>		

*If the response to any item is “NO”, include explanatory comments.

**STATE OF CALIFORNIA
OFFICE OF TRAFFIC SAFETY
Public Relations, Advertising and Marketing Services
Request for Proposal No. 10-01**

The California Office of Traffic Safety (OTS) has issued this Request for Proposal (RFP) to obtain proposals for the development and implementation of a variety of traffic safety-related campaigns and initiatives. These projects will involve the efforts of a full-service professional agency that can assist in the creation and development of marketing campaigns, public relations and advertising activities consistent with the OTS mission of reducing deaths, injuries and economic losses that result from traffic-related collisions.

The Contract Administrator will be:

Chris Cochran
Assistant Director, Marketing and Public Affairs
California Office of Traffic Safety
2208 Kausen Drive, Suite 300
Elk Grove, CA 95758
Telephone: (916) 509-3063
Fax: (916) 509-3055
Email: ccochran@ots.ca.gov

I. Purpose and Description of Services

A. The Purpose of this RFP is to solicit proposals from vendors with the resources, experience and abilities to provide an array of communication services for OTS's Public Relations, Advertising and Marketing activities, including the development of campaigns that mirror California's geographic and demographic diversity. Outreach services shall include the ability to issue information, influence attitudes and create awareness, interest, understanding and support for the State's myriad of traffic safety programs and initiatives.

B. Background

OTS's mission is to obtain and effectively administer traffic safety grant funds to reduce deaths, injuries and economic losses resulting from traffic related collisions. The Office resides within the Business, Transportation & Housing Agency.

OTS accomplishes its mission by developing a comprehensive Highway Safety Plan (HSP); promoting traffic safety; procuring and administering available federal traffic safety funds; and coordinating traffic safety activities of state and local agencies toward a comprehensive statewide traffic safety program. The Office also develops an Annual Performance Report that illustrates the accomplishments of goals and objectives contained in the HSP.

Office of Traffic Safety**RFP No. 10-01****Page 2 of 19**

The program is a partnership effort between the federal government and the states. Each state has a Highway Safety Office that is designated by its Governor to receive federal traffic safety funds for coordinating its highway safety programs. Each year, OTS develops the HSP that identifies key highway safety problems in the state and the most effective countermeasures to address them. OTS solicits proposals statewide to address the identified problems. The available funds are allocated to state and local governmental agencies to implement traffic safety programs and initiatives.

The Office oversees more than 249 active grants that are distributed statewide and regionally. Each November, OTS requests proposals addressing traffic safety problems from all interested and eligible agencies, including, but not limited to: law enforcement agencies, fire departments, hospitals, and health departments. Grant programs service seven identified regions, including: Northern California, Bay Area, Central Coast, Central California, Inland Empire, Los Angeles and Orange Counties and Southern Border. Grants support planning to identify and quantify highway safety problems, provide start up “seed” money for new programs, and give new direction to existing safety programs. The funds are intended to catalyze innovative programs at the state and local level, and leverage commitments of state, local and private resources.

Since the inception of the OTS program in 1967, the State of California has experienced significant improvement in traffic safety. Despite a vast increase in population registered vehicles and vehicle miles of travel, the mileage death rate (MDR: number of persons killed per 100 million motor vehicle miles driven) has decreased by 74 percent from 4.9 in 1967 to 1.05 in 2008. Though much success has been achieved, traffic fatalities, injuries and property damage continue to exact an enormous cost on society.

C. Grant Program Overview

The HSP for federal fiscal year 2011 addresses priority program areas for a total of \$67 million for 184 new grants. In addition, 65 continuing grants that were initiated in prior years will be continued into 2011. Grants funded through the HSP included both state and local programs, and cover virtually all areas of the state.

The National Highway Traffic Safety Administration has identified priority program areas for grant funding. These programs, administered by OTS, are:

1. Alcohol and Other Drugs – Includes specialized community enforcement, education, public information, community prevention/intervention programs, and, interactive youth education; college campus programs, public information campaigns; sobriety checkpoints and DUI roving patrol enforcement, and regional local law enforcement “Avoid” partnerships.
2. Occupant Protection – Includes seat belt, child restraint and booster seat programs. Grants address education, training, enforcement, public information,

Office of Traffic Safety**RFP No. 10-01****Page 3 of 19**

and may include personnel, educational materials, and free or low cost child safety seats and booster seats. Occupant Protection issues also includes airbag safety and new issues, which may arise regarding side airbags.

3. Pedestrian and Bicycle Safety – Includes programs to increase safety awareness and skills among pedestrians and bicyclists. These grants encompass activities such as safety programs, education, enforcement, traffic safety and bicycle rodeos, bicycle helmet distribution programs, and court diversion programs for bicycle helmet violators.
4. Emergency Medical Services – OTS funds cost-effective programs that incorporate effective strategies for improving California's EMS system's ability to meet the needs of motor vehicle collision victims. This includes the purchase of life-saving equipment, training, reliable ambulance transportation, first responder vehicles and equipment, and miscellaneous medical equipment and supplies.
5. Roadway Safety/Traffic Records – Includes automated collision/citation database applications to enable public works (city and county) and police departments to track, identify, analyze, and display collision and citation data in a geographic information system format. These programs also correlate events with traffic volumes and recommend remedial action.
6. Police Traffic Services – Combines enforcement with public information and education, and includes driving under the influence (DUI) checkpoints, speed enforcement, and educational presentations. Specialized equipment may include motorcycles, DUI checkpoint and Visible Display Trailers, and speed measuring devices.
7. Motorcycle Safety – The program goal is to improve motorcycle safety by training and educating motorcycle riders on the effectiveness and need for safety equipment and educating the motoring public on the presence of motorcycles in the traffic environment.
8. Distracted Driving – Includes programs focusing on unsafe driving practices with emphasis on distracted driving behaviors. Raise public awareness of the dangers of texting and mobile phone use and change the way people think about distracted driving. OTS will be working on its own and with traffic safety partners on both public awareness of the problems and social norming to change behaviors.

II. Minimum Qualifications for Proposer

After the period has closed for receipt of proposals, each technical proposal will be evaluated to determine compliance with Attachment 16, Minimum Proposal Qualifications. If a proposal does not meet all requirements, it will be considered nonresponsive and rejected from further competition.

A staff review panel will screen each proposal to determine if it meets the Minimum Proposal Qualifications and are responsive to the RFP. Proposals that meet the minimum qualifications and are determined to be responsive will be evaluated by the Evaluation Committee. The Evaluation Committee will score the Proposals according to a scoring system described below. The contract will be awarded to the responsible proposer earning the highest overall score. The maximum number of points a proposer can receive will be 175 points if no oral presentation is required, otherwise the total number points available will be 205 points.

III. Proposal Requirements and Information

A. Definitions and Terms

1. OTS has established certain requirements with respect to bids to be submitted by prospective proposers. The use of “shall”, “must” “mandatory” or “required” in the RFP must be followed unless exempt by law, or granted exemption by the Department of General Services.
2. The word “should” in the RFP indicates desirable attributes of conditions, but are non-mandatory in nature. Deviation from, or omission of, such a desirable feature, even if material, will not in itself cause rejection of the proposal. The word “may” is a policy or procedure guideline presented as helpful aids, and if not material may be waived by the Office.
3. “Office” and “OTS” refers to the California Office of Traffic Safety.
4. “Proposer(s)” refers to contractors responding to this RFP.
5. “Material Deviations” means a deviation from a requirement is material if the deficient response is not in substantial accord with the RFP requirements, provides an advantage to one bidder over other bidders, or has a potentially significant effect on the delivery, quantity or quality of items proposed, amount paid to the vendor or on the cost to the Office. Material deviations cannot be waived.

B. General Information

1. Rules and Conditions

The competitive bidding process being used for this procurement of services is known as the RFP Secondary Method. Proposals will first be reviewed for compliance with Attachment 16, Minimum Qualifications for Proposers. Each respondent must establish its ability to meet each stated requirement. All proposals must include all required items in Attachment 16, Minimum Proposal Qualifications. Those proposals that meet these requirements will then be evaluated according to the criteria in Section III (G), Evaluation Process. Narrative proposals can be evaluated and scored. Oral interviews are optional. Passing points may be set to determine the finalist.

Proposers should carefully review the requirements of this RFP package, which includes a complete explanation of the OTS requirements which must be met as outlined in Section II, Minimum Qualifications for Proposer.

All Services provided under the agreement from this RFP shall be governed by the laws, procedures, and policies of the State of California.

The Proposer agrees to comply with the terms and conditions of Attachment 3, General Terms and Conditions (GTC-610) which can be viewed at www.ols.dgs.ca.gov/Standard+Language.

Travel in the state shall be governed by the Department of Personnel Administration (DPA) rules. Refer to Attachment 8, Travel Allowance and Reimbursement for the current rates and amounts which are subject to change by the DPA.

OTS reserves the right to accept or reject any or all proposals received as a result of this RFP, or to modify or cancel all or part of this RFP, if it is in the best interest of the State to do so.

2. Agency Qualifications

This procurement is open to all agencies or entities that, by the time of the proposal submission deadline, operate a full-service communications marketing, advertising, or public relations agency and have an office capable of meeting OTS needs and are licensed to do business in the State of California. The Proposer must provide evidence of financial stability and must document sufficient financial resources necessary to perform all services associated with resulting contract. Financial statements are required in the form of a balance sheet and or income statement for the last year these are available. Since the method of payment in the resulting contract will be payment in arrears for work completed,

**Office of Traffic Safety
RFP No. 10-01
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Proposers must have sufficient financial resources to perform services and withstand reimbursement processing for upwards of 90 days.

3. Budgeted Funds

This agreement will be for one (1) year at a cost not to exceed \$1.7 million commencing June 1, 2011 ending May 31, 2012.

4. Renewal Option

OTS retains the option to extend the contract for up to two (2) additional one-year periods at a cost not to exceed \$1.7 million per year. The Office, according to program direction, funding, contractor effectiveness, quality of product, consistency of price and scope of work continuity, will assess potential extensions annually.

5. Proposer's Costs.

Costs for developing proposals are entirely the responsibility of the Proposer and shall not be reimbursed by the State of California.

odwyerpr.com

C. Key Action Dates

Listed below are key action dates and times by which actions shall be taken or completed. Proposers failing to comply with dates and times listed below shall be disqualified from the bidding process. Please note that all dates and times require compliance, no extensions of time will be allowed. If OTS finds it necessary to change any date or time, notification shall be by written addendum:

RFP available to prospective proposers	March 28, 2011
Pre-Conference Proposer's Questions (Questions must be faxed or emailed)	March 31, 2011 No later than 5:00 p.m. PDT
Mandatory Bidder's (Proposer) Conference	April 4, 2011
Question and Answer Summary (mailed on or near:)	April 6, 2011
Proposal submission due date (6 typed copies)	April 18, 2011 No later than 5:00 p.m. PDT
Minimum Requirements Review	April 19, 2011
Evaluation by Scoring Committee	April 20-26, 2011
Oral Interviews, if necessary	May 3, 2011
Notice of Intent to Award (on or near)	May 4-10, 2011
Award Date	June 1, 2011

D. Mandatory Bidder's Conference

1. This Conference is for OTS to respond to both questions submitted prior to the Conference and questions asked at the Conference from bidders (Proposers). A team of OTS representatives will be present to address the items in question. All questions submitted prior to the Conference pertaining to Section IV, Technical Proposal must be submitted by email or fax.

**Office of Traffic Safety
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2. The Conference will take place at 1:00 p.m. at the following location, unless otherwise notified, on Monday, April 4, 2011 at:

Department of General Services
The Ziggurat Building
707 3rd Street, First Floor
West Sacramento, CA 95798

Address questions to:

OTS Public Relations, Advertising and Marketing Services
RFP No. 10-01
Chris Cochran
Assistant Director of Marketing and Public Affairs
California Office of Traffic Safety
Fax: (916) 509-3063
Email: ccoehran@ots.ca.gov

A follow-up addendum will include a summary of questions and answers from the Conference and will be mailed to all Proposers on or near April 6, 2011.

3. In the event a potential Proposer is unable to attend the mandatory bidder's conference, an authorized representative may attend on their behalf. The representative may only sign in for one company. Subcontractors may not represent a potential proposer. No proposal will be accepted unless the proposer or his authorized representative attended the mandatory bidder's conference.
4. For contractors who need assistance due to a physical impairment, a reasonable accommodation will be provided by the award agency upon request for the mandatory bidder's conference. The Contractor must call OTS at (916) 509-3063 prior to the scheduled date and time of the mandatory bidder's conference to arrange for a reasonable accommodation.
5. Oral Communications with State officers and employees shall be non-binding on the State and shall in no way exclude the Proposer of obligations as set forth in this RFP.

E. Cost Detail Format and Requirements

The total costs of all tasks and milestones cannot exceed \$1.7 million. Use Attachment 6b, Cost Proposal worksheet in preparing your cost proposal.

F. Submission of Proposal

1. Proposals should provide straightforward and concise descriptions of how Proposer's will satisfy the requirements of this RFP. The proposal must be

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complete and accurate. Omissions, inaccuracies or misstatements will be grounds for rejection of a proposal.

2. All proposals must be submitted under sealed cover and sent to OTS by the date and time shown in Section III (C), Key Action Dates. Proposals received after this date and time will not be considered.
3. A minimum of six (6) typed copies of the proposal must be submitted including one with original signatures.
4. The original proposal must be marked "ORIGINAL COPY." All documents contained in the original proposal package must have original signatures and must be signed by a person who is authorized to bind the proposing firm. All additional proposal sets may contain photocopies of the original package.
5. The proposal envelopes must be plainly marked with the RFP number and title, your firm name and address, and must be marked with "DO NOT OPEN". As shown in the following example:

Proposer's Name and Address
OTS Public Relations, Advertising and Marketing Services
RFP No. 10-01

DO NOT OPEN UNTIL
Monday, April 18, 2011, 5:00 p.m.

If the proposal is made under a fictitious name or business title, the actual legal name of proposer must be provided.

Proposals not submitted under sealed cover and marked as indicated may be rejected.

7. All proposals shall include the documents identified in Attachment 1, Required Attachment Check List. Proposals not including the proper "Attachments" shall be deemed non-responsive. A non-responsive proposal is one that does not meet the basic proposal requirements.
8. Mail or deliver proposals to the following address:

Chris Cochran
Assistant Director, Marketing and Public Affairs
California Office of Traffic Safety
2208 Kausen Drive, Suite 300
Elk Grove, CA 95758

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9. Proposals must be submitted for the performance of all the services described herein. Any deviation from the work specifications will not be considered and will cause a proposal to be rejected.
10. A proposal may be rejected if it is conditional or incomplete, or if it contains any alterations of the forms or other irregularities of any kind. The State may reject any or all proposals and may waive an immaterial deviation in a proposal. The State's waiver of an immaterial deviation shall in no way modify the RFP document or excuse the Proposer from full compliance with all requirements if awarded the agreement.
11. Costs incurred for developing proposals and in anticipation of award of the agreement are entirely the responsibility of the proposer and shall not be charged to the State of California.
12. An individual who is authorized to bind the proposing firm contractually shall sign the Attachment 2, Proposal/Proposer Certification. The signature must indicate the title or position that the individual holds in the firm. An unsigned proposal may be rejected.
13. A Proposer may modify a proposal after its submission by withdrawing its original proposal and resubmitting a new proposal prior to the proposal submission deadline as set forth in Section III (C), Key Action Dates. Proposal modifications offered in any other manner, oral or written, will not be considered.
14. A Proposer may withdraw its proposal by submitting a written withdrawal request to the State, signed by the proposer or an authorized agent in accordance with 8) of this section. A proposer may thereafter submit a new proposal prior to the proposal submission deadline. Proposals may not be withdrawn without cause subsequent to proposal submission deadline.
15. The awarding agency may modify the RFP prior to the date fixed for submission of proposals by the issuance of an addendum to all parties who received a proposal package.
16. The awarding agency reserves the right to reject all proposals. The agency is not required to award an agreement.
17. Before submitting a response to this solicitation, proposers should review, correct all errors and confirm compliance with the RFP requirements.
18. If more than one proposal is submitted from an individual, firm, partnership, corporation or association under the same or different names, no proposal from that Proposer will be considered.

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19. The State does not accept alternate contract language from a prospective contractor. A proposal with such language will be considered a counter proposal and will be rejected. The State's General Terms and Conditions (GTC-610), Attachment 3, are not negotiable.
20. No oral understanding or agreement shall be binding on either party.

G. Evaluation Process

1. At the time of proposal opening, each proposal will be checked for the presence or absence of required information of this RFP.
2. Proposals that contain false or misleading statements, or which provide references, which do not support an attribute or condition claimed by the proposer, may be rejected.
3. Award, if made, will be to the highest scored responsible Proposer.
4. Proposal Evaluation Criteria

Proposal will be reviewed, evaluated and scored by an evaluation committee. Evaluation of proposals will be based on the criteria in Attachment 17, Proposal Evaluation. Each component will be scored according to the degree of responsiveness present in the proposal being evaluated. A component score will not exceed the possible points shown for that component. The proposal score, before adjustments for any preference which may apply, will be the sum of the points allowed as assigned to each component.

5. Claims made for preference points for Attachment 5, Small Business Preference/State Contractor Certification Number; Attachment 12, Target Area Contract Preference Act Request; Attachment 13, Enterprise Zone Preference Request and/or Attachment 14, Local Agency Military Base Recovery Area (LAMBRA) are verified and points awarded for cost will then be calculated.

H. Award and Protest

1. Intent to Award
 - a. Upon selection of a proposed contractor, a Notice of Intent to Award will be posted in a public place in the Office of Traffic Safety, 2208 Kausen Drive, Suite 300, Elk Grove, CA 95758, for five (5) working days prior to awarding the agreement.
 - b. Proposals, cost data and evaluation forms will be regarded as public record after the contract is awarded under the California Public Records Act (Government Code Section 6250 et seq.).

2. Protest Procedures

- a. If any Proposer, prior to the award of agreement files a protest with OTS and Department of General Services (DGS), Office of Legal Services (OLS), 707 Third Street, 7th Floor, Suite 7-330, West Sacramento, CA 95605, on the grounds that the protesting proposer would have been awarded the contract had the agency correctly applied the evaluation standard in the RFP, or if the agency followed evaluation and scoring methods in the RFP, the agreement shall not be awarded until either the protest has been withdrawn or DGS has decided the matter. It is suggested that you fax the protest so it is timely received prior to the award.
- b. Within five (5) days after filing the initial protest, the protesting proposer shall file with OTS and DGS, OLS a detailed statement specifying the grounds for the protest. The contract may not be awarded until the protest is withdrawn or DGS, OLS has rendered a decision.

I. Disposition of Proposal

1. Upon proposal opening, all documents submitted in response to this RFP will become the property of the State of California, and will be regarded as public records under the California Public Records Act (Government Code Section 6250 et seq.) and subject to review by the public.
2. Proposal packages may be returned only at the Proposer's expense, unless such expense is waived by the awarding agency.

IV. Technical Proposal

Proposers must submit a technical proposal that includes all of the following in the order listed below:

- A. Cover Letter/Introduction: (Maximum of two (2) pages)
- B. Table of Contents: (Information shall be organized as presented in this section)
- C. Minimum Qualifications Statement: Proposer shall provide a narrative demonstrating that the Proposer, a.k.a. "Prime Contractor", meets all of the minimum qualifications for the RFP as specified in Minimum Proposal Qualifications, Attachment 16. (Maximum of three (3) pages)
- D. Background: Proposer shall provide its date of establishment, firm size, and structure; describe its experience in developing, managing, and tracking advertising/public relations campaigns; describe its experience in managing

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California statewide media buying and producing marketing materials, services, and activities; describe its advertising and public relations capabilities, and whether those capabilities are in-house or through subcontractors; provide a written description outlining how the Proposer will provide full service capability in the areas of account services, media planning/buying, creative staff, research, partnership building, etc; describe the overall approach to the work, specific techniques that will be used, and specific administrative and operational management expertise that will be employed; provide written examples of past work factors used to measure success. (Maximum of three (3) pages)

E. Project Personnel & Resume: The OTS has determined that all of the following job title/classifications listed below will be required to provide requested services:

- Senior Administrator (limited work on account, highest level work unavailable through normal account personnel)
- Account Manager (primary contact, in charge of account/project planning, day-to-day operation)
- Account Executive (handles multiple aspects of top level day-to-day work)
- Account Assistant (handles multiple aspects of mid level day-to-day or specialized work)
- Creative Manager (handles top level creative development, creative production management)
- Creative Designer (handles day-to-day creative work)
- Support Staff/Intern

The OTS recognizes that the job titles/classifications within a Proposer's organization may vary from the job titles/classifications listed above. However, the Proposer shall use the job titles/classification listed above for the purposes of this RFP. This may mean that several positions with a Proposer's organization with different titles and/or rates may need to be consolidated under one of the above for this RFP. In addition, these job titles/classifications and any rates given will be used for billing by the successful contractor.

The Proposer shall submit an organizational chart showing the hierarchy and proposed duties of contractor personnel that will be utilized during the term of the Agreement. The chart must show the relationship between the Account Manager and contractor personnel of the Proposer's organization and all other parties (subcontractors) to the proposal. The Proposer shall identify all contractor personnel that will perform all roles indicated in this section. The Proposer may assign one or more individuals to perform multiple roles.

The Proposer shall submit a resume for both the Account Manager and Account Executive the Proposer intends to utilize if awarded the Agreement. The OTS has determined that both the Account Manager and Account Executive will exercise the major administrative role or major policy or consultant role in the performance of the

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Agreement. The Proposer shall not submit resumes for other contractor personnel unless requested by OTS.

- F. Reference Letters: The Proposer must supply the OTS with a minimum of three (3) client reference letters, including at least one (1) from a government agency, with needs of similar degree of complexity and billables from the last five (5) years. The reference letters are to be prepared and signed by the client. The reference letters shall include the name of the firm or government agency, the nature of the work performed, the contact person, their business and email addresses, and their contact telephone and fax numbers. (Client reference letters shall not exceed two (2) pages each)
- G. Management Plan: The Proposer shall describe how the contract and contractor personnel including subcontractors, will be managed throughout the term of the Agreement. The Proposer must provide descriptions of internal fiscal, accounting and quality controls, schedules, and budget monitoring procedures which will be used to ensure that all work items are timely and that the fiscal resources are managed responsibly. In addition, the Proposer must show methods of regularly reporting to the OTS on the status of work projects and budget expenditures. (Maximum of two (2) pages)
- H. Hypothetical Work Plan: This section describes the hypothetical work plan that must be completed on behalf of OTS. OTS is seeking a firm to assist OTS in all public relations, advertising campaigns and marketing programs to meet the needs of the general population, as well as effecting campaigns that serve the demographic diversity of the state. To prove capability to provide traffic safety public relations, advertising and marketing services, the Proposer must describe methods, strategies and approaches for completing a hypothetical work plan.

Proposer must submit a hypothetical work plan to successfully plan, launch, carry out, and report results of a public awareness campaign on the issue of alcohol impaired driving. The presentation format of the hypothetical work plan will be up to the Proposer, but should be both complete enough and short enough for reviewers to easily and quickly understand and evaluate. Sufficient details and examples must be given with creative elements, competency, familiarity with California traffic safety issues, strategies and tactics, research and data, efficient budgeting, and an effort reflecting a broad outreach to California's diverse population. This exercise will give OTS an opportunity to study how Proposers would accomplish various aspects of a campaign including:

1. Understanding of the issue.
2. Understanding of the proper public awareness campaign audiences, resources, and techniques for this issue.
3. Creative approach.
4. Distribution and use of available funds among the various line items and elements of the campaign.

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5. Scheduling of various elements and distribution of the workload among staff and/or subcontractors.
6. Use of proper and available media and other marketing, advertising and public relations resources and tools.
7. System for evaluating and reporting results of campaign.

The parameters Proposer should follow in developing the hypothetical work plan include:

1. A budget of \$250,000, sufficiently detailed to allow for evaluation of complete and thoroughness, efficiency and appropriateness.
2. The budget covers all costs, including media buys, subcontracting, Proposer's internal human resources and supplies, overhead, travel and expenses.
3. Proposer should assume that OTS would be providing campaign oversight and limited attendance at events, but that the majority of all work would be the responsibility of the Proposer.
4. The campaign is statewide in scope, but any buys or major efforts can be limited to major markets. Those markets can include any combination of Los Angeles/Orange County, SF Bay Area, San Diego, Sacramento and Fresno.
5. Primary target market is male drivers, age 18-34. Secondary target is all drivers.
6. The campaign would be active during a roughly two week period encompassing the last two weeks of December. However, if elements can be active for longer periods or used for similar purposes at other times of the year, Proposers may include more.
7. Proposer may include any combination of paid and earned media, advertising, public relations, public/private partnership, social media or other tactic they wish.

Similar projects may be requested by the OTS under contract. However, this is not to imply that this or other such projects will be implemented as actual projects assigned under the contract; they are merely hypothetical for the purpose of this exercise.

- I. Project Tasks: For each of the following Project Tasks, the Proposer must prove capability and describe strategies to be used. Sufficient details must be given and must include samples of past projects, ability to meet deadlines, managerial experience, creativity, competency, successes, challenges, activities, and events, and reflecting a broad outreach of California's diverse population.

Where applicable, Proposer should outline plans to recruit public/private funding and discuss the potential to partner with other state agencies in common traffic safety goals. Private corporate funding and co-op participation should be used to augment traffic safety funding. Knowledge and experience in developing co-op or partnership programs that leverage the State's limited financial resources is important.

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Proposer must demonstrate that it can develop effective traffic safety messages through advertising campaigns, public relations activities and directly related marketing efforts.

Proposer must present case studies of actual past campaigns or work developed by the Proposer, and how success was measured.

1. **Public Relations** – Proposer shall demonstrate its ability or the ability of its intended subcontractors, to implement diverse public relations programs. Proposer shall demonstrate its ability, or ability of its intended subcontractors, to translate traffic safety themes and messages into collateral materials including campaigns, brochures, newsletters, pamphlets, collateral give-away items, conference exhibit booths and displays, and other such communicative devices to support OTS' traffic safety program. Proposer shall provide at least two (2) descriptions of experience, detailing type of campaign, research, and work involved, and, if applicable, the involvement and coordination with community or constituency groups. Proposer shall demonstrate its ability, or the ability of its intended subcontractors to conduct focus groups or other marketing surveys as needed, and apply findings in the design and execution of communication strategies. Samples of how data collection was used in actual past campaigns are required.
2. **Media Relations** – Proposer must demonstrate the ability to provide media outreach for statewide programs which engage major and secondary print daily, transportation, consumer, environmental, health, lifestyle, op-ed page editors, editorial boards and other relevant reporters; weekly print; television and radio news, traffic reporters, public affairs shows, professional, trade and consumer publication, ethnic print and broadcast news media, corporate/organization/governmental agency internal publication newsletters, and web-based and other emerging media. Proposer must provide at least two (2) descriptions of media relations activities such as work in securing news and editorial coverage, placing feature articles, arranging editorial board meetings, and developing publicity events. Also include any measurements of success.
3. **Advertising Production and Media Buying** – Proposer shall demonstrate its ability or the ability of its intended subcontractor to produce and execute a print, internet, outdoor Dario and television broadcast advertising program in Spanish and English languages at a minimum. Proposer shall demonstrate its ability or the ability of its intended subcontractor to select, negotiate rates, secure and place advertising in radio, television, print, web, outdoor, and any other appropriate markets, and to leverage for matched public service time or space.
4. **Marketing, Cooperative Management and Development** – Proposer is required to show ability to manage co-op/partnership marketing programs, and to respond to a request by OTS to develop new co-op/partnership concepts as opportunities arise, e.g., a leveraged time buy/public service announcement schedule

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agreement. Proposer must provide examples of successful efforts, describing how goals were achieved and results measured. Proposer shall also outline proposed corporate and/or media partnerships to implement local, statewide and regional campaigns.

5. Market Research – Proposer shall demonstrate its ability to conduct pre, during, and/or post campaign market research, which include, but is not limited to: identification of campaign target audience; public awareness attitude survey; identify appropriate messaging; test messaging; and the use of the Statewide Integrated Traffic Records System (SWITRS), Fatality Analysis Records Systems (FARS) and any OTS generated data to identify sub-population of non-users through age, gender, and collision data.
 6. Creative – Proposer shall demonstrate its ability to execute, in a timely fashion, creative production including writing for multiple genres, posters, radio/TV spots, print ads, fact sheets, frequently asked questions (FAQs), releases, graphics, displays, web graphics and functionality, etc.
- J. Full Service capabilities: The OTS does more in the way of marketing and public relations than single topic campaigns. The Proposer must demonstrate that it has capabilities and history to perform a wide variety of related tasks. Proposers must describe their capabilities to perform the following functions (Not to exceed (3) three pages):
1. Media Events. Staging all aspects of press conferences or similar media events.
 2. Sports & Entertainment Marketing. OTS will continue to contract with sports teams and entertainment venues to promote traffic safety. Sports marketing venues are intended to reach adult males between the ages of 18 to 34 years old who are over-represented in traffic crashes. Proposer will be responsible for taking an active role in negotiating contracts for this program.
 3. Publications and Reports. At the direction of the OTS, Proposer will be responsible for putting together a three-times-yearly 4-color newsletter (OTS TRACKS), creating and producing cover design creative and internal layout and design for the Highway Safety Plan and Annual Performance Report, and any other brochures or marketing creative at the request of the OTS. Program used must be compatible with OTS software.
 4. Graphics and Signage. OTS has periodic need for design and execution of various sizes and format of signage, displays, brochures and other graphic needs.
 5. Writing. Writing for various formats is an integral part of most OTS marketing and public affairs tasks, including press releases, various information sheets, various web and social media, publication stories, commercials, etc.

V. Preference Programs

A. Small Business Preference – www.pd.dgs.ca.gov.

Certified small businesses or micro businesses can claim the 5% preference when submitting a bid on a state contract. A non-small business, may receive a preference of 5% if the business commits to subcontract at least 25% of its net bid price with one or more small businesses or micro businesses. The 5% preference is used only for computation purposes, to determine the winning Proposer and does not alter the amounts of the resulting contract. A non-small business, which qualifies for this preference, may not take an award away from a certified small business. To receive the preferences, the Proposer must complete Attachment 5, Small and Microbusiness Preference/State Contractor Certification Number form and certify to perform the contract works as specified.

B. Programs Stimulating Business and Employment in Specific Geographic Areas (TACPA, EZA, LAMBRA).

The state has three programs designed to stimulate business and employment in geographic areas determined to be economically distressed, with areas of high unemployment. These programs are:

1. Target Area Contract Preference Act (TACPA)
2. Enterprise Zone Act (EZA)
3. Local Agency Military Base Recovery Area Act (LAMBRA)

The TACPA, STD. 830, Attachment 12, EZA, STD 831, Attachment 13, and LAMBRA, STD 832, Attachment 14 preferences apply to goods and services contracts that meet specific criteria. To receive the preferences, the Proposer must complete the forms and certify to perform the contract works as specified.

Standard contract language for TACPA, EZA and LAMBRA preferences can be found at the Procurement website of www.pd.dgs.ca.gov.

VI. Disabled Veteran Business Enterprise (DVBE) Participation Program

The Disabled Veteran Business Enterprise (DVBE) Participation Goal Program for State agreements is established in Public Code (PCC), 10115 et seq., Military and Veterans Code (MVC), 999 et seq., and California Code of Regulations (CCR), Title 2, 1896.60 et seq. **Recent legislation modified the program significantly in that a proposer may not longer demonstrate compliance with program requirements by performing a “good faith effort” (GFE).**

The State has established goals for DVBE participation in State contracts. **For this procurement, the State has waived the DVBE incentive and is requiring a minimum DVBE participation goal of three percent (3%) of the total contract dollar value.**

Proposers must fully comply with Attachment 7, Disabled Veteran Business Enterprise (DVBE) Declarations (STD.843). Proposers are required to submit the completed Attachment 7, DVBE Declarations (Std. 843), and all applicable supporting documentation with the proposal as prescribed this section.

Only State of California, Office of Small Business and DVBE Services (OSDS), certified DVBEs who perform a commercially useful function relevant to this solicitation, may be used to satisfy the DVBE program requirements. Proposers who have been certified by California as a DVBE (or Proposers who have obtained the participation of subcontractors certified by a California DVBE) must complete Attachment 7, DVBE Declarations (Std. 843), and include it with the proposal. All disabled veteran owners and disabled veteran managers of the DVBE(s) must sign this form.

Note: No actual dollar figures should appear on Attachment 7, DVBE Declaration form. Please read this requirement carefully. Failure to comply with the DVBE Program Requirements will cause proposal response to be declared non-responsive and your firm ineligible for award of the proposal contract.

VII. Darfur Contracting Act

Public Contract Code Section 10475 – 10481 applies to any company that currently or within the previous three years has had business activities or other operations outside of the United States. For such a company to bid on or submit a proposal for a State of California contract, the company must certify that it is either a) not a scrutinized company; or b) a scrutinized company that has been granted permission by the Department of General Services to submit a proposal. If applicable complete Attachment 15, Darfur Contracting Act Certification.

If your company has not, within the previous three years, had any business activities or other operations outside of the United States, you do not need to complete this form.

COST PROPOSAL

1. Mark Up

The external cost mark-up rate identified below will be paid for the entire term of the Agreement (including each optional one (1) year extension) and will not be renegotiated.

A. Media Buy _____ % Mark-Up

This includes all television, radio, print, outdoor, and internet placement. The proposer shall put forth its best effort to obtain the best possible cost per point for media.

B. Non Media Buy External Costs _____ % Mark-Up

This includes everything not included as either a media buy or internal personnel costs.

C. External Costs Categories Excluded from Mark Up (descriptions should be short, but adequate to understand what is included)

2. Personnel Costs

The personnel hourly rates identified below will be paid for the entire term of the Agreement (including each optional one (1) year extension) and will not be renegotiated. The hourly rates below must be inclusive of the Proposer's and Subcontractor's hourly rates. These rates should include salary, benefits, general overhead, facilities, marketing costs and profit.

A. Senior Administrator \$ _____ Per Hour

B. Account Manager \$ _____ Per Hour

C. Account Executive \$ _____ Per Hour

D. Account Assistant \$ _____ Per Hour

E. Creative Manager \$ _____ Per Hour

F. Creative Designer \$ _____ Per Hour

G. Support Staff/Intern \$ _____ Per Hour

I certify that I am empowered to submit this proposal on behalf of the Contractor.
(Note: It is unlawful for any person engaged in business within this State to sell or use any article or product as a "loss leader" as defined in Section 17030 of the Business and Professions Code.)

Company Name: _____

Authorized Proposer's Name: _____

Authorized Proposer's Signature: _____ Date: _____

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Cost Proposal Instructions

Please use the following instructions for completing the Cost Proposal, Attachment 6b. The Cost Proposal will be evaluated based on cost competitiveness. The mark-up percentages and hourly rates provided by the proposer in the Cost Proposal will be incorporated into the Agreement with the successful proposer.

The mark-up rates and internal personnel rates proposed will apply to the contract term and each one (1) year option to extend, and will not be renegotiated.

The proposal must be submitted for the entire activity described herein. The State does not accept alternative contract language from prospective contractors. Proposals with such language will be considered a counter proposal and will be rejected. Additionally, a proposal may be rejected if the proposal shows any alterations of form, additions not called for, a conditioned or incomplete proposal, or erasures and/or irregularities of any kind.

OTS's intent is to have advertising/marketing/public relations agency compensation calculated on the basis of: 1) internal personnel and service hourly rates, and 2) net cost plus mark-up percentage for external costs and subcontractors rather than gross commission or other fees. Therefore, the proposer must provide mark-up rates in the Cost Proposal. The Proposer shall take into account all forms of media plus all external costs including subcontracting. OTS expects the Contractor to put forth its best efforts to obtain the best possible price for all external costs. The total mark-up for all such external costs shall not exceed the Contractor's mark-up provided in the contract. For example, if a media buying service is used by the Contractor, OTS must be presented with the net cost of the advertising without any built-in commission, before the contracted mark-up rate is applied. OTS will not pay mark-up on commission and will not pay "hidden" commissions. Mark-up will be applied to the net cost of the advertising. The following formula demonstrates how this is calculated using a sample mark-up rate of 10%:

EXAMPLE	
Gross cost of media purchased by media buying service <i>(includes standard industry commission of 15%):</i>	\$10,000.00
Minus standard industry commission of 15%:	(\$1,500.00)
Net cost on which the OTS will pay mark-up:	\$8,500.00
Plus contractor's mark-up at 10%:	\$850.00
Total cost to the OTS for advertising <i>(at equivalent of 10% commission):</i>	\$9,350.00

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Since OTS strives to use as great a percentage of its resources as possible devoted to promotion of its message, the proposer may identify categories of external costs for which it will charge no mark up.

The Proposer shall provide an hourly rate for all of the following job titles/classifications (Note: OTS recognizes that job titles/classifications within a proposer's organization may vary from the job titles/classifications that follow. However, the proposer shall use the following job titles/classifications for this contract, as described in Section IV, Technical Proposal.

- Senior Administrator
- Account Manager
- Account Executive
- Account Assistant
- Creative Manager
- Creative Designer
- Support Staff/Intern

If awarded the agreement, the Proposer shall agree to commit the identified staff resources necessary to provide the any services requested by OTS under the Agreement. The proposer will notify OTS of any key personnel changes during the term of the Agreement.

Proposal Scoring Criteria

Cost Proposal	Maximum Possible Points	Total Points Awarded
<p>A. Media Buy Mark-Up Score:</p> <p><i>(Lowest mark-up percentage will be awarded the maximum points. All other mark-up percentages will be awarded points based on the following calculation: Lowest Mark-Up Percentage divided by Other Mark-Up Percentage multiplied by 10)</i></p>	10	
<p>B. Non Media Buy External Costs Mark-Up Score:</p> <p><i>(Lowest mark-up percentage will be awarded the maximum points. All other mark-up percentages will be awarded points based on the following calculation: Lowest Mark-Up Percentage divided by Other Mark-Up Percentage multiplied by 10)</i></p>	10	

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<p>C. External Costs Categories Excluded from Mark Up <u>Award the following points:</u></p> <p>Five (5) points if the response shows high number, high value items and/or categories excluded from mark up.</p> <p>Three (3) to Four (4) points if the response shows multiple items and/or categories of medium to high value</p> <p>One (1) to Two (2) points if the response shows some items and/or categories of low to medium value</p> <p>Zero (0) points if the response fails to address the item</p>	5	
<p>D. Senior Administrator:</p> <p><i>Lowest hourly rate will be awarded the maximum points. All other hourly rates will be awarded points based on the following calculation: (Lowest Hourly Rate divided by Other Hourly Rate multiplied by 5)</i></p>	5	
<p>E. Account Manager:</p> <p><i>Lowest hourly rate will be awarded the maximum points. All other hourly rates will be awarded points based on the following calculation: (Lowest Hourly Rate divided by Other Hourly Rate multiplied by 5)</i></p>	5	
<p>F. Account Executive:</p> <p><u><i>Lowest hourly rate will be awarded the maximum points. All other hourly rates will be awarded points based on the following calculation: (Lowest Hourly Rate divided by Other Hourly Rate multiplied by 5)</i></u></p>	5	
<p>G. Account Assistant:</p> <p><i>Lowest hourly rate will be awarded the maximum points. All other hourly rates will be awarded points based on the following calculation: (Lowest Hourly Rate divided by Other Hourly Rate multiplied by 5)</i></p>	5	
<p>H. Creative Manager:</p> <p><i>Lowest hourly rate will be awarded the maximum points. All other hourly rates will be awarded points based on the following calculation: (Lowest Hourly Rate divided by Other Hourly Rate multiplied by 5)</i></p>	5	

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<p>I. Creative Designer: <i>Lowest hourly rate will be awarded the maximum points. All other hourly rates will be awarded points based on the following calculation: (Lowest Hourly Rate divided by Other Hourly Rate multiplied by 5)</i></p>	<p>5</p>	
<p>J. Support Staff/Intern: <i>Lowest hourly rate will be awarded the maximum points. All other hourly rates will be awarded points based on the following calculation: (Lowest Hourly Rate divided by Other Hourly Rate multiplied by 5)</i></p>	<p>5</p>	

<p>Total Score for Cost Proposal</p>	<p><u>60</u></p>	
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<p>Total For Technical Proposal</p>	<p>115</p>	
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<p>COMBINED TOTAL SCORE</p>	<p><u>175</u></p>	
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Proposal Evaluation Guidelines

Proposals adhering to the requirements passing the minimum qualifications test will have their Technical Proposal evaluated and scored by an OTS Evaluation Committee in accordance with the criteria shown in the sample evaluation form following in this RFP. Each proposal will be evaluated to determine responsiveness to the requirements and standards described in this RFP. The selection process complies with the requirements of PCC 10344, subdivision (c). This selection process is known as the "Secondary Method".

1. For each item listed in the Qualifications and Experience, Hypothetical Work Plan, Project Tasks, and Full Service Capabilities sections of the sample evaluation form on the following pages, Proposers must achieve a combined average score from the OTS Evaluation Committee of at least 50% of the maximum points available for the item in order for the overall proposal to be considered as responsive. For example, if an item allows a maximum of five (5) points, the Proposer must achieve a combined average minimum score of two and a half (2.5) points for the item from the OTS Evaluation Committee in order for the overall proposal to be considered as responsive. A combined average score of less than two and a half (2.5) points for the item will render the overall proposal as non-responsive.
2. For each item listed in the Cost Proposal section of the sample evaluation form on the following pages, Proposers that submit the lowest hourly rate will be awarded the maximum points available. All other hourly rates will be awarded points based on the following calculation: **(Lowest Hourly Rate divided by Other Hourly Rate multiplied by Maximum Possible Points)**.
3. **ON THE FOLLOWING PAGES IS THE EVALUATION FORM THAT WILL BE COMPLETED BY OTS DURING THE EVALUATION PROCESS. PROPOSER SHALL NOT COMPLETE THIS FORM.**

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Evaluator Number: _____

Proposer Name: _____

Date: _____

Evaluation – Technical Proposal (115 Maximum Points)

Qualifications and Experience	Maximum Possible Points	Total Points Awarded
<p>A. Does the Proposer demonstrate adequate experience in developing, managing, and tracking public relations and advertising campaigns, managing statewide media buying and producing marketing materials?</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of qualification and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest qualifications or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited qualifications or abilities.</p> <p>Zero (0) points if the response fails to address the item</p>	5	
<p>B. Does the management plan describe how the Proposer and Proposer personnel, including subcontractors, will be managed throughout the term of the Agreement? This includes descriptions of internal fiscal, accounting and quality controls, schedules, and budget monitoring procedures which will be used to ensure that all work tasks are timely and that the fiscal resources are managed responsibly?</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of qualification and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest qualifications or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited qualifications or abilities.</p> <p>Zero (0) points if the response fails to address the item</p>	5	

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<p>C. Does the organizational chart describe the hierarchy, duties and relationships among Proposer personnel? Does the chart describe relationships with major sub contractors? Do the submitted resumes describe the appropriate backgrounds and experience of the Account Manager and Account Executive?</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of qualification and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest qualifications or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited qualifications or abilities.</p> <p>Zero (0) points if the response fails to address the item</p>	<p>5</p>	
<p>D. Does the Proposer’s background, personnel, letters of reference and management plan adequately describe work done that is similar in nature, complexity and budget, particularly experience in managing government public relations and advertising campaigns?</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of qualification and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest qualifications or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited qualifications or abilities.</p> <p>Zero (0) points if the response fails to address the item</p>	<p>5</p>	

Hypothetical Work Plan	Maximum Possible Points	Total Points Awarded
<p>A. Understanding and Research: Does the hypothetical work plan include an understanding of the issue of alcohol impaired driving? Are there references to any research that has led to their campaign approach?</p>	<p>5</p>	

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<p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of understanding and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest understanding or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited understanding or abilities.</p> <p>Zero (0) points if the response fails to address the item</p>		
<p>B. Execution: Does the hypothetical work plan include clearly stated goals, objectives, timeline, strategies and tactics?</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of understanding and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest understanding or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited understanding or abilities.</p> <p>Zero (0) points if the response fails to address the item</p>	<p>5</p>	
<p>C. Evaluation: Were the proposed evaluation measures of the effectiveness of the campaign likely to be effective?</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of understanding and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest understanding or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited understanding or abilities.</p> <p>Zero (0) points if the response fails to address the item</p>	<p>5</p>	
<p>D. Creative Approach: Was the approach and execution of the hypothetical work plan consistently creative? Did the Proposer find ways to maximize the dollars</p>	<p>5</p>	

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<p>being spent through co-op advertising, pro-bono support, or other tactics? Did the Proposer reach target audiences in appropriate and creative ways?</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of understanding and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest understanding or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited understanding or abilities.</p> <p>Zero (0) points if the response fails to address the item</p>		
<p>E. Work Samples: Were the work samples consistently creative in terms of both design and execution? Would they likely be effective in their intended use in the campaign?</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of understanding and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest understanding or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited understanding or abilities.</p> <p>Zero (0) points if the response fails to address the item</p>	<p>5</p>	
<p>F. Parameters: Did the hypothetical work plan follow the parameters as set out in description? Were all items taken into account?</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of understanding and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest understanding or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized,</p>	<p>5</p>	

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<p>confusing, limited and/or demonstrates limited understanding or abilities.</p> <p>Zero (0) points if the response fails to address the item</p>		
<p>G. Budget: Was the budget used appropriately to successfully complete the campaign?</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of understanding and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest understanding or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited understanding or abilities.</p> <p>Zero (0) points if the response fails to address the item</p>	<p>5</p>	
<p>H. Resource Allocation: Does the Proposer justify recommended paid media selections, weight levels, and timing? Are the resources for public relations activities appropriately allocated and supported?</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of understanding and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest understanding or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited understanding or abilities.</p> <p>Zero (0) points if the response fails to address the item</p>	<p>5</p>	

<p>Project Tasks For each of the following Project Tasks, the Proposer must prove capability and describe strategies to be used.</p>	<p>Maximum Possible Points</p>	<p>Total Points Awarded</p>
<p>A. Public Relations: Does the Proposer demonstrate its ability to translate traffic safety themes and messages into collateral materials including campaigns, brochures, newsletters, pamphlets, web and social media, collateral give-away items, conference exhibit booths and displays, and other such communicative</p>	<p>5</p>	

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<p>devices to support OTS’ traffic safety program? Do the descriptions of past experience adequately detail type of campaign, research, and work involved?</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of understanding and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest understanding or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited understanding or abilities.</p> <p>Zero (0) points if the response fails to address the item</p>		
<p>B. Media Relations: Does the Proposer demonstrate the ability to provide media outreach for statewide programs which engage a wide variety of major, niche, local, traditional and emerging media outlets?</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of understanding and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest understanding or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited understanding or abilities.</p> <p>Zero (0) points if the response fails to address the item</p>	<p>5</p>	
<p>C. Advertising Production and Media Buying: Does the Proposer demonstrate its ability or the ability of its intended subcontractor to produce and execute a print, internet, outdoor, radio and television broadcast advertising program in Spanish and English languages? Does it show an ability to garner at least matched public service time or space?</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of understanding and/or ability, is clear, concise and comprehensive.</p>	<p>5</p>	

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<p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest understanding or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited understanding or abilities.</p> <p>Zero (0) points if the response fails to address the item</p>		
<p>D. Marketing, Cooperative Management and Development: Does the Proposer show ability to develop and manage co-op/partnership marketing programs?</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of understanding and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest understanding or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited understanding or abilities.</p> <p>Zero (0) points if the response fails to address the item</p>	5	
<p>E. Market Research: Does the Proposer demonstrate its ability to conduct pre, during, and/or post campaign market research?</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of understanding and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest understanding or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited understanding or abilities.</p> <p>Zero (0) points if the response fails to address the item</p>	5	
<p>F. Creative: Does the Proposer demonstrate its ability to execute, in a timely fashion, creative production including writing for multiple genres, posters, radio/TV spots, print ads, fact sheets, FAQs, releases, graphics, displays, web graphics and functionality, etc.?</p>	5	

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<p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of understanding and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest understanding or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited understanding or abilities.</p> <p>Zero (0) points if the response fails to address the item</p>		
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Full Service Capabilities Does the proposer demonstrate that it has capabilities and history to perform the following variety of related tasks?	Maximum Possible Points	Total Points Awarded
<p>A. Media Events. Staging all aspects of press conferences or similar media events.</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of qualification and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest qualifications or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited qualifications or abilities.</p> <p>Zero(0) points if the response fails to address the item</p>	<p>5</p>	
<p>B. Sports & Entertainment Marketing intended to reach adult males between the ages of 18 to 34 years old.</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of qualification and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest qualifications or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited qualifications or abilities.</p> <p>Zero(0) points if the response fails to address the item</p>	<p>5</p>	

<p>C. Publications and Reports. 4-color newsletters, brochures, final reports.</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of qualification and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest qualifications or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited qualifications or abilities.</p> <p>Zero(0) points if the response fails to address the item</p>	<p>5</p>	
<p>D. Graphics and Signage. Design and execution of various size and formats of signage, displays, brochures, etc.</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of qualification and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest qualifications or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited qualifications or abilities.</p> <p>Zero(0) points if the response fails to address the item</p>	<p>5</p>	
<p>E. Writing. Writing for various formats, including press releases, information sheets, web and social media, publication stories, commercials, etc.</p> <p><u>Award the following points:</u></p> <p>Five (5) points if the response shows the highest degree of qualification and/or ability, is clear, concise and comprehensive.</p> <p>Three (3) to Four (4) points if the response is clear, concise, and comprehensive, but does not demonstrate the highest qualifications or abilities.</p> <p>One (1) to Two (2) points if the response is disorganized, confusing, limited and/or demonstrates limited qualifications or abilities.</p> <p>Zero(0) points if the response fails to address the item</p>	<p>5</p>	

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COST PROPOSAL EVALUATION GUIDELINES AND WORKSHEET

Assignment of Points for Cost (maximum 60 points)

Proposers that submit the lowest hourly rate will be awarded the maximum points available. All other hourly rates will be awarded points based on the following calculation: (**Lowest Hourly Rate** divided by **Other Hourly Rate** multiplied by **Maximum Possible Points**).

$$\frac{\text{Lowest Hourly Rate}}{\text{Other Hourly Rate(s)}} \times 60 = \text{Proposer's Cost Score}^*$$

*The Proposer's Cost Score will be rounded to the nearest whole integer – see sample below.

COST PROPOSAL SAMPLE

PROPOSER	TOTAL COST	CALCULATION	PROPOSER'S SCORE
A	\$ 900	Lowest hourly rate automatically receives the maximum points	<u>60</u>
B	\$1000	$\frac{\$900 \text{ (Proposer A)}}{\$1000 \text{ (Proposer B)}} \times 60$	<u>54</u>
C	\$1075	$\frac{\$900 \text{ (Proposer A)}}{\$1075 \text{ (Proposer C)}} \times 60$	<u>50</u>

COST POINTS BASED ON LOWEST HOURLY RATE

PROPOSER'S NAME	PROPOSED HOURLY RATE	PROPOSER'S COST SCORE

PROPOSER	PROPOSER'S NAME	PROPOSED HOURLY RATE	CALCULATION	PROPOSER'S COST SCORE
A				
B				
C				

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Total Score for Cost Proposal	<u>60</u>	
Total For Technical Proposal	115	
Total For Oral Presentation (if required)	30	
COMBINED TOTAL SCORE	<u>205</u>	

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Question and Answers for Bid #OTS RFP No. 10-01 - Public Relations, Advertising and Marketing Services

OVERALL BID QUESTIONS

Question 1

For the mandatory April 4, 2011 meeting, can it be attended via conference call? If so, what is the call-in information? Thank you. (Submitted: Mar 30, 2011 9:18:48 AM PDT)

Answer

- No. (Answered: Mar 30, 2011 10:01:55 AM PDT)

Question Deadline: Mar 31, 2011 5:00:00 PM PDT

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