



STATE OF CALIFORNIA

**Department of Financial Protection and
Innovation**

GOVERNOR **Gavin Newsom** • COMMISSIONER **Manuel P. Alvarez**

REQUEST FOR PROPOSAL

CALIFORNIA CONSUMER FINANCIAL PROTECTION LAW

STATEWIDE COMMUNICATIONS CAMPAIGN

RFP# 20-SA032

April 6, 2021

You are invited to review and respond to the California Department of Financial Protection and Innovation (DFPI), Request for Proposal (RFP), entitled California Consumer Financial Protection Law (**CCFPL**) **Statewide Communications Campaign, RFP # 20-SA032**. In submitting your proposal, you must comply with the instructions found herein.

Bidders should carefully read the entire solicitation. The need to verify all documentation and responses prior to the submission of proposals is the responsibility of the bidder.

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- Attachment 4: DVBE Declarations DGS PD 843
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- Attachment 6: Contractor Certification Clauses (04-2017)
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- Attachment 8: California Civil Rights Laws Certification
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- Attachment 11: Sample Standard Agreement
- Attachment 12: Cost Worksheet
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I. Introduction

PURPOSE OF RFP

The Department of Financial Protection and Innovation (DFPI) requires a contractor to organize, coordinate, and execute a state-wide communications campaign to educate consumers and industry about DFPI's consumer protection and industry regulation authority. The successful bidder will provide the following services:

- Research and evaluation of consumer and industry
- Messaging development
- Media planning and placement
- Advertising effectiveness analysis
- Account management

The term of the Agreement is anticipated to be 6/25/2021 through 6/24/2022.

KEY ACTIVITIES AND DATES

Key activities including dates and times for this RFP are presented below. An addendum will be released if the dates change for the asterisked (*) activities.

- RFP Release Date - April 6, 2021
- **Written Questions Submittal Deadline* - April 12, 2021 by 11:00 a.m.**
- Anticipated distribution of Questions/Answers and Addenda (if any) to RFP - April 16
- **Deadline to Submit Proposals* - April 22, 2021 by 5:00 p.m.**
- Clarification Interview Dates - May 6 to May 11
- Anticipated Notice of Proposed Award Date - May 17
- Contract Award - May 26
- Contract Start Date - June 25, 2021
- Contract Termination Date - June 24, 2022

AVAILABLE FUNDING AND HOW AWARD IS DETERMINED

The total amount for this contract, including amendments, shall not exceed **\$750,000**. This contract may be extended under mutual agreement for up to one year. This is a work authorization based contract. Costs for Work Authorizations will be based on an hourly rate submitted on the Cost Worksheets (Attachment 12).

Of this amount, \$250,000 is immediately available. The remaining balance of \$ 500,000 from fiscal year FY 2021-2022 may be available contingent upon approval of DFPI's 2021-2022 Budget. Funding shall be subject to the appropriation and availability for that purpose in the 2021-2022 Governor's Budget. In the event funds are not available, the DFPI shall have no further liability with regard to the agreement.

DFPI reserves the right to reduce the contract amount to an amount deemed appropriate in the event the budgeted funds do not provide full funding of DFPI contracts. In this event, the Contractor and Contract Manager shall meet and reach agreement on a reduced scope of work commensurate with the level of available funding.

ELIGIBLE BIDDERS

This is an open solicitation for public and private entities. Each agreement resulting from this solicitation includes terms and conditions that set forth the Contractor's rights and responsibilities. Note that all Agreements entered into with DFPI will include by reference General Terms and Conditions that may be viewed and downloaded at the internet site:

<https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language>

Private sector entities must agree to use the attached standard terms and conditions (Attachment 11). DFPI will not award agreements to non-complying entities. DFPI reserves the right to modify the terms and conditions prior to executing agreements.

QUESTIONS

During the RFP process, questions of clarification about this RFP must be directed to the Contract Analyst listed in the following section. Written questions should be submitted via electronic mail. All questions must be received by **11:00 am PST April 12, 2021**.

The Questions and Answers will be posted on the DGS website at: www.caleprocure.ca.gov and a link will be emailed to all who inquired.

Any verbal communication with a DFPI employee concerning this RFP is not binding on the State and shall in no way alter a specification, term, or condition of the RFP. Therefore, all communication should be directed in writing to DFPI's Contract Analyst assigned to the RFP.

CONTACT INFORMATION

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RESPONSES TO THIS RFP

Responses to this solicitation shall be in the form of an Administrative, Technical and Cost Proposal according to the format described in this RFP. The Administrative response shall include all required administrative documents. The Technical Proposal shall document the Bidder's approach, experience, qualifications, and project organization to perform the tasks described in the Scope of Work, and the Cost Proposal shall detail the Bidder's budget to perform such tasks.

II. Scope of Work and Deliverables

ABOUT THIS SECTION

This section describes the contract scope of work, deliverables and due dates under the direction of the Contract Manager.

BACKGROUND

In 2020, the state Legislature approved AB 1864 or the California Consumer Financial Protection Law (CCFPL). Signed into law by Gov. Gavin Newsom in September, the new law took effect Jan. 1, 2021. It reflects months of dialogue with industry and consumer stakeholders and represents a collective vision for consumer protection and responsible financial innovation. The law reimagines the newly-renamed Department of Financial Protection and Innovation (DFPI), giving the Department expanded powers to better protect consumers, and foster responsible financial tech innovation by leveraging its flexible new authority to provide regulatory clarity to responsible operators in emerging markets for financial services.

Starting in 2021, DFPI will oversee previously unregulated financial products and services, increasing our capacity to respond to financial fraud and scams, discrimination, and other unfair, deceptive or abusive practices. These new industries include debt collectors, credit reporting and credit repair agencies, debt relief agencies, and others. This year, the DFPI will open: a new division of Consumer Financial Protection that will include a market monitoring and research arm, and expanded consumer outreach targeted to vulnerable populations such as students, new Californians, military personnel, and senior citizens; and a new Office of Financial Technology Innovation that will engage with new industries and consumer advocates to encourage consumer-friendly innovation.

The DFPI will also create an Office of the Ombudsperson to handle impartial complaint reviews, resolve problems, and recommend policy and procedure changes. For the first time in our history, DFPI will have the authority to review and investigate claims of unfair, deceptive, or abusive practices by any financial service, product, or professional and we will need significant support in educating Californians about the new protections offered to them with this law. These transformative changes position DFPI to be a national model for consumer protection and financial innovation.

A statewide communications campaign will focus on enhancing public awareness of the department and our consumer protection work and resources; educate consumers and industry stakeholders about what industries and activities we have regulatory oversight over; inform consumers about their rights and instruct them on how to file complaints and report problems; and offer information about how individuals and organizations can request educational information, brochures and DFPI-led presentations. The DFPI is especially interested in reaching vulnerable populations, including students, immigrants, new Californians, military personnel, and senior citizens. The communications campaign will target consumers, but also include some outreach to industry stakeholders.

GENERAL REQUIREMENTS OR GOALS AND OBJECTIVES

SCOPE OF WORK

The contractor shall perform tasks 1 through 5, as outlined below, to meet the program goals and objectives. These tasks are not inclusive and are intended to guide the bidder in preparing a proposal that demonstrates that they have the technical expertise and skills necessary to successfully perform the work. DFPI desires a collaborative relationship with the contractor. Deliverables described below must be approved prior to moving to the next phase of the project. The table below provides an estimate percentage breakdown of dollars allocated to each task in the scope of work. Bidders are encouraged to respond to these estimates with recommended modifications that would enhance the outreach campaign.

Scope of Work Tasks	Percentage of Budget
Task 1: Account Management and Reporting	3%
Task 2: Research and evaluation of consumers and industry	15%
Task 3: Messaging and Production	32%
Task 4: Media Planning and Placement	45%
Task 5: Advertising effectiveness analysis	5%

TASKS AND DELIVERABLES

In responding to this RFP, Bidders must describe their approach in a detailed work plan and explain what capacities and experiences uniquely set them apart to be successful in executing a statewide communications campaign among California's diverse population. The detailed work plan should include a description of how the tasks described below will be accomplished, including a proposed schedule. Bids will be evaluated based on the narrative response for how tasks and deliverables are executed. Bidders are encouraged to review the evaluation section of this RFP to understand how responses will be scored. Bidders are asked to restrict their response to the RFP to between 10-15 pages, single-spaced, 11pt font. This applies only to the narrative response to the tasks and deliverables described below.

Task 1: Account Management and Reporting

Sub-Tasks

- A. Meet with DFPI team to review goals and tasks
- B. Prepare the meetings and do follow ups
- C. Determine status meeting frequency
- D. Determine status report frequency
- E. Confirm success criteria, business objectives, stakeholders
- F. Identify team members, support channels, communication paths for the project, not the campaign

Task 1: Deliverables

- 1.1 Kickoff meeting
- 1.2 Project plan
- 1.3 Project schedule
- 1.4 Ongoing Account Management

Task 2: Research and Evaluation of Consumers and Industry

Sub-Tasks

- A. Work with DFPI communications to determine areas of outreach focus
- B. Define methodologies for obtaining consumer and industry data, including potentially focus groups
- C. Identify target populations and language spoken
- D. Identify issues experienced within target populations and languages spoken
- E. Develop a traditional and digital media placement strategy
- F. Recommend NGOs, faith and community leaders, and other governmental agencies to partner with to leverage messaging

Task 2: Deliverables

- 2.1 Draft Research and Evaluation Methodology Report
- 2.2 Presentation of Methodology
- 2.3 Final Research and Evaluation Methodology Report
- 2.4 Draft Research and Evaluation Report
- 2.5 Presentation of findings
- 2.6 Final Research and Evaluation Report

Task 3: Messaging and Production

Sub-Tasks

- A. Develop an integrated cross-channel marketing and communications campaign to reach diversified California populations
- B. Develop and produce multi-lingual consumer messaging
 - a. General consumer information about our department and work [e.g. How we can help; What Industries and Financial Activities we Regulate]

- b. Industry-specific information that is educational [e.g. Debt Collectors: Know Your Rights]
 - c. How to file a complaint and utilize our website to check licensee status and consumer alerts
 - d. Other than English, content in these languages may be required; Russian, Chinese, Tagalog, Vietnamese, Spanish, and Hmong
- C. Develop and produce industry messaging
- a. Educational materials on our new Financial Technology Innovation Office
 - b. Licensing/registration support
 - c. Reporting known bad behavior
 - d. Examination processes
 - e. Enforcement processes
 - f. Other information based on research findings

Task 3: Deliverables

- 3.1 Consumer collateral (English and other languages)
- 3.2 Consumer messaging for cross-channel marketing
- 3.3 Produce for consumer: cross-channel marketing placement, including potentially social media, newsletters, newspaper, radio and TV advertisements
- 3.4 Industry collateral
- 3.5 Industry messaging for cross-channel marketing
- 3.6 Produce for Industry: cross-channel marketing placement, including potentially social media, newsletters, newspaper, radio and TV advertisements

Task 4: Media Planning and Placement

Sub-Tasks

- A. Leverage traditional and digital media outlets
- B. Execution of cross-channel marketing placements at approved outlets
- C. Leverage previously developed community partnerships for media planning and placement
- D. Public/media relations support

Task 4: Deliverables

- 4.1 Placement of advertisements as defined in this task
- 4.2 Execution of public/media relations activities

Task 5: Advertising Effectiveness Analysis

Sub-Tasks

- A. Document the Advertising Effectiveness strategy for validating how well advertising met the objectives
- B. Create the Advertising Effectiveness Report

Task 5: Deliverables

- 5.1 Draft Advertising Effectiveness Report

TASKS AND WORK AUTHORIZATIONS

- A. Prior to the commencement of work associated with each task, a Work Authorization (WA) must be completed by DFPI Contract Manager and signed by both parties.
- B. Each WA shall consist of a detailed statement of the purpose, objective and goals. Each WA shall also contain the cost estimate, based on hourly rates established in the bidders RFP response.
- C. DFPI has the right to require the Contractor to stop or suspend work on any WA.
- D. If the Contractor determines that they will exceed the authorized estimated work hours for the WA, the Contractor must notify DFPI Contract Manager by submitting an additional WA for approval of the excess hours. It is at the discretion of DFPI Contract Manager to either authorize or deny the request for additional hours.
- E. It is understood and agreed upon by both parties that all the terms of this Agreement shall remain in force with the inclusion of any such WA. A WA shall in no way serve to amend or supersede the provisions outlined in this Agreement.
- F. Bidder should refer to Attachment 11 – Exhibit G for a sample Work Authorization.

UNANTICIPATED TASKS

- A. DFPI may authorize Contractor to perform unanticipated tasks that may occur during the term of this agreement, not to exceed 5% of the total agreement amount awarded.
- B. In the event of unanticipated tasks, the Contractor will be compensated in accordance with the rates specified in the Cost Worksheet (Attachment 12).

III. Proposal Format, Required Documents, and Delivery

ABOUT THIS SECTION

This section contains the format requirements and instructions on how to submit a proposal. The format is prescribed to assist the Bidder in meeting State bidding requirements and to enable DFPI to evaluate each proposal uniformly and fairly. Bidders must follow all Proposal format instructions, answer all questions, and supply all requested data.

REQUIRED FORMAT FOR A PROPOSAL

All proposals submitted under this RFP must be typed or printed using a standard 11-point font, singled-spaced and a blank line between paragraphs. Pages must be numbered and sections titled and printed back-to-back. Spiral or comb binding is preferred and tabs are encouraged. Binders are discouraged.

NUMBER OF COPIES

Bidders must submit **the original** and **Four (4)** copies of the proposal (Sections 1 and 2).

Bidders must also submit electronic files of the proposal on a **USB memory stick** along with the paper submittal. Only one USB memory stick is needed. Electronic files must be in Microsoft Word 2016 (*.docx format) and Excel Office Suite formats. Electronic files submitted via e-mail will not be accepted.

PACKAGING AND LABELING

The original and copies of the proposal must be labeled "Request for Proposal 20-SA032," and include the title of the proposal and the appropriate section number. Include the following label information and deliver your proposal, in a sealed package:

Person's Name, Phone #
Bidder's Name
Street Address
City, State, Zip Code
FAX #

RFP 20-SA032
Business Operation Office
Department of Financial Protection and Innovation
2101 Arena Blvd
Sacramento, California 95834

PREFERRED METHOD FOR DELIVERY

A Bidder may deliver a proposal by:

- U. S. Mail
- Personally
- Courier service

Proposals must be delivered **no later than 5:00 p.m.**, to the DFPI Office during normal business hours and prior to the date and time specified in this RFP. In accordance with Public Contract Code 10344, proposals received after the specified date and time are considered late and will not be accepted. There are no exceptions to this law. Postmark dates of mailing, E-mail and facsimile (FAX) transmissions are not acceptable in whole or in part, under any circumstances.

ORGANIZE YOUR PROPOSAL AS FOLLOWS

ADMINISTRATIVE RESPONSES

A complete RFP proposal will consist of all the required attachments listed on the Required Attachment Checklist (Attachment 1). All required attachments must be completed, returned and signed when applicable to be considered responsive.

SECTION 1, Administrative Responses

Required Attachment Checklist	Attachment 1
Contractor Status Form	Attachment 2
Darfur Contracting Act Certification Form	Attachment 3
DVBE Declarations Form DGS PD 843	If applicable (Attachment 4)
Bidder Declaration form GSPD-05-105	Attachment 5
Contractor Certification Clauses	Attachment 6
Payee Data Record (STD 204)	Attachment 7
CA Civil Rights Laws Certification	Attachment 8
Small Business Certification	If applicable (Attachment 9)
TACPA Form STD 830	If applicable (Attachment 10)

TECHNICAL AND COST PROPOSAL

SECTION 2, Technical and Cost Proposal

Cost Worksheet	Attachment 12
Proposal	Attachment 13 (provided by Bidder)
Resumes	Attachment 14 (provided by Bidder)
Client References	Attachment 15
Previous Work Products	Attachment 16 (provided by Bidder)

COST WORKSHEET (Attachment 12)

- A. The Bidder must provide the title or classification of each person and their level of effort (hours) for each task, including subcontractor hours.
- B. The Bidder must submit information on **all** pages of the Cost Worksheets (Attachment 12) and this will be deemed the equivalent of a formal Cost Proposal.
- C. Detailed instructions for completing these forms are included at the beginning of Attachment 12.
- D. Classifications, rates and personnel on the Cost Worksheet (Attachment 12) must reflect classifications, rates and personnel the contractor would charge. Bidder must include all individuals anticipated who will provide service on the Agreement.
- E. **The salaries, rates, and other costs entered on these forms become a part of the final agreement.** The entire term of the agreement and projected rate increases must be considered when preparing the Cost Worksheet (Attachment 12). The rates bid are considered capped for the term of the agreement and shall not change during the term of the contract including amendments for additional time. The Contractor shall only be reimbursed for their **actual** rates up to these rate caps.
- F. The Cost Worksheet (Attachment 12) will be used for the contract prepared with the winning Bidder.

NOTE: The information provided in the Cost Worksheet will **not** be kept confidential.

BIDDER'S PROPOSAL (Attachment 13 – provided by the Bidder)

- A. **Approach to tasks in Scope of Work**

Describe the Bidder's approach to providing services listed in the Scope of Work, highlighting any outstanding features, qualifications and experience. Refer to Section II Scope of Work and Deliverables of this RFP for details of how the proposal should be evaluated.

Bidders must provide a description of relevant work experience, in-house creative capabilities, and examples of previous, successful communications campaigns. To demonstrate your creative capacities, submit (financial industry related preferred) samples of print, video, and audio concepts. Bidders must identify subcontractors who may be used to fulfill tasks and deliverables. Subcontractor relevant experience must also be provided. Be specific regarding the tasks and/or deliverables subcontractors may be used for and include examples of past collaboration with your company, if available.

Bidder's response to this section should be included in the 10-15, single space, 11pt font, page maximum described in the Tasks and Deliverables section. Previous Work Products (Attachment 16) should be separate from the Proposal (Attachment 13).

B. Organizational Structure

1. Describe the organizational structure of the Bidder, including providing an organizational chart of the entire contract team.
2. Provide a short description of each firm and key members on the team. Describe the relationship between the Contractor and Subcontractors on your team.
3. Identify the location of the Bidder's and Subcontractor's headquarters and satellite office(s) and proposed methods of minimizing costs to the State.
4. Describe Bidder's professional awards.
5. Describe the organization, composition, and functions to be performed by staff members of the Bidder and any Subcontractors and how the staff pertains to this contract.

C. Relevant Experience and Qualifications

1. Document the project team's qualifications as they apply to performing the tasks described in the Scope of Work. Describe recently completed work as it relates to this Scope of Work.
2. Identify and list all Bidder staff and Subcontractors (all team members) who will be committed to the tasks and describe their roles.
3. Provide a current resume for all team members listed, including job classification and description, relevant experience, education, academic degrees and professional licenses.
4. Identify the percentage of time each team member will be available throughout the contract.

D. Minimum Qualifications:

1. Prime Contractor should demonstrate at least five years of experience working in marketing, public relations, advertising, and/or social marketing to inform the public.
2. Demonstrate at least three years of experience implementing communication strategies to reach multi-cultural, marginalized, or vulnerable segments of the population.
3. Experience developing messaging and education and implementing campaigns in California.
4. Prime Contractor should have gross billings of at least \$2 million in at least two of the last three years.
5. Demonstrate experience creating and delivering messages to diverse California audiences to raise awareness and impact changes of behavior in target audiences. For example, vulnerable populations, including students, immigrants, new Californians, military personnel, senior citizens, low income, low education, rural residents, or of an ethnic or at-risk population group where English is not their first language.

RESUMES (Attachment 14 – provided by the Bidder)

The Bidder must provide resumes of all the staff shown on the Cost Worksheet (Attachment 12).

CLIENT REFERENCES (Attachment 15)

Each bidder shall complete the attached Client Reference Forms. Three client references are required for the Contractor and three for each subcontractor. References will be used in the evaluation process.

PREVIOUS WORK PRODUCTS (Attachment 16 - provided by the Bidder)

Each Bidder shall provide at least one example of a similar work product for the services to be provided. If subcontractors will be providing technical support in a task area, each subcontractor shall also submit one example work product that demonstrates experience in potential work assignments described in this RFP.

It is not necessary to provide more than one copy of each work product example. Web links are acceptable.

IV. Evaluation Process and Criteria

ABOUT THIS SECTION

This section explains how the proposals will be evaluated. It describes the evaluation stages, preference points, and scoring of all proposals.

GROUNDINGS FOR REJECTION

Failure to submit the requested written information as specified in this RFP may be grounds for rejection of the entire response.

PROPOSAL EVALUATION

A Bidder's proposal will be evaluated and scored based on their response to the information requested in this RFP. The entire evaluation process from receipt of proposals to posting of the Notice of Proposed Award is confidential.

To evaluate all Proposals, DFPI will organize an Evaluation Committee. The Evaluation Committee will review all proposals that have passed Stage One. The identity of the evaluators will be kept confidential during the selection process. A multiple stage evaluation process will be used to review and score the proposal. The DFPI will reject any proposal that is found to be nonresponsive at any stage of the evaluation.

EVALUATION STAGES

The Proposals will be evaluated in the following stages:

Stage One: Administrative and Completeness Screening

After the period has closed for receipt of proposals, each proposal received prior to the time and date set for receipt of proposals, is reviewed by the Acquisitions Services Office for compliance with administrative requirements and completeness. Proposals that fail Stage One shall be disqualified and eliminated from further evaluation.

The Bidder must submit all required documents listed on the Required Attachment Checklist (Attachment 1) to be responsive.

If a proposal is not rejected for reasons stated in Grounds for Rejection, it may still be rejected if it does not meet the proposal requirements.

Proposals that meet the basic format requirements, initial qualification requirement, and contain the required documentation, as evidenced by passing Stage One review, will be submitted to the Evaluation Committee.

Stage Two: Technical Evaluation of Proposals

Proposals passing Stage One will be submitted to the Evaluation Committee to review and score based on the Evaluation Criteria in this solicitation.

The Evaluation Committee will evaluate and score proposals that pass Stage One based on the Evaluation Criteria. The Evaluation Committee may, at its discretion, seek clarification at any point on the written technical and cost proposal through a conference call or interview with the affected Bidder.

The total score for each Proposal will be the average of the combined scores of all Evaluation Committee members.

After scoring is completed, Proposals not attaining a score of **70** percent of the total possible points will be eliminated from further competition.

Stage Three: Cost Evaluation of Proposals

The possible points for cost include two sections: Labor Costs and Percent Market. There are 262 points for labor costs and 50 points for percent (%) above markup. If a proposal is not rejected for reasons stated in Grounds for Rejection, it may still be rejected if it does not meet the proposal requirements.

Stage Four: Interviews

Bidders passing Stages One to Three will be invited to a Microsoft Teams interview where they will be given the opportunity to make a presentation about how the statewide communications campaign will be executed. The interview will assess the Bidders understanding of the bid requirements. In addition, the interview will provide DFPI with a forum to ask questions and gain clarifications about the bid response.

All applicable Preferences and Incentives will be applied to all proposals passing Stage One to Stage Four. The agreement shall be awarded to the responsible Bidder meeting the requirements outlined above, who achieves the highest score after application of Preferences.

SCORING SCALE

There are two rating scales associated with evaluating the Bidder's RFP response. The Ten (10) point scale will be used for the following sections:

- Executive Summary
- Account Management and Reporting
- Bidder Experience
- Creative Capability

Bidders will be awarded points based on the point assignment criteria described below.

Points	Interpretation	General basis for point assignment
0	Inadequate	Proposal response (i.e., content and/or explanation offered) is inadequate or does not meet needs/requirements or expectations. The omission(s), flaw(s), or defect(s) are significant and unacceptable.
1-4	Barely Adequate	Proposal response (i.e., content and/or explanation offered) is barely adequate or barely meets needs/requirements or expectations. The omission(s), flaw(s), or defect(s), are consequential and unacceptable.
5-7	Adequate	Proposal response (i.e., content and/or explanation offered) is adequate and meets needs/requirements or expectations. The omission(s), flaw(s), or defect(s), if any, are inconsequential and acceptable.
8-10	Excellent or Outstanding	Proposal response (i.e., content and/or explanation offered) is excellent and outstanding and fully exceeds needs/requirements or expectations. Bidder offers one or more enhancing feature, method or approach that will enable performance to exceed expectations.

The Twenty (20) point scale will be used for the following sections:

- Research and Evaluation of Consumers and Industry
- Messaging and Production
- Media Planning and Placement
- Advertising Effectiveness

Bidders will be awarded points based on the point assignment criteria described below.

Points	Interpretation	General basis for point assignment
0	Inadequate	Proposal response (i.e., content and/or explanation offered) is inadequate or does not meet needs/requirements or expectations. The omission(s), flaw(s), or defect(s) are significant and unacceptable.
1-9	Barely Adequate	Proposal response (i.e., content and/or explanation offered) is barely adequate or barely meets needs/requirements or expectations. The omission(s), flaw(s), or defect(s), are consequential and unacceptable.
10-16	Adequate	Proposal response (i.e., content and/or explanation offered) is adequate and meets needs/requirements or expectations. The omission(s), flaw(s), or defect(s), if any, are inconsequential and acceptable.
17-20	Excellent or Outstanding	Proposal response (i.e., content and/or explanation offered) is excellent and outstanding and fully exceeds needs/requirements or expectations. Bidder offers one or more enhancing feature, method or approach that will enable performance to exceed expectations.

TECHNICAL EVALUATION CRITERIA (STAGE TWO)

Executive Summary Rating Factors	Points Possible	Points Earned
Total Score – Executive Summary	30	
The Bidder demonstrates the tangible results that it expects to achieve.	10	
The Bidder expresses the capacity to perform this work in an efficient and timely manner.	10	
The Bidder expresses in its own words, its understanding of DFPI needs and the importance of this project.	10	

Response includes clear and detailed description or information for the following items:	Points Possible	Points Earned
1) Total Score -- Account Management and Reporting	30	
Bidder describes how it will manage and monitor all campaign activities, current personnel and subcontractors to ensure deliverables and budgets are met and describes how it will meet all reporting requirements in the SOW. Bidder describes reporting methodology, content, including frequency and reporting or update style.	10	
Submit a timeline that details project deliverables by month.	10	
Describes key partners that will be engaged to complete each part of the plan and describes how the Bidder will utilize and involve these partners.	10	
2) Total Score -- Research and Evaluation of Consumers and Industry	100	
Bidder should describe their approach to defining target populations, communications and language needs, and provide a strategy for the most effective outreach.	20	
Bidder should define research and evaluation goals and objectives.	20	
Bidder should define the sections and content that will be delivered in the Research and Evaluation Report.	20	
Bidder should identify the strategy for leveraging community partners.	20	
Bidder should describe how findings and recommendations will be validated through testing. Describe the methods that would be used to test assumptions (e.g. focus groups, social media testing, A/B testing).	20	
3) Total Score -- Messaging and Production	60	
Bidder should describe how they will work with DFPI during the development of messaging content.	20	

Bidder should describe how messages are developed in multiple languages.	20	
Bidder should describe limits to content revisions or iterations during the development and approval process. (e.g. materials can be revised up to 3 times prior to final).	20	
4) Total Score -- Media Planning and Placement	80	
The Bidder should describe their expertise in cross-channel and multi-channel advertising and marketing planning and placement. Bidder should include examples of successes in the areas of planning and placement, including owned, earned, and paid media.	20	
The Bidder provides examples of which media will be purchased in house or by a buying service.	20	
The Bidder should describe purchasing strategies and examples that have provided cost savings and efficiencies for clients.	20	
The Bidder should provide a media buy strategy example for this campaign.	20	
5) Total Score -- Advertising Effectiveness Analysis	60	
The Bidder should describe how they will work with DFPI to collect and evaluate campaign effectiveness data.	20	
Bidder should describe methodology for testing creative concepts and specific messaging according to SOW requirements.	20	
Bidder should provide an example of an actual advertising Effective Analysis that has been provided to a client.	20	
Total Points Available for Detailed Work Plan	330	

Response includes clear and detailed description or information for the following items:	Points Possible	Points Earned
1) Total Score -- Bidder Experience	80	
Experience working in State of California media campaigns, developing messaging for statewide media-based communication efforts, and capacity to provide strategies to reach vulnerable and multi-cultural, multi-lingual, and multi-generational populations. Extra points will be awarded for experience in consumer protection and consumer advocacy.	10	
Experience in tailoring messages and developing media materials to audience segments (i.e., vulnerable populations, older adults, low income, low education, rural residents, and at-risk population groups). Capacity to provide strategies to reach vulnerable and multi-cultural, multi-lingual, and multi-generational populations.	10	
Experience in media planning, buying, and delivering cost effective ad buys for both traditional and non-traditional media.	10	
Experience developing, designing and producing educational materials needed to implement a targeted campaign.	10	

Experience in motivating vulnerable population to take action.	10	
Experience engaging a state agency's stakeholders in a media campaign or outreach effort. Includes an example of which stakeholders and how they were engaged.	10	
Includes example of formative evaluation in the planning and creative development processes.	10	
Experience in developing and implementing an effective campaign in the consumer finance sector.	10	
2) Total Score -- Creative Capability	40	
Bidder should include examples of creative materials.	10	
Examples target community and/or industry.	10	
Examples are educational in nature.	10	
Graphic design quality of submissions.	10	
Total Experience and Creative Capability	120	

Scoring Summary

Proposal responses will be scored based on the quality of the responses. The value of each section is described in the table below.

Section	Points Possible	Score
Executive Summary	30	
Detailed Work Plan	330	
Experience and Creative Capability	120	
Maximum Points for Stage 2	480	
Minimum Points Required to be reviewed at Stage 3	336	

COST EVALUATION (STAGE THREE)

Bidder costs will be scored relative to other offers received. The Bidder with the lowest cost will be awarded 262 points. The following formula will be used to assign scores to Bidder's costs. The formula below is based on the Grand Total Cost in Cost Table 3 on the Cost Worksheet (Attachment 12).

$$\frac{\text{Lowest Cost}}{\text{Bidder Cost}} \times 262 = \text{Bidder Score}$$

The Bidder with the lowest Percent Markup will be awarded 50 points. Other Bidders' points of Percent markup will be scored following the formula below. The Percent Markup is from Cost Table 2 on the Cost Worksheet (Attachment 12).

$$\frac{\text{Lowest Percent Markup}}{\text{Bidder Percent Markup}} \times 50 = \text{Bidder Score}$$

INTERVIEWS (STAGE 4)

Bidders passing Stages One to Three will be invited to a Microsoft Teams interview. The interview will assess the Bidders understanding of the bid requirements. Interviews should include a presentation by the Bidders of no longer than 20 minutes, followed by a question-and-answer period. The interview will provide DFPI with a forum to ask questions and gain clarifications about the bid response.

SCORING SUMMARY TABLE

Stage	Maximum Score	Bidder's Score
Technical Evaluation	480	
Cost Evaluation Tasks 1-5	262	
Media Buy Percent Markup Evaluation	50	
Interviews	150	
Total	942	

NOTICE OF PROPOSED AWARD

The DFPI will post a Notice of Proposed Award (NOPA) in a public place in the lobby of the DFPI office in Sacramento, on the DGS Web Site, and will email the NOPA to all parties that submitted a proposal at least five (5) working days prior to awarding the agreement.

V. Business Participation Programs (Preferences/Incentives)

A Bidder may qualify for preferences/incentives as described below. Each Bidder passing Stage One screening will receive the applicable preference/incentive. This section describes the following business participation programs:

- DVBE Participation Compliance Requirements
- Small Business/Microbusiness Preference
- Non-Small Business Preference
- Target Area Contract Act Preference

DISABLED VETERAN BUSINESS ENTERPRISE (DVBE)

Compliance Requirements

No DVBE Participation Compliance Requirement: DFPI has waived this RFP from DVBE participation. Bidders are not required to include DVBEs as part of the contract team. However, if Bidder does include DVBE participation in its Bid, the DVBE Incentive will be applied.

This Agreement is subject to a participation goal of three percent (3%) certified California Disabled Veteran Business Enterprises (DVBE) as set forth in Public Contract Code Sections 10115, et seq.

Required Forms

Bidders must complete Attachments 2, 4 and 5 to document DVBE participation. If Bidder does not include ALL these forms, the Bid will not qualify for DVBE Incentive.

- Contractor Status Form (Attachment 2).

Under the paragraph entitled: "Disabled Veteran Business Enterprise Participation Acknowledgement", make sure to check the "yes" "DVBE Participation" box.

- DVBE Declarations Std. Form 843 (Attachment 4)
- Bidder Declaration Form GSPD-05-105 (Attachment 5)

DVBE Definition

For DVBE certification purposes, a "disabled veteran" is:

- A veteran of the U.S. military, naval, or air service;
- The veteran must have a service-connected disability of at least 10% or more;
- and
- The veteran must be domiciled in California.

DVBE Certification and Eligibility

- To be certified as a DVBE, your firm must meet the following requirements:
 - Your business must be at least 51% owned by one or more disabled veterans;
 - Your daily business operations must be managed and controlled by one or more disabled veterans
 - The disabled veterans who exercise management and control are not required to be the same disabled veterans as the owners of the business; and
 - Your home office must be located in the U.S. (the home office cannot be a branch or subsidiary of a foreign corporation, foreign firm, or other foreign based business).
- DVBE limited liability companies must be wholly owned by one or more disabled veterans.
- Each DVBE firm listed on the DVBE Declarations Std. form 843 (Attachment 3) and on the Bidder Declaration form GSPD-05-105 (Attachment 4) must be formally certified as a DVBE by the Office of Small Business and DVBE Services (OSDS). The DVBE program is not a self-certification program. Bidder must have submitted application to OSDS for DVBE certification by the Bid due date to be counted in meeting participation requirements.

Printing / Copying Services Not Eligible

DVBE Subcontractors cannot provide printing/copying services. For more information, see section VI Administration, which states that printing services are not allowed in proposals.

To Find Certified DVBEs

Access the list of all certified DVBEs by using the Department of General Services, Procurement Division (DGS-PD), online certified firm database at [The State of California Certifications Webpage](#). Search by “Keywords” or “United Nations Standard Products and Services Codes” (UNSPSC) that apply to the elements of work you want to subcontract to a DVBE. Check for Subcontractor ads that may be placed on the California State Contracts Register (CSCR) for this solicitation prior to the closing date. You may access the CSCR at [California State Contracts Register Webpage](#). For questions regarding the online certified firm database and the CSCR, please call the OSDS at (916) 375-4940 or send an email to: OSDCHelp@dgs.ca.gov.

Commercially Useful Function

DVBEs must perform a commercially useful function relevant to this solicitation, in order to satisfy the DVBE program requirements. California Code of Regulations, Title 2, Section 1896.71 provides:

“(a) A DVBE contractor, subcontractor or supplier of goods and/or services that contributes to the fulfillment of the contract requirements, shall perform a Commercially Useful Function (CUF) for each contract.

- (b) A DVBE contractor, subcontractor, or a supplier of goods and/or of services is deemed to perform a CUF if the business does all of the following:
- (1) Is responsible for the execution of a distinct element of work of the contract (including the supplying of services and goods);
 - (2) Carries out its obligation by actually performing, managing, or supervising the work involved;
 - (3) Performs work that is normal for its business services and functions;
 - (4) Is responsible, with respect to products, inventories, materials, and supplies required for the contract, for negotiating price, determining quality and quantity, ordering, installing, if applicable, and making payment;
 - (5) Is not further subcontracting a portion of the work that is greater than that expected to be subcontracted by normal industry practices.
- (c) A contractor, subcontractor or supplier will not be considered to perform a commercially useful function if its role is limited to that of an extra participant in the transaction, contract or project through which funds are passed in order to obtain the appearance of DVBE participation.”

Information Verified

Information submitted by the Bidder to comply with this solicitation’s DVBE requirements will be verified. If evidence of an alleged violation is found during the verification process, the State shall initiate an investigation, in accordance with the requirements of PCC Section 10115, et seq., and Military & Veterans Code Section 999 et seq., and follow the investigatory procedures required by California Code of Regulations Title 2, Section 1896.90 et. seq. Contractors found to be in violation of certain provisions may be subject to loss of certification, sanctions and/or contract termination.

DVBE Report

Upon completion of the contract for which a commitment to achieve DVBE participation was made, the Contractor that entered into a subcontract with a DVBE must certify in a report to the DFPI: 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(s); 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. Military & Veterans Code Section 999.5(d).

The Office of Small Business and DVBE Services (OSDS)

OSDS offers program information and may be reached at:

Department of General Services
Office of Small Business and DVBE Services
707 3rd Street, 1st Floor, Room 400
West Sacramento, CA 95605

DGS Website

Phone: (916) 375-4940

Fax: (916) 375-4950

E-mail: OSDSHelp@dgs.ca.gov

DVBE Law

- Public Contract Code Section 10115 et seq.
- Military & Veterans Code Section 999 et. seq.
- California Code of Regulations Title 2, Section 1896.60 et. seq.

DVBE INCENTIVE

In accordance with section 999.5(a) of the Military and Veterans Code, an incentive will be given to Bidders who exceed the DVBE program requirement. For evaluation purposes only, the State shall apply an incentive to proposals that propose California certified DVBE participation as identified on the Bidder Declaration GSPD-05-105 and confirmed by the State. The incentive amount for awards based on low price will vary in conjunction with the percentage of DVBE participation.

The following incentive award will apply. Incentive points will be applied administratively per the high score award method for incentive point application.

Confirmed DVBE Participation of:	DVBE Incentive
3% and above	5%
2% to 2.99% Inclusive	3%
1% to 1.99% Inclusive	1%

Incentive Application

For awards based on high score awards: The incentive shall be between 1% and 5% of the total possible available points, not including points for socioeconomic incentives or preferences. The incentive points are included in the sum of non-cost points.

The incentive points cannot be used to achieve any applicable minimum point regulations.

*The percentage is based on the total possible available points not including preference points for small/micro business, non-small business or TACPA.

Required Forms:

- Contractor Status Form (Attachment 2).
- DVBE Declarations Std. Form 843 (Attachment 4)
- Bidder Declaration Form GSPD-05-105 (Attachment 5)

DVBE Incentive Law

- Military & Veterans Code Section 999.5(a)

- California Code of Regulations Title 2, Section 1896.99.100 et.seq.

SMALL BUSINESS / MICROBUSINESS / NON-SMALL BUSINESS

Preference

Bidders who qualify as a State of California certified small business will receive five percent (5%) preference points based on the highest responsible bidder's total score, if the highest scored proposal is submitted by a business other than a certified small business. Bidders qualifying for this preference must submit a copy of their Small Business Certification and document their status in Attachment 2, Contractor Status Form.

Required Forms

- Submit a copy of your Small Business Certification
- Contractor Status Form (Attachment 2)
- Complete the "Small Business Preference Claim" section Bidder Declaration Form GSPD-05-105 (Attachment 5)

Certification

A business must be formally certified by the Department of General Services, Office of Small Business and DVBE Services (OSDS), in order to receive the small/microbusiness preference.

Non Profit Veteran Service Agency

Bidders that qualify as a Non Profit Veteran Service Agency can be certified as a small business and are entitled to the same benefits as a small business.

Definitions

- *Small business* means a business certified by the Office of Small Business Disabled Veteran Services (OSDS) in which:
 - (1) It is independently owned and operated; and
 - (2) The principal office is located in California; and
 - (3) The officers of the business in the case of a corporation; officers and/or managers, or in the absence of officers and/or managers, all members in the case of a limited liability company; or the owner(s) in all other cases, are domiciled in California; and
 - (4) It is not dominant in its field of operation(s), and
 - (5) It is either:
 - (A) A business that, together with all affiliates, has 100 or fewer employees, and annual gross receipts of fourteen million dollars (\$14,000,000) or less as averaged for the previous three tax years, as adjusted by the Department pursuant to Government Code § 14837(d)(3); or
 - (B) A manufacturer as defined herein that, together with all affiliates, has 100 or fewer employees.
- *Microbusiness* means a small business certified by OSDS, which meets all of the qualifying criteria as a small business, and is:

(1) A business that, together with all affiliates, has annual gross receipts of three million, five hundred thousand dollars (\$3,500,000) or less as averaged for the previous three tax years, as adjusted by the Department pursuant to Government Code §14837(d)(3); or

(2) A manufacturer as defined herein that, together with all affiliates, has 25 or fewer employees.

- *Non Profit Veteran Service Agency* means an entity that:

(1) Is a community-based organization,

(2) Is a nonprofit corporation (under Section 501(c)(3) of the Internal Revenue Code), and

(3) Provides housing, substance abuse, case management, and employment training services (as its principal purpose) for:

- low income veterans,
- disabled veterans, or
- homeless veterans
- and their families

Commercially Useful Function

A certified small business or microbusiness shall provide goods or services that contribute to the fulfillment of the contract requirements by performing a “commercially useful function” defined as follows:

(1) The Contractor or Subcontractor is responsible for the execution of a distinct element of the work of the contract; carrying out its obligation by actually performing, managing or supervising the work involved; and performing work that is normal for its business services and functions;

(2) The Contractor or Subcontractor is not further subcontracting a greater portion of the work than would be expected by normal industry practices;

(3) The Contractor or Subcontractor is responsible, with respect to materials and supplies provided on the subcontract, for negotiating price, determining quality and quantity, ordering the material, installing (when applicable), and paying for the material itself;

(4) A Contractor or Subcontractor will not be considered as performing a commercially useful function if its role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to achieve the appearance of small business participation.

Late Payment of Invoices

Certified small/microbusinesses are entitled to greater interest penalties paid by the state for late payment of invoices than for non-certified small business/microbusiness.

Small Business / Microbusiness Law

- Government Code section 14835 et. seq.
- California Code of Regulations, Title 2 Section 1896 et. seq.

Non-Small Business

Preference

The preference to a non-small business Bidder that commits to small business or microbusiness Subcontractor participation of twenty-five percent (25%) of its net Bid price will receive five percent (5%) preference points based on the highest responsible bidder's total score, if the highest scored proposal is submitted by a business other than a certified small business. A non-small business that qualifies for this preference may not take an award away from a certified small business.

Required Forms

- Submit a copy of the Subcontractor's Small Business Certification
- Contractor Status Form (Attachment 2)
- Complete the "Small Business/Non-Small Business Preference Claim" section Bidder Declaration Form GSPD-05-105 (Attachment 5)

Certification

A Subcontractor business must be formally certified by the Department of General Services, Office of Small Business and DVBE Services (OSDS), in order to receive the Non-Small Business Preference.

Non-Small Business Law

- Government Code section 14838 (b)
- California Code of Regulations, Title 2 Section 1896 et. seq.

TARGET AREA CONTRACT PREFERENCE ACT

The following preference will be granted for this solicitation. Bidders wishing to take advantage of this preference will need to review the website stated below and submit the appropriate response with their Bid.

The TACPA program was established to stimulate economic growth and employment opportunities in designated Areas throughout the state of California. (GC4530)

The Department of General Services (DGS), Procurement Division (PD), Dispute Resolution Unit (DRU) oversees the TACPA program and evaluates all TACPA applications.

This solicitation contains (TACPA) preference request forms. Please carefully review the forms and requirements. Bidders are not required to apply for these preferences. Denial of the TACPA preference request is not a basis for rejection of the bid.

The State as part of its evaluation process reserves the right to verify, validate, and clarify all information contained in the bid. This may include, but is not limited to, information from bidders, Subcontractors and any other sources available at the time of the bid evaluation. Bidder refusal to agree to and/or comply with these terms, or failure to provide additional supporting information at the State's request may result in denial of preference requested.

Contracts awarded with applied preferences will be monitored throughout the life of the contract for compliance with statutory, regulatory, and contractual requirements. The State will take appropriate corrective action and apply sanctions as necessary to enforce preference programs.

Any questions regarding the TACPA preference should be directed to the Department of General Services, Procurement Division at (916) 375-4609.

TACPA Preference Request (STD 830):

[STD 830 Document](#)

Bidder's Summary of Contract Activities and Labor Hours:

[Bidder's Summary Document](#)

VI. Administration

RFP DEFINED

The competitive method used for this procurement of services is a Request for Proposal (RFP). A Proposal submitted in response to this RFP will be scored and ranked based on the Evaluation Criteria. Every Proposal must establish in writing the Bidder's ability to perform the RFP tasks.

DEFINITION OF KEY WORDS

Important definitions for this RFP are presented below:

Word/Term	Definition
Bidder	Responder to this RFP
CCFPL	California Consumer Financial Protection Law
CM	Contract Manager
DGS	Department of General Services
DVBE	Disabled Veteran Business Enterprises
DFPI	Department of Financial Protection of Innovation
Proposal	Formal written response to this document from Bidder
RFP	Request for Proposal, this entire document
State	State of California

COST OF DEVELOPING PROPOSAL

The Bidder is responsible for the cost of developing a proposal, and this cost cannot be charged to the State.

SOFTWARE APPLICATION DEVELOPMENT

If this scope of work includes any software application development, including but not limited to databases, websites, models, or modeling tools, Contractor shall utilize the following standard Application Architecture components in compatible versions:

- Microsoft ASP.NET framework (version 3.5 and up) Recommend 4.0
- Microsoft Internet Information Services (IIS), (version 6 and up) Recommend 7.5
- Visual Studio.NET (version 2008 and up) Recommend 2010
- C# Programming Language with Presentation (UI), Business Object and Data Layers
- SQL (Structured Query Language)
- Microsoft SQL Server 2008, Stored Procedures Recommend 2008 R2
- Microsoft SQL Reporting Services Recommend 2008 R2

- XML (external interfaces)

Any exceptions to the Electronic File Format requirements above must be approved in writing by DFPI Information Technology Services Office.

PRINTING SERVICES

Per Management Memo 07-06, State Agencies must procure printing services through the Office of State Publishing (OSP). Bidders shall not include printing services in their proposals.

CONFIDENTIAL INFORMATION

DFPI will not accept or retain any Proposals that have any portion marked confidential.

DARFUR CONTRACTING ACT OF 2008

Effective January 1, 2009, all solicitations must address the requirements of the Darfur Contracting Act of 2008 (Act). (Public Contract Code sections 10475, *et seq.*; Stats. 2008, Ch. 272). The Act was passed by the California Legislature and signed into law by the Governor to preclude State agencies generally from contracting with “scrutinized” companies that do business in the African nation of Sudan (of which the Darfur region is a part), for the reasons described in Public Contract Code section 10475.

A scrutinized company is a company doing business in Sudan as defined in Public Contract Code section 10476. Scrutinized companies are ineligible to, and cannot, bid on or submit a proposal for a contract with a State agency for goods or services. (Public Contract Code section 10477(a)).

Therefore, Public Contract Code section 10478 (a) requires a company that currently has (or within the previous three years has had) business activities or other operations outside of the United States to certify that it is not a “scrutinized” company when it submits a bid or proposal to a State agency. (See # 1 on Attachment 3)

A scrutinized company may still, however, submit a bid or proposal for a contract with a State agency for goods or services if the company first obtains permission from the Department of General Services (DGS) according to the criteria set forth in Public Contract Code section 10477(b). (See # 2 on Attachment 3)

CALIFORNIA CIVIL RIGHTS LAWS

Prior to bidding on, submitting a proposal or executing a contract or renewal for a State of California contract for goods or services of \$100,000 or more, a bidder or proposer must certify that it is in compliance with the Unruh Civil Rights Act (Section 51 of the Civil Code) and the Fair Employment and Housing Act (Section 12960 of the Government Code). Additionally, if a vendor has an internal policy against a sovereign nation or peoples recognized by the United States government, the Contractor must certify that such policies are not used in violation of the Unruh Civil Rights Act (Section 51 of the Civil Code) or the Fair Employment and Housing Act (Section 12960 of the Government Code).

See Attachment 8.

RFP CANCELLATION AND AMENDMENTS

If it is in the State's best interest, DFPI reserves the right to do any of the following:

- Cancel this RFP;
- Amend this RFP as needed; or
- Reject any or all Proposals received in response to this RFP

If the RFP is amended, DFPI will post the addendum to the RFP at the CaleProcure website where the event is posted and email a link to all Bidders expressing interest prior to posting of the Q&A.

ERRORS

If a Bidder discovers any ambiguity, conflict, discrepancy, omission, or other error in the RFP, the Bidder shall immediately notify DFPI of such error in writing and request modification or clarification of the document. Modifications or clarifications will be given by written notice of all parties who requested the RFP, without divulging the source of the request for clarification. DFPI shall not be responsible for failure to correct errors.

MODIFYING OR WITHDRAWAL OF PROPOSAL

A Bidder may, by letter to the Contact Person at DFPI, withdraw or modify a submitted Proposal before the deadline to submit proposals. Proposals cannot be changed after that date and time. A Proposal cannot be "timed" to expire on a specific date. For example, a statement such as the following is non-responsive to the RFP: "This proposal and the cost estimate are valid for 60 days."

IMMATERIAL DEFECT

DFPI may waive any immaterial defect or deviation contained in a Bidder's proposal. DFPI's waiver shall in no way modify the proposal or excuse the successful Bidder from full compliance.

DISPOSITION OF BIDDER'S DOCUMENTS

On the Notice of Proposed Award posting date all proposals and related material submitted in response to this RFP become a part of the property of the State and public record. Bidders who want any work examples they submitted with their proposals returned to them shall make this request and provide either sufficient postage, or a Courier Charge Code to fund the cost of returning the examples.

BIDDERS' ADMONISHMENT

This RFP contains the instructions governing the requirements for a firm quotation to be submitted by interested Bidders, the format in which the technical information is to be submitted, the material to be included, the requirements which must be met to be eligible for consideration, and Bidder responsibilities. Bidders must take the responsibility to carefully read the entire RFP, ask appropriate questions in a timely manner, submit all required responses in a complete manner by the required date and time, make sure that all procedures and requirements of the RFP are followed and appropriately addressed, and carefully reread the entire RFP before submitting a proposal.

GROUND TO REJECT A PROPOSAL

A Proposal shall be rejected if:

- It is received after the exact time and date set for receipt of Proposal's pursuant to Public Contract Code, Section 10344.
- It is considered non-responsive to the California Disabled Veteran Business Enterprise participation requirements.
- It is lacking a properly executed Certification Clauses.
- It is lacking a properly executed Darfur Contracting Act Form.
- It is lacking a properly executed California Civil Rights Law Certification Form.
- It contains false or intentionally misleading statements or references which do not support an attribute or condition contended by the Bidder.
- The Proposal is intended to erroneously and fallaciously mislead the State in its evaluation of the Proposal and the attribute, condition, or capability is a requirement of this RFP.
- There is a conflict of interest as contained in Public Contract Code Sections 10410-10412 and/or 10365.5.
- It contains confidential information, or it contains any portion marked confidential.
- The Bidder does not agree to the terms and conditions as attached to the solicitation either by not signing the Contractor Status Form or by stating anywhere in the bid that acceptance is based on modifications to those terms and conditions or separate terms and conditions.

A Proposal may be rejected if:

- It is not prepared in the mandatory format described.
- It is unsigned.
- The firm or individual has submitted multiple proposals for each task.
- It does not literally comply or contains caveats that conflict with the RFP and the variation or deviation is not material, or it is otherwise non-responsive.
- The Cost Worksheets are not filled out completely.

PROTEST PROCEDURES

A Bidder may file a protest against the proposed awarding of a contract. Once a protest has been filed, contracts will not be awarded until either the protest is withdrawn, or DFPI cancels the RFP, or the Department of General Services decides the matter.

Please note the following:

- Protests are limited to the grounds contained in the California Public Contract Code Section 10345.

- During the five **working** days that the Notice of Proposed Award (NOPA) is posted, protests must be filed with the DGS Legal Office and DFPI Acquisition Service Unit.
- Within five **calendar** days after filing the protest, the protesting Bidder must file with the DGS and DFPI Acquisition Service Unit a full and complete written statement specifying the grounds for the protest.
- If the protest is not withdrawn or the solicitation is not canceled, DGS will decide the matter. There may be a formal hearing conducted by a DGS hearing officer or there may be briefs prepared by the Bidder and DFPI for the DGS hearing officer consideration.

AGREEMENT REQUIREMENTS

The content of this RFP shall be incorporated by reference into the final contract. See the sample Agreement terms and conditions included in this RFP.

No Contract Until Signed & Approved

No agreement between DFPI and the successful Bidder is in effect until the contract is signed by the Contractor and DFPI Deputy Commissioner, and approved by the Department of General Services.

Contract Amendment

The contract executed as a result of this RFP will be able to be amended by mutual consent of DFPI and the Contractor. The contract may require amendment as a result of project review, changes and additions, changes in project scope, or availability of funding. The total amount for this contract, including amendments, shall not exceed **\$750,000**. This contract may be extended up to one year under mutual signed agreement by both parties and approved by DGS OLS if applicable.