



**Request for Proposal  
2018-10**

**RFP: Public Relations Services**

**Friday, March 8, 2019**

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## 1. INTRODUCTION

### 1.1 Overview

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

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

### 1.2 Key Action Dates

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

#### KEY ACTION DATES

|   |  |
|---|--|
| <b>Request for Proposal Release Date:</b>                     | <b>Friday, March 8, 2019</b>   |
| <b>Registration and Questions for Bidders' Conference Due</b> | <b>Thursday, March 14, 2019 (1:00 p.m. PST)</b>  |
| <b>Bidders' Conference: (optional)</b>                        | <b>Wednesday, March 20, 2019 (9:30 a.m. PST)</b>   |
| <b>Responses Posted By:</b>                                   | <b>Friday, March 22, 2019</b>  |
| <b>Stage 1 – Administrative Requirements Due</b>              | <b>Thursday, March 28, 2019 (11:00 a.m. PST)</b>   |
| <b>Stage 2 – On-site Agency Visit Notification</b>            | <b>Wednesday, April 3, 2019 by (4:30 p.m. PST)</b>   |
| <b>Stage 2 – On-site Agency Visits</b>                        | <b><del>April 18, 19, and 22, 2019</del><br/><del>April 18 – 24, 2019</del></b>                            |
| <b>Final Stage Notification</b>                               | <b>Monday, April 29, 2019</b>  |
| <b>Final Stage – Final Financial Package Due</b>              | <b><del>Friday, May 3, 2019 (1:00 p.m. PST)</del><br/><del>Tuesday, May 7, 2019 (12:00 p.m. PST)</del></b> |
| <b>Final Phase – Oral Presentations</b>                       | <b><del>Wednesday, May 8, 2019</del><br/><del>Thursday, May 9, 2019 – Friday, May 10, 2019</del></b>       |
| <b>Notice of Intent to Award:</b>                             | <b>Week of May 20, 2019</b>  |

### 1.3 Contact

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

E-mail address: [HBEXSolicitation@covered.ca.gov](mailto:HBEXSolicitation@covered.ca.gov)  
(For all communications, subject line must include: RFP)

Covered California  
Business Services Branch/Sheryl Brewer  
1601 Exposition Blvd.  
Sacramento, CA 95815

Phone calls will not be accepted.

#### 1.4 Contract Amount

Responses shall not exceed **\$7,500,000** in total costs. Responses that exceed this amount will not be considered for selection.

It is currently expected that the estimated funding for the contract will not exceed approximately **\$2,500,000** per year for the term of the contract including extensions, if any.

Funding is subject to annual budget approval by the Covered California Board of Directors. If full funding does not become available, Covered California may terminate or amend the contract to reflect reduced funding and reduced deliverables.

#### 1.5 Contract Term

The initial term of the contract shall be for three years, from July 1, 2019 through June 30, 2022. The contract term is subject to change.

The resulting contract will be of no force or effect until signed by both parties. Performance shall not commence until a valid contract has been executed between the successful Bidder and Covered California. Covered California will not pay for any services performed prior to the execution of a valid contract.

#### 1.6 Contract Amendment

Covered California may, in its sole discretion, extend the term of the contract for three additional, one year terms at \$2.5 million per year.

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

## 1.7 Bidders' Conference and Registration.

Covered California will conduct a **voluntary** pre-proposal Bidders' Conference on March 20, 2019, at Covered California's headquarters, located at 1601 Exposition Blvd, Sacramento, CA 95815.

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

To register for and attend the pre-proposal Bidders' Conference, send an email request to the email address listed in Section 1.3 by March 14, 2019 3:30 p.m. The business name, name(s) of those attending, and contact information must be clearly identified. Questions not answered at the Bidders' Conference will be posted to the website listed in Section 1.8 on March 22, 2019.

Questions sent in advance will be answered at the Bidders' Conference and must be submitted via email to the email address listed in Section 1.3 by March 14, 2019, 3:30 p.m.

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

## 1.8 Bidders' Questions

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

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

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

## 1.9 Submission of Final Proposal

1. Bidders' Cost: Costs for developing proposals and attending Bidder Conferences are entirely and solely the responsibility of the Bidder and are not chargeable to Covered California.
2. Completion of Proposals: Bidders are required to be both responsive (fully compliant) and responsible (capable and qualified to perform work) relative to solicitation requirements. Proposals must be complete in all respects and contain all required items as described in the requirements established within this RFP, its attachments, and any written responses to questions or amendments posted by Covered California on its website. A Final Proposal may be rejected by Covered California, in its sole discretion, if it is conditional or incomplete, or if it contains any alterations of form or other irregularities of any kind. A Final Proposal must be rejected by Covered California if any defect or irregularity constitutes a material deviation from the RFP requirements as determined by Covered California, in its sole discretion.
3. False or Misleading Statements: Proposals which contain false or misleading statements, or which provide references which do not support an attribute or condition claimed by the Bidder, may be rejected. If, in the opinion of Covered California, such information was intended to mislead Covered California in its evaluation of the proposal or was included in Covered California's sole opinion as a result of gross negligence attributable to the bidder, and the attribute, condition or capability is a requirement of this RFP, it shall be grounds for rejection of the proposal.
4. Errors: If a Bidder discovers any ambiguity, conflict, discrepancy, omission or other error in this RFP, the Bidder shall immediately notify Covered California of such error by email to the contact in Section 1.3 and request modification or clarification of the RFP. Modifications or clarifications will be given by written notice posted on the website at <http://hbex.coveredca.com/solicitations/> without divulging the source of the request for modification or clarification. Covered California shall not be responsible for failure to correct errors or any Bidder's failure to regularly and timely check the website for changes.
5. Importance of Meeting Deadlines: Bidders are responsible and assume all risks for the delivery and receipt by Covered California of all submissions prior to the submission deadline. If a Bidder mails or otherwise ships the submission via a generally recognized approved transportation entity such as the U.S. Postal Service, Federal Express, United Parcel Service, etc. and provides Covered California with the entity's package tracking information and the tracking information indicates its delivery at Covered California by the submission deadline, the package will be considered to have arrived on time. U.S. Postal Service postmarks or other indicia of

mailing of shipment, however, will not be accepted as proof of timely delivery. Faxed or electronic submissions will not be accepted. The stated deadlines for submitting and receipt of all materials to Covered California will be strictly enforced. Submissions that are incomplete or received after the stated deadline may not be accepted.

6. Assessment of Proposals: All proposals will be assessed based on determining the “Best Value” in the sole opinion of Covered California and the selection, if made, will be made to a single Bidder. The Scope of Work (SOW), bidder’s proposal, and bid may, in Covered California’s sole discretion, be made a part of the resulting Contract.

## 1.10 Covered California Rights

1. Verification of Bidder Information

By submitting a proposal, Bidders authorize Covered California to:

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

## 1.11 Rejection of Proposals

Deviations may cause a proposal to be deemed non-responsive and not to be considered for award. Covered California may reject any or all proposals and/or may waive any immaterial deviation or defect in a proposal. Covered California's waiver of any immaterial deviation or defect shall in no way modify the RFP documents or requirements and shall not excuse the Bidder from full compliance with the RFP specifications if awarded a contract.

STAGES OF THE PROPOSAL NOT RECEIVED BY THE DATE AND TIME SPECIFIED IN SECTION 1.2 KEY ACTION DATES OR THAT ARE NOT SEALED, will remain unopened and, if delivery is accepted, will be maintained separately from proposals that have been timely received. Proposals received after expiration of the deadline may only be opened and considered upon written approval of Covered California's Executive Director or his/her designee specifying the reason(s) for acceptance and consideration of the untimely proposal.

Issuance of this RFP in no way constitutes a commitment by Covered California to award a contract. Covered California reserves the right to reject any or all proposals, or portions of proposals, received in response to this RFP, or to amend or cancel this RFP at any time. In the event of such cancellation, Covered California may reissue the RFP at a later date.

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

#### 1. Non-Responsive Proposals

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

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

#### 2. Business In Good Standing

Bidder acknowledges that when agreements are to be performed in the State of California by corporations or vendors, Covered California will verify, prior to

awarding any State contract, the following information in order to ensure that all obligations due to the State are fulfilled:

#### Corporation in Good Standing

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

“Doing business” is defined in California Revenue and Taxation Code section 23101 as actively engaging in any transaction for the purpose of financial or pecuniary gain or profit. Although there are some statutory exceptions to taxation, rarely will a corporate contractor performing within the State not be subject to the franchise tax.

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

#### State Tax Delinquency

Covered California will verify with the California Franchise Tax Board (FTB) and Board of Equalization (BOE) that the Bidder is not on a prohibited list due to tax delinquencies. The bid will be considered non-responsive if the Bidder is on any of these lists.

The list established by FTB can be found at: [https://www.ftb.ca.gov/aboutFTB/Delinquent\\_Taxpayers.shtml](https://www.ftb.ca.gov/aboutFTB/Delinquent_Taxpayers.shtml)

The list established by BOE can be found at: <http://www.boe.ca.gov/cgi-bin/deliq.cgi>

### **1.12 Errors in Final Proposals**

An error in the Final Proposal may cause the rejection of that proposal; however, Covered California may, in its sole discretion, retain the proposal and make certain corrections. In determining if a correction will be made, Covered California will consider the conformance of the proposal to the format and content required by the RFP, and any unusual complexity of the format and content required by the RFP.

1. If the Bidder's intent, as determined by Covered California, is clearly established based on its review of the complete Final Proposal submittal, Covered California may in its sole discretion, correct an error based on that established intent.

2. Covered California may, in its sole discretion, correct obvious clerical errors.
3. A Bidder may modify a bid after submission by withdrawing its original bid and resubmitting a new bid if it is received prior to the bid submission deadline. Bidder modifications offered in any other manner, oral or written, will not be considered.
4. A Bidder may withdraw its bid by submitting a written withdrawal request to Covered California, signed by the Bidder or an authorized agent. Bids may not be withdrawn subsequent to the bid submission deadline without cause.
5. No oral understanding or contract shall be binding on either party.

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

### 1.13 Protest

For formal competitive solicitations, any protest properly submitted within five (five) working days of the posting of the Notice of Intent to Award will be considered. All protests will be reviewed and decided by the Executive Director or his/her designee.

The following protest procedures shall be followed and apply to all formal competitive solicitations:

#### General

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

#### Grounds

Protestant must cite the specific grounds for the protest and provide all facts and citations of law sufficient to support the protest and enable the Executive Director or his/her designee to make an informed, proper decision. Covered California will determine, in its sole discretion, if the protestant has demonstrated sufficient grounds to allow the protest to be heard. Abuse of the protest process by unsuccessful bidders for the purpose of securing confidential information about other bidders will be rejected by Covered California. The sole grounds for a protest are:

1. Protestant reasonably believes that Covered California has acted in an arbitrary and capricious manner; and/or

2. Protestant reasonably believes that Covered California committed an error in the bid process as stated in the solicitation that is sufficiently material to justify invalidation of the proposed award.

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

**Requirements for Protest**

Protests must be submitted in writing, signed by an individual who is authorized to contractually bind the Bidder, and include all grounds and supporting facts and evidence upon which the protest is based, as well as all citations of law, rule, regulation or procedure upon which the protestant relies. Protests must be delivered to Covered California at the address indicated below by certified or registered mail or in person, in which case the protestant should obtain a delivery receipt. Protests must be received by Covered California no later than the close of business five days after the Notice of Intent to Award has been posted.

Protests must be mailed or delivered to:

|                                     |
|-------------------------------------|
| <b>Mailing Address:</b>             |
| Covered California                  |
| Attn: Peter Lee, Executive Director |
| 1601 Exposition Blvd.               |
| Sacramento, CA 95815                |

The Executive Director's or his/her designee's decision shall be final.

**Terms of Protest**

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

A protestant who has demonstrated a legitimate ground for protest as described above may be provided limited access to certain relevant, non-public information regarding the RFP and Covered California's consideration of submissions in response to the RFP upon the protestant's execution of a Non-Disclosure Agreement provided by Covered California and the approval of Covered California's General Counsel or his/her designee. Trade secret, proprietary and confidential information will be redacted from any documents disclosed to protestant as part of the protest process.

#### **1.14 Disposition of Bids**

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

#### **1.15 Contract Execution and Performance**

Performance shall begin no later than the date set forth in the RFP by Covered California and after the contract is fully executed, unless a later date is mutually agreed upon by Covered California and the Contractor. Notwithstanding any other provision, should the Contractor fail to commence work on the agreed date and time, Covered California, upon five (5) days written notice to the Contractor, reserves the right to terminate the contract. In such an event, the Contractor shall be liable to Covered California for the difference between the Contractor's bid price and, if greater, the actual cost of performing the work by a replacement contractor.

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

#### **1.16 Subsequent Solicitation**

If at any time during negotiation of an agreement with the successful Bidder, Covered California determines it is not able to reach an agreement with the successful Bidder, Covered California may, in its sole discretion, terminate the negotiations and engage the next-highest-ranked bid without performing a subsequent solicitation.

#### **1.17 Addition or Subtraction of Services**

Notwithstanding that bids have been submitted, at Covered California's sole discretion, the SOW may be modified prior to contract award to add or remove services through an addendum. If the date and time for submission of Final Proposals has passed as of the time the addendum is posted, and bids have been received, Covered California, in its sole discretion, may restrict responses to the modified SOW so that only entities that submitted timely bids in response to the initial RFP may respond to the addendum.

#### **1.18 News Releases and Social Media**

By submitting a Final Proposal, Bidders and the selected Contractor agree that they will not issue news releases nor make statements to the news media or through social media channels pertaining to this RFP, their proposals, the contract, or work resulting therefrom, without first obtaining prior approval from Covered California.

## 2 PROJECT TEAM

Covered California seeks a team with experience and knowledge of the process outlined in this RFP and the Model Contract Exhibit A – Scope of Work. Bidder must demonstrate that project team members assigned to the project possess the experience, education, knowledge and skills required to perform the work described in this RFP.

### 2.1 Project Team Minimum Qualifications

The minimum required qualifications for Bidders include:

- A currently operating, full service PR firm with a presence in California since 2014
- Minimum annual gross billings of at least \$1.5 million in at least two of the past three years.
- A minimum of 15 employees employed by the Bidder's California office(s) that will service the Covered California account; and
- No conflicts of interest under the Fair Political Practices Act or other applicable law.

These preliminary eligibility requirements must be certified by the Bidder in Phase 1 as further described in Section II, Proposal submission and stages.

### 2.2 Project Team Desirable Qualifications

Covered California seeks Bidders with the following desirable skills:

- Ability to create a statewide and national public relations strategy based on the attached Scope of Work (SOW), which builds upon the strength and strategies of current Covered California public relations projects.
- Demonstrated ability to pitch events successfully and help clients obtain earned media coverage in general market as well as multi-lingual and multi-cultural outlets.
- Be able to introduce fresh and innovative ideas that will continue to move the organization forward and promote enrollment and retention in the individual market.
- Be able to combine rigorous and insightful account planning and strategic development with effective creative solutions that successfully engaged the public, ethnic communities and statewide media to reach Covered California's target populations. Examples include but are not limited to Chinese, Korean, Vietnamese and Spanish speakers, African Americans and LGBT audiences.
- Be willing to work under tight deadlines, be nimble and be highly knowledgeable of and be sensitive to the politically-dynamic health care reform environment.

- Must demonstrate the ability to integrate the efforts of other Covered California-funded projects and statewide advertising within its public relations strategies, outreach and education.
- Must have strong project management skills, extensive experience working with California’s diverse markets and populations, and the ability to effectively utilize media relations and communications expertise and skill to address priorities for Covered California.
- Be able to reach those Covered California wants to reach, including those 18-64 years old (with and without insurance) and those who do and do not qualify for subsidies.

Covered California is looking for a dynamic agency with strong, full-service and leading-edge capabilities, including, but not limited to:

- Strategic planning
- Account management
- Event planning and execution
- Media Relations
- Material development
- Outreach to multiple populations that reflect the diversity of California
- Spokesperson and media training
- Crisis communication
- Development and utilization of social and digital media.

The public relations agency must have proven performance in managing statewide projects, working in tight timelines, and have a grasp of the dynamic health care reform environment.

## 2.3 Subcontractors

Given the rich diversity of California, it is anticipated that the successful Bidder will most likely need to subcontract with one or more agencies with demonstrated knowledge, experience and capability to effectively reach targeted ethnic communities and/or young adult populations through means of digital public relations. This may include, but is not limited to those listed in section 2.2. If the Bidder does not have the full-service capabilities to effectively accomplish all components of the scope of work, **they are required** to identify potential subcontractors. Each proposed Subcontractor must complete and sign the “Proposed Subcontractor PR Agency Fact Sheet”

Covered California reserves the right to deny any or all subcontractors proposed by the selected Contractor. Posting the “Notice of Intent to Award” does not imply Covered California’s approval of proposed subcontractors.

If a proposed subcontractor is denied, or if the selected Contractor does not, to the satisfaction of Covered California, demonstrate their internal capabilities to

address a specific target population and meet Covered California's needs, the Bidder may be required to procure a subcontractor or consultant through a separate competitive process.

## **2.4 Reassignment of Personnel**

1. The Contractor shall not reassign nor substitute personnel assigned to the contract during the contract term without prior written approval of Covered California. If a Contractor employee is unable to perform duties due to illness, resignation, or other factors beyond the Contractor's control, the Contractor shall make every reasonable effort to provide suitable substitute personnel.
2. Substitute personnel shall not automatically receive the hourly rate of the individual or position being replaced. Covered California and the Contractor shall negotiate the hourly rate of any substitute personnel to the contract. The hourly rate negotiated shall be dependent, in part, on the experience and individual skills of the proposed substitute personnel; however, the negotiated rate shall not exceed the hourly rate stated in the contract.
3. Covered California reserves the right to require a Contractor employee to be removed from performing any work on the contract and on written notice to the Contractor, the Contractor shall assign an acceptable substitute employee.

## **3. SCOPE OF WORK**

### **3.1 Background and Context**

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

Covered California began enrolling individuals in health coverage for 2014 and has conducted open enrollment promotional efforts in each of the six years since as well as ongoing efforts to promote enrollment during special enrollment.

Covered California continues to conduct robust marketing and outreach and believes they are essential to enrolling a good mix of patients with low health needs as well as high health needs in order to keep health insurance premiums as low as possible.

Since 2014, California has made tremendous progress in decreasing the percentage of the uninsured to an all-time record low, both through enrollment in Covered California and the state's Medi-Cal program.

Following the presidential election in 2016, there were significant attacks on the ACA, intense political debate and an unsuccessful effort to repeal and replace the law through 2017. In addition, the current federal administration has worked to undermine the ACA in a variety of ways (nearly eliminating marketing, eliminating funding for navigators to help people enroll, policy changes aimed at undermining the law). As a state-based marketplace, Covered California was protected from some of those changes and charted its own course. By 2017, California's uninsured rate had fallen to a new, all-time historic low of 7.2 percent, a decline of 10 percentage points since 2013 and the largest decrease of any state in the nation.

Today, Covered California sees churn in its membership, with about 40 percent of members leaving every year (mostly to other forms of coverage). This means promotional efforts need to be conducted every year to reach a new group of people: individuals who may not know they qualify for financial help to buy health insurance, for example, or individuals who have lost their job-based insurance and now qualify to enroll. In addition, new state proposals may enhance affordability and extend subsidies to more middle-income Californians, and reinstate a tax penalty for not having health insurance.

Public relations strategies will need to be planned and refined in sync with these proposals in the coming year, as it will be important to communicate successfully with Californians and potential enrollees about the possibility of enhanced subsidies and a potential tax penalty taking effect as soon as 2020 if they become law.

Next year, during 2020, health reform can be expected to take center stage in a highly-contentious presidential election. Covered California is not a partisan political organization and does not engage in any campaign activities, but strategies will need to be developed to assist Covered California in this context including plans for how to promote enrollment in the fall of 2020 for plan year 2021.

The broad goals and objectives of Covered California are to:

- Reduce the number of uninsured Californians by operating an organized, transparent marketplace for Californians to purchase affordable, quality health care coverage to claim available federal tax credits and cost-sharing subsidies.
- Reform and strengthen the health care delivery system;

- Foster a competitive marketplace where consumers can choose from health insurance plans that encourage the right care at the right time; ;
- Require that health care service plans and health insurers issue coverage in the individual and small employer markets and compete on the basis of price, quality, and service (and not on risk selection); and
- Meet federal and state law requirements, guidance and regulations.

Covered California is an independent public entity within California State Government. It is governed by a five-member board appointed by the Governor and Legislature. Covered California works in close partnership with:

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

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

### **3.2 Purpose**

The purpose of this RFP is to solicit proposals from qualified public relations agencies to build upon the strength and current strategies of the Covered California public relations program while introducing fresh, innovative ideas that will continue to move the organization forward and encourage consumers to enroll and then retain their coverage.

### **3.3 Scope of Work**

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

### 3.4 Contract Completion Criteria

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

### 3.5 Deliverable Acceptance Criteria

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

Throughout the contract term, Covered California will review and validate the services performed. In addition, the Covered California Representative will verify and approve the Contractor's invoices. Covered California reserves the right to review payments to designated subcontractors to ensure compliance with applicable contractual and legal requirements. Signed acceptance is required from the Covered California Representative prior to approval of an invoice for payment.

Deliverable acceptance criteria consist of the following:

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

### **3.6 Contractor's Roles and Responsibilities**

The Contractor shall:

1. Designate a person to whom all project communications may be addressed and who has the authority to act on all aspects of the contract. This person shall be responsible for the overall project and the contact for all invoicing and Contractor staffing issues.
2. Provide written reports for review and approval by Covered California, and formally respond to Covered California review findings as necessary.
3. Meet as required with Covered California staff to discuss progress.
4. Make its best efforts to maintain staff continuity throughout the life of the project. If a substitution becomes necessary, the Contractor shall submit resumes for Covered California's review, in advance, for all proposed personnel substitutions. All Contractor personnel substitutions must be approved in writing by the Covered California Representative. Failure to obtain the required approvals or acceptable substitute staff may, in Covered California's sole discretion, result in termination of the contract.
5. Covered California will require embedded onsite staff reporting to 1601 exposition Blvd, Sacramento, CA 95815. Serving as project liaisons with the Bidder's office(s), embedded staff duties may include, but are not limited to, consulting and executing the terms of the SOW in the contract.
6. Covered California does not grant the selected Contractor the exclusive rights to provide all public relations services during the contract period. Covered California reserves the right to acquire public relations services from other agencies without infringing upon, or terminating, the awarded contract.

### **3.7 Covered California's Roles and Responsibilities**

Covered California shall:

1. Designate a Covered California Representative to whom all Contractor communications may be addressed and who has the authority to act on all aspects of the contract.
2. Provide access to business and technical documents as necessary for the Contractor to complete the tasks identified in this RFP.
3. Ensure appropriate resources are available to perform assigned tasks, attend meetings, and answer questions.

4. Ensure that decisions are made in a timely manner.
5. Provide work areas and meeting rooms as needed.
6. Identify and provide access to Subject Matter Experts (SME) to assist in the development of technical requirements.

### **3.8 Project Assumptions and Constraints**

1. The Contractor's work hours shall be consistent with Covered California's key staff on-site, whose normal business hours are 8:00 a.m. to 5:00 p.m. PT, Monday through Friday, except for State holidays.
2. Overtime rates will not be reimbursed under the contract.
3. Travel reimbursements will be determined by Covered California representatives and will require approval of the Deputy Chief Operations Officer. With the approval of the Deputy Chief Operations Officer, Contractor may seek travel reimbursements based on CalHR's Travel Reimbursement Policy.
4. Any modifications to tasks within Exhibit A – Scope of Work of the contract shall be defined, documented, and mutually agreed upon by the Contractor and Covered California's Representative prior to starting work on the modified task(s). Covered California's Representative may refine or clarify the services deemed necessary to meet the needs of this project in accordance with Covered California's priorities.
5. Covered California and the Contractor shall be mutually obligated to keep open and regular channels of communication in order to ensure the successful performance of the contract. Both parties shall be responsible for communicating potential problems or issues to Covered California's Representative and the Contractor's project team manager, respectively, within forty-eight (48) hours of becoming aware of the problem or issue.

### **3.9 Payment and Invoicing**

If the collection of fees assessed from Qualified Health Plans (QHPs) are collectively not sufficient to provide the funds for this program, Covered California shall have the option to either cancel this Agreement with no liability occurring to Covered California or offer an agreement amendment to the Contractor to reflect the reduced amount.

The Contractor may invoice Covered California only after the successful completion and acceptance of the contract deliverables. The Contractor may

not invoice Covered California for any costs exceeding the maximum amount identified to complete a deliverable.

#### 4. PROPOSAL RESPONSE CONTENT

**Stage 1 and 2** proposal requirements include the following areas, each of which is described in detail in subsequent sections of this document:

1. Stage 1- Administrative Requirements
  - a. Attachments
  - b. Model Contract with Exhibits
2. Stage 2- Technical Requirements and On-Site Agency Visits

##### 4.1 Proprietary Information and Confidential Status of Responses

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

##### 4.2 Administrative Requirements

All Administrative Requirements must be submitted within the timelines specified in Section 1.2 of this RFP. All required documents need to be submitted in a sealed envelope when delivered to Covered California. The sealed package must be plainly and clearly marked on its face with: (1) the RFP number and title; (2) the Bidder’s name and address; and (3) the words “DO NOT OPEN”, as shown in the following example:

**RFP 2018-10: Public Relations Campaign  
Attention: Sheryl Brewer  
Covered California  
Business Services Branch  
1601 Exposition Blvd.  
Sacramento, CA 95815  
DO NOT OPEN**

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

##### 4.2.1 Administrative Requirements must include the following:

1. The “Proposal Cover Page” form (*Attachment 1*) completed and signed by a representative authorized to bind the bidding organization.

2. A Certificate of Liability Insurance equal to or greater than \$1,000,000.
3. Proof of Workers' Compensation Liability Insurance.
4. Proof of Automobile liability, including non-owned auto liability, of \$1,000,000 per occurrence for persons used by Contractor for services provided pursuant to this Agreement.
5. A completed certification form showing, upon contract execution, that the Bidder and applicable staff if identified as a code filer agree to provide a completed Title 10, California Code of Regulations, Chapter 12, Article 1, Statement of Economic Interests (Form 700) (*Attachment 2*). For more information, see the California Health Benefit Exchange Conflict of Interest Code: <http://hbex.coveredca.com/resources/>, and the Fair Political Practices Commission site: <http://www.fppc.ca.gov/>.
6. A signed Payee Data Record form STD 204 (*Attachment 3*)
7. Contractor Certification Form (*Attachment 4*)

#### 4.2.2 Updated Model Contract

1. Using the Exhibit A – Scope of Work template, include revised Exhibit A with updated Scope of Work, using track changes.
  - a. Understanding and Description of the tasks to be performed (Work Plan).
2. Costs: Include revised Exhibit B – Budget Detail and Payment Provisions and Exhibit B, Attachment 1 – Cost Worksheet, using track changes.

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

### 4.3 Stage 2 Technical Requirements

Technical Requirements are to be provided to the Covered California Evaluation team on the day of the On-Site Agency Visits.

#### 4.3.1 Copies Required

Provide one hardcopy marked "MASTER," **(7) seven** additional hard copies marked "COPIES" and one CD-ROM. All copies requested must be identical to the MASTER including the CD-ROM. Each copy of the

proposal must be complete, including all required attachments and documentations.

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

#### **4.3.2 Narrative Format**

- a. Narrative portions of proposal responses should be prepared so as to provide a straightforward, concise delineation of the Bidder's capabilities to satisfy the requirements of this RFP. Emphasis should be on conformance with the RFP instructions, responsiveness to the RFP requirements and completeness and clarity of content. Expensive bindings, colored displays, promotional materials, etc., are not necessary or desired.
- b. Bidders must follow the format requirements listed below for all narrative portions of the RFP. Failure to do so may result in an entire proposal or affected section not being read or evaluated, at Covered California's sole discretion.
  - 1) Use a Times New Roman, Arial, or Calibri font of at least 12-point size throughout. Exception: if a form is required by Covered California that contains a smaller font.
  - 2) Print all pages single-sided on letter size (8.5 by 11 inches) white paper with single line spacing, unless otherwise noted.
  - 3) Use one-inch margins at the top, bottom and sides.
  - 4) Sequentially number the pages in each section and clearly identify each section in the order requested. When a page limit is noted, pages exceeding the limit will not be reviewed or scored. It is not necessary to paginate the required forms.
  - 5) Place the Bidder's name in a header or footer on every page. If the Bidder's name is not already entered elsewhere on a completed certification or form, add it to a header, footer or signature block.
  - 6) Have a person who is authorized to bind the proposing entity sign each RFP attachment that requires a signature in **blue** ink. Signature stamps are not acceptable.

- 7) Place the original signed attachments in the set marked "MASTER." Additional copies may have photocopied signatures on attachments and throughout the document.
- c. All proposals must be based on and conform to the Model Contract provided with this solicitation as described in Exhibit A – Scope of Work, and the contract General Terms and Conditions provided in Exhibit C. Bidders should review the Model Contract in its entirety prior to submitting a proposal. Bidders must submit as part of their response any changes or exceptions to the Model Contract that they wish to negotiate. However, extensive or significant exceptions to the Model Contract may make the proposal non-responsive to the RFP if Covered California, in its sole discretion, determines that the proposed exceptions materially change the contractual relationship between the parties. Bidder proposed changes or exceptions must be documented via tracked changes to the documents contained in the Model Contract. All Model Contract changes or exceptions must be included in the Bidder Proposal at the time of submission. No additional exceptions may be presented during contract negotiations. Covered California reserves the right to reject all exceptions in the Bidder Proposal.

#### **4.3.3 Technical Requirements must include the following:**

- a. Understanding and Approach

Include a description of the Bidder's understanding of the project's goals, emphasizing the Bidder's understanding of the objectives and the major activities that must be performed to complete the work. Discuss the Bidder's strategy for providing the services outlined in the solicitation within the time period allocated for that task. Provide a table showing hours per week by person covering the contract term. Include expectations of all entities outside the Bidder's own team, if any. Provide any assumptions used to develop the response.

(No more than 5 pages.)

- b. Corporate Qualifications Summary

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

- 1) Agency Experience in the health care field. Describe your agency's capabilities, skills and experience, with statewide public relations campaigns. Specifically describe your capabilities performing the following services, including, but not limited to: account management; public relations research and strategic planning; earned media development and evaluation; planning and execution of press events both in English and non-English media and crisis management.

Also describe your agency's experience in creating an annual public relations plan. Include the steps taken to create the plan, the client's involvement, the political context and why this experience is relevant to what Covered California does.

- 2) Multicultural and Ethnic Experience. Describe the experience and expertise of your agency, or that of your proposed subcontractors, at successfully reaching multicultural or ethnically diverse communities and media outlets in California, including the utilization of in-language ethnic media outlets. Include research, planning, execution, and evaluation processes as they relate to client needs and objectives. If your agency does not have such experience in-house, or if in-language experience is limited, describe how your agency would ensure that expertise to address targeted ethnic markets would be provided for the contract needs. Emphasis should focus Asian language including but not limited to Korean, Chinese, and Vietnamese, Spanish language audiences, African American audiences and LGBTQ audiences. Provide evidence of a proven record of success in specific communities.
- 3) Digital Public Relations Services. Describe your agency's experience with emerging public relations and utilizing digital media vehicles this could include social media and other emerging digital media sources. For each client, indicate whether you created, managed, consulted, or assisted with the platform for the client.

(No more than 5 pages.)

c. Project Team Qualifications

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

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

(No more than 5 pages, not including resumes)

- 1) Resumes - Provide a resume of the relevant experience for each proposed project team member. For each experience cited on a resume, the resume must include:
  - Total Duration: Indicate the start (month/year), end (month/year), and duration (total number of years and months) for each job experience submitted;
  - Description of Specific Experience: A complete description of the relevant experience, including identification of the client, name of the project, roles and responsibilities of the individual, and types of services provided by the individual.

d. Past Projects Completed

Describe in a narrative up to five (5) projects the Bidder has completed in the last two (2) years **by the California based office** that relate to the tasks listed in Model Contract Exhibit A – Scope of Work.

(No more than 5 pages.)

e. PR Agency Fact Sheet

Complete and sign the “Public Relations Agency Fact Sheet” Form (Attachment 12).

Have each proposed Subcontractor complete and sign the “Proposed Agency Subcontractor Fact Sheet” Form (Attachment 13).

f. Assumptions

Document any assumptions the Bidder is making about the SOW, the responsibilities of the Bidder and Covered California, and any other issues relevant to the Bidder’s offer and ability to do the work for the proposed cost.

(No more than 1 pages.)

## 4.4 On-Site Agency Presentations

Each Bidder who has the capacity and is interested in participating in Stage 1 must submit all required documents identified in the “Administrative Requirements” section above by March 28, 2019. Based on Covered California’s review of the submitted documents, Covered California will contact qualified Bidders to schedule a time for the Covered California Evaluation Team to conduct on-site visits of each agency. The visit will include meeting with those who would be assigned to the account. The time limit for each site visit is **two hours and fifteen minutes**, including introductions and an agency tour. At least **20 minutes** must be allotted at the end for the Covered California Evaluation Team to ask questions. Please also allocate **15 minutes** for a break at the mid-point of the visit. Time limits will be strictly adhered to, and it is the responsibility of the Bidder to monitor its time accordingly.

At least one representative (but no more than two) from each proposed Subcontractor that would staff the Covered California account must attend.

### 4.4.1 Agency Overview Presentation

Provide a brief presentation that highlights the capacity and working style of the agency’s California-based office(s), particularly those who would lead or interact with Covered California or be assigned to the account. Proposed team members should provide an understanding of the agency’s strategic and creative public relations capabilities and earned media experience, digital experience and ethnic public relations experience. In addition, the agency’s philosophy, specific strengths and collaboration style with the client and their subcontractors should be discussed.

### 4.4.2 Case History Presentation

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

- a. Timeline and process, including details on planning, goals and objectives. Note whether the campaign was proactive or reactive.
- b. Key facts from public relations research and analysis.
- c. Identification of target markets, including approximate audience size, age, range, socioeconomic status, language, culture/ethnicity, and

geographic location. Include how messages were tailored and delivered to the target audience(s) and why.

- d. A statewide, large scale, campaign kickoff media tour that includes media outreach plan strategy, press kit, other briefing materials or assets and secured media coverage and cost. Include the budget for the project. Note the level of client collaboration and participation.
- e. Challenges or other considerations and details, (e.g., detailed budget, timeline, competition, organizational and background research, environmental constraints and level of client involvement).
- f. How the campaign was evaluated, the results obtained, and how results impacted your client's business objectives.
- g. Current agency staff who worked on this campaign and their roles.

#### **4.4.3 Public Relations Assignment Presentation**

An assignment to address specific challenges or issues that Covered California faces will be sent separately to all Bidders that advance to Stage 2. Bidders may be asked to present potential strategies and messages that demonstrate their ability to communicate complex information effectively in a dynamic, fast moving external environment.

#### **4.4.4 Account Staff proposal**

For **the Bidder and any proposed subcontractors**, include a response to the following items, to be included with the presentation materials requested above, but not to be presented at the Site Visit:

- a. Organizational and Staff Structure Provide a one-page (no larger than 11 by 17 inches) visual layout of the agency's organizational and staff structure for the office(s) that would service the account. Include the total number of current full-time account employees in your California office(s). Include photos for those who would service the account and their titles.
- b. Primary Account Staffing Summary Complete the "Proposed Account Staffing Chart" (**Attachment 14**), not to exceed two pages, identifying the proposed primary day-to-day account staff who will be assigned to the Covered California account. Include the total number of current full-time account employees in the California office(s). Please include a photo of each proposed account staff member with the name, title, as

well as those of others who will be present during the Site Visit. Include the following information for the proposed account staff:

- i. Brief description of duties as related to the Covered California account.
  - ii. Proposed percentage of time to be dedicated to the Covered California account.
  - iii. Highlight the day-to-day lead account staff member and their duties.
  - iv. Specific training or expertise that is relevant and would be helpful to the Covered California account.
  - v. Identify any vacancies or positions which would be filled or created upon award of the Covered California account. Indicate the percentage of time each would be dedicated to the Covered California account.
- c. Client References (two pages maximum)

Complete the “Client References” Form (Attachment 15) to be included with the presentation materials requested above, but not to be presented at the Site Visit.

## 5. SELECTION CRITERIA for Stage 1 and Stage 2

Bidders must complete all Stage 1 - Administrative Requirements to receive a “pass” and move on to Stage 2 - Technical Requirements and On-Site Agency Presentation

## 5.1 Stage 1 - Administrative Requirements

In Stage 1 evaluation Team will review responses to the Administrative Requirements as more fully described in 4.2 above. Bidders who receive a passing score, which means they have completed all Administrative Requirements, will continue to Stage 2.

| Stage 1                                  | Administrative Requirements |            |
|--|-----------------------------|------------|
|  | Completed                   | Incomplete |
| Proposal Cover Page                      |                             |            |
| Certificate of Liability Insurance       |                             |            |
| Proof of Automobile Liability            |                             |            |
| Certification Showing Completed Title 10 |                             |            |
| Signed Payee Data Record Form STD 204    |                             |            |
| Contractor Certification Form            |                             |            |

## 5.2 Stage 2 - Technical Requirements and On-Site Agency Presentation

Stage 2 involves evaluation of Technical Requirements and the On-Site Agency Presentation. All Bidders who receive a minimum overall rating of “Exceeds” will advance to the Stage 3. Bidders receiving a minimum of “Meets” may be advanced to the Stage 3, at the sole discretion of the Covered California Evaluation Team. See [Section 8.2 “Rating Chart”](#) for more information on the evaluation process and criteria.

Bidder’s California-based offices must demonstrate evidence of extensive previous experience in similar complex efforts will receive significant consideration in the evaluation process as will demonstrated experience related to the SOW to effectively service Covered California.

The Covered California Evaluation Team will evaluate Bidder’s Technical Requirements and On-site Agency Presentations areas according to the following factors:

### *Technical Requirements - Scoring Criteria*

#### **Agency Structure and Strengths**

- Demonstrates strong ability to service Covered California, through its effective public relations capacity, unique services, and account leadership.
- Demonstrates efficient structure of the agency and account teams.
- Demonstrates strong capacity and experience to deliver a broad range of strong public relations services locally, statewide and nationally to meet the requirements of the Scope of Work.
- Highlights key contributions that would be valuable to Covered California.
- Proposed Subcontractor displays appropriate experience, skill and expertise to reach designated populations.

#### **Diverse Population Public Relations and Outreach**

- Demonstrates the experience and a proven record of reaching specific ethnic, economic, and/or culturally diverse populations in health care related industries.
- Clearly identifies which services would be performed through its subcontractors.

#### **Emerging and Digital Media Platforms for Public Relations**

- Demonstrates an understanding and capability to effectively utilize various digital media vehicles emerging public relations and has used them in past public relations efforts effectively.

## **Strategic Planning**

- Demonstrates experience in public relations strategic planning and working collaboratively with the client during the process.

## **PR Agency Fact Sheet**

- Demonstrates that its turnover of accounts is at a reasonable rate and has overall strong client retention.
- Demonstrates adequate staffing with the number of full-time employees assigned to existing and/or past accounts.
- Describes experience in the last three years with accounts of similar size and services as the Covered California account which includes personnel of the California office that would service the account.
- Bidder has a range of accounts with a specific focus on health care industry and targeted outreach related.
- Demonstrates that proposed subcontractors have sufficient experience and skill to reach Covered California's multicultural demographics and ethnic groups (i.e., Chinese, Korean, Vietnamese, African American, LGBTQ).

## ***On-Site Agency Visit***

### **Agency Overview Presentation**

- Demonstrates agency strengths and how the agency would work well and collaboratively with Covered California.
- Case History Highlighting Project Kickoff
- Identifies the day-to-day lead who demonstrates skills, experience and other qualifications to effectively lead and manage Covered California's Scope of Work.
- Identifies the objectives, target market, and anticipated reach.
- Bidder considered cultural appropriateness and tailored message for the target audience(s).
- Project is well-rounded with multiple elements and strategically thorough, including the use of budget.
- Demonstrates strong capacity to strategize, plan, conduct and complete a media event within desired budget parameters.
- Demonstrates strong media relations capabilities, the ability to achieve the desired results and appropriate clients collaboration and participation.
- Demonstrates the capacity to execute the project and strategically achieve the goal(s).
- Bidder is strategic overall, achieving the project objectives and reaching the desired public impact.

### **PR Assignment Presentation**

- Showcases the overall ability to develop, implement, and evaluate a public relations campaign for Covered California.
- Demonstrates high-caliber strategic abilities and utilization of media relations and emerging Public Relations and digital Public Relations skills.
- Bidder and/or its proposed subcontractors demonstrates the ability to maximize reach of the multicultural general and ethnic market.

### **Proposed Account Staffing**

- Identifies highly capable staff who have the expertise, training, skills and experience consistent with the account management and public relations needs identified in the SOW.
- ~~Cost competitive~~ **Clear** staffing structure and sufficient time dedication.
- Clearly identifies vacancies that would be filled or positions that would be created to service the Covered California account, including the time dedicated and role.
- Proposed percentage of time dedicated to the Covered California account is sufficient to meet the needs identified in the SOW.

## **6 Stage 3 – Financial Package and Oral Presentations**

After application of the weighted evaluation criteria described above, Covered California will tentatively identify which Bidders, if any, are eligible to receive an invitation to the Stage 3 – Financial Package and Oral Presentation.

Covered California's Evaluation Team will contact Bidders who will be moving on to the Stage 3 on or around April 24, 2019 to schedule a time for the oral presentation at Covered California headquarters in Sacramento scheduled for May 8, 2019. A general overview of the format and requirements of the Financial Package are provided below.

(See Section 8 for Evaluation Process)

### **6.1 Financial Package**

Instructions: Each Bidder must submit two copies of the financial documents identified below in separate, sealed envelopes marked "Financial Records," the Bidder's name, and "RFP 2018-10 Public Relations Campaign" via courier or overnight service by May 3, 2019 no later than 1:00 p.m.

**RFP 2018-10: Public Relations Campaign  
Attention: Sheryl Brewer**

**Covered California  
Business Services Branch  
1601 Exposition Blvd.  
Sacramento, CA 95815  
DO NOT OPEN**

The records are reviewed to ensure that all Bidders are financially solvent. Covered California reserves the right to require any additional information necessary to determine the financial integrity and stability of a Bidder.

#### 6.1.1 Cost Proposal Assignment

Instructions: Complete the “Public Relations Cost Proposal” Form (See Attachment 10)

#### 6.1.2 *Financial Records*

Instructions: Audited statements for the most recent calendar or fiscal year are preferred, but not required. If audited financial statements are supplied, all noted audit exceptions must be explained. If audited financial statements are not available, Covered California will accept accrual basis financial statements prepared by a Bidder’s financial accounting department or an accounting firm along with copies of the federal tax return filed with the Internal Revenue Service for the most recent year. A statement signed in blue ink by a Bidder’s Chief Financial Officer certifying that the financial statements are accurate and complete must accompany all financial statements.

Financial records of all Bidders received by Covered California are considered confidential and will be destroyed at the time of Contract Award.

#### 6.1.3 *Bankruptcy and Litigation Disclosure*

Instructions: Complete the “Bankruptcy and Litigation Disclosure” Form (See attachment 11)

### 6.2 Public Relations Assignment Presentation

An assignment which expands upon the On-Site Visit Agency Assignment will be sent separately to all Bidders that advance to the Final Stage.

### 6.2.1 *Time Limit*

The time limit for each presentation is 2 hours, including introductions. At least 20 minutes must be allotted at the end for the Covered California Evaluation Team and Covered California leadership to ask questions. Time limits will be strictly adhered to, and it is the responsibility of the Bidder to monitor its time accordingly.

### 6.2.2 *Agency Attendance*

Day-to-day public relations account management, embedded staff and any supportive personnel staff must play a major role in the presentation. Limit those who attend to no more than ten staff members in total from the bidding agency (including proposed Subcontractors). At least one representative from each **proposed** Subcontractor who would staff the Covered California account must attend.

## 7. Selection Criteria for Stage 3

The Stage 3 presentations will be reviewed and evaluated by the Covered California Evaluation Team using the Rating Chart identified in Section 8.2.2. Items 6.1.2 (Financial Records) and 6.1.3 (Bankruptcy and Litigation Disclosures) will be scored on a pass/fail basis. Incentives for certified Disabled Veteran Business Enterprises will be applied in the event of a tie at the completion of Oral Presentation. See Section 9 for additional information.

The table below lists the evaluation categories and the weight each will carry in the Final Stage of evaluation for each proposal.

| <b>Final Stage Financial Package and Oral Presentation (100 points possible)</b>   | <b>Points</b> |
|--|---------------|
| <b>Cost Proposal Assignment</b>  |               |
| <ul style="list-style-type: none"> <li>Bidder demonstrates it provides the best value for the services through a Cost Proposal that is cost-effective. This score will focus on hourly rates, embedded retainer rates, and all proposed positions that would work on this account including any subcontractors.</li> </ul>   | 10            |
| <ul style="list-style-type: none"> <li>Ability to quickly deliver an experienced and talented team of account management staff who can cost-effectively perform the Scope of Work in California's fast-paced environment.</li> </ul>   | 10            |
| <ul style="list-style-type: none"> <li>Financial Records, Bankruptcy and Litigation Disclosures*</li> </ul>  | 10*           |
| <b>Oral Presentation</b>   |               |
| <ul style="list-style-type: none"> <li>Principal account executive assigned to the account takes a leading role in the presentation. The principal demonstrates the experience Covered California requires to maneuver political hurdles and managing a client of national significance.</li> </ul>  | 10            |
| <ul style="list-style-type: none"> <li>Demonstrates a high-level of strength in all aspects of public relations capabilities, including research, strategic planning, execution, and experience. The team should be an excellent collaborative unit, and demonstrate to the Covered California's Evaluation Team they fully understand the assignment.</li> </ul>                                    | 10            |
| <ul style="list-style-type: none"> <li>Demonstrates the ability and capacity to innovate and adapt to the changing environment both nationally and on the state level.</li> </ul>  | 10            |
| <ul style="list-style-type: none"> <li>Understands Covered California's business objectives and demonstrates ability to develop public relations strategies that support those objectives.</li> </ul>  | 10            |
| <ul style="list-style-type: none"> <li>Demonstrates the knowledge to utilize Covered California's past experiences to support future projects.</li> </ul>  | 10            |
| <ul style="list-style-type: none"> <li>Demonstrates the effective use of multi-cultural, <b>and</b> in language strategies for target populations. Also demonstrates the ability to successfully outreach to socially, economically and culturally diverse populations. If the capacity does not exist with in-house staffing, close collaboration was demonstrated with a subcontractor.</li> </ul> | 10            |
| <ul style="list-style-type: none"> <li>Demonstrates knowledge of emerging Public Relations strategies and digital media strategies to reach Covered California's target populations.</li> </ul>  | 10            |
| <b>Financial Package and Oral presentation (Total)</b>   | <b>100</b>    |

\* Bidders who are considered to be financially solvent by Covered California's Financial Management Division will receive a total of 10 points for "Financial Records" and for "Bankruptcy and Litigation Disclosures" (Attachment 11). However, an unsatisfactory financial evaluation may result in disqualification. Bidders may be asked to provide additional documentation to prove financial solvency.

## **8. Requirements Scoring Process**

Covered California will conduct a fair and impartial evaluation of proposals received in response to this RFP. Proposals submitted in response to this RFP may be evaluated in comparison with other submitted proposals. Clarification may be requested via email from participating Bidders during any phase of the evaluation process.

### **8.1 Best Value Analysis**

For the purposes of this RFP, the best value proposal will be the proposal that provides the best overall value to Covered California and that is most likely to result in a contract that fulfills Covered California's mandates to 1) award contracts to the responsible Bidder submitting the best value proposal that maximizes the benefits to Covered California in relation to the areas of competence, experience, and timely performance; 2) act to promote and ensure integrity, honesty, and fairness in the operation and administration of Covered California; and 3) the objective of maximizing acquisition, retention, and renewal of Covered California membership and highlight enrollment in the individual market.

As part of the best value proposal evaluation process, Covered California may award a contract based on the proposals submitted or establish a competitive range and hold discussions with each Bidder in the competitive range. The competitive range will be composed of the most highly-rated proposals consistent with the need for an efficient competition. If conducted, negotiations will be undertaken with the intent of allowing each Bidder the opportunity to provide the best value in specific areas identified by Covered California.

Covered California may indicate to, or discuss with, each Bidder in the competitive range any weaknesses, deficiencies, and other aspects of its proposal such as price, technical approach, and terms that could, in the opinion of Covered California, be altered or explained to enhance the proposal's potential for award. The scope and extent of discussions are a matter solely within Covered California's judgment.

## 8.2 Rating Chart

### 8.2.1 Stage 2 –Technical Requirements and On-Site Agency Visit

All materials and requirements in Stage 2 not identified as pass/fail will be evaluated using the rating chart shown below:

| <b>Rating</b>                | <b>Definition</b>  |
|------------------------------|--|
| <b>Superior</b>              | Proposal exceptionally exceeds performance or capability requirements; proposal demonstrates extraordinary strengths that will more than significantly benefit Covered California. |
| <b>Significantly Exceeds</b> | Proposal significantly exceeds performance or capability requirements; proposal demonstrates exceptional strengths that will significantly benefit Covered California.             |
| <b>Exceeds</b>               | Proposal exceeds performance or capability requirements; proposal has one or more strengths that will benefit Covered California.  |
| <b>Meets</b>                 | Meets specified minimum performance or capability requirements necessary for acceptable contract performance.  |
| <b>Meets with Exceptions</b> | Proposal demonstrates weak performance or capability standards necessary for minimum contract performance; proposal has one or more weaknesses that offset any strengths.          |
| <b>Does Not Meet</b>         | Fails to meet specified minimum performance or capability requirements. Proposals with an unacceptable rating are not awardable.   |

## 8.2.2 Final Stage – Cost Proposal and Oral Presentation

Evaluators will assign points to all categories for the Final Stage using these category requirements scoring criteria:

| Rating       | Relation to Requirements                       | Strengths   | Deficiencies         | Weaknesses                                 | Likelihood of Success | Score |
|--------------|--|---|----------------------|--|-----------------------|-------|
| Excellent    | Superior attainment of all requirements        | Numerous and significant in key areas                               | None                 | Minor, if any                              | Very High             | 10.0  |
| Good         | Expected to meet all requirements              | Some and significant in key areas                                   | None                 | Minor, but are far outweighed by strengths | High                  | 7.5   |
| Acceptable   | Capable of meeting all requirements            | Some in non-key areas   | Minor                | Minor, but are outweighed by strengths     | Fair                  | 5.0   |
| Marginal     | May not be capable of meeting all requirements | None, or some that are outweighed by weaknesses or deficiencies     | Significant          | Significant                                | Poor                  | 2.5   |
| Unacceptable | Not likely to meet all requirements            | None, or some that are far outweighed by weaknesses or deficiencies | Needs major revision | Needs major revision                       | None                  | 0     |

## 9. PREFERENCE PROGRAMS

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

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

### 9.1 Small Business (SB) Preference

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

A five percent (5%) preference will be applied to certified small businesses submitting proposals for this RFP. To obtain the preference, Bidder must either be certified as a small business or submit a copy of their certification approval

letter from DGS / Office of Small Business and DVBE Services (OSDS) by 4:00 p.m. PT on the proposal due date. The 5% preference is used only for computation purposes to determine the winning Bidder and does not alter the amounts of the resulting contract.

A five percent (5%) preference is available to a non-small business (NSB) claiming twenty-five percent (25%) California certified small business subcontractor participation. If claiming the NSB subcontractor preference, the proposal must include a list of the small businesses with which the Bidder commits to subcontract in an amount of at least 25% of the net proposal price with one or more California certified small businesses. Each listed certified small business must perform a “commercially useful function” in the performance of the contract as defined in Government Code Section 14837(d)(4).

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

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

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

### How the SB Preference Works

#### 1. SB Awards Based on High Points

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

|                 | <b>Bidder A</b> | <b>Bidder B</b> | <b>Bidder C</b> |
|-----------------|-----------------|-----------------|-----------------|
| Point Score     | 1250            | 1195            | 1115            |
| Initial Ranking | 1               | 2               | 3               |
| SB Status       | No              | Yes             | Yes             |

|                           |          |        |        |
|---------------------------|----------|--------|--------|
| SB 5% Preference          | No       | Yes    | Yes    |
| Preference Points Applied | 0 Points | 62.5   | 62.5   |
| Adjusted Points           | 1250     | 1257.5 | 1177.5 |
| New Ranking               | 2        | 1      | 3      |

## 2. NSB Award Based on High Points

In the example below, Bidder A is ranked 1 with 1300 points. Bidder A is not a certified small business and has not identified a certified small business subcontractor. Neither bidders B and C are certified small businesses, but they've identified certified small business subs. Each firm receives an additional 65 NSB preference points added to their scores for 1260 and 1200 respectively. After application of the points, Bidder A remains in Rank 1 with 1300 points and is awarded the contract.

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

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

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

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

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

Pursuant to California laws and regulations, a DVBE incentive will be awarded as points to the sum of the technical requirements score (non-cost score) of qualified responsive/responsible Bidders that provide for utilization of California certified

DVBEs. The application of the DVBE incentive is for evaluation purposes only. The maximum DVBE incentive allowed is 5% of the total possible points.

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

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

| Confirmed DVBE Participation | DVBE Incentive |
|------------------------------|----------------|
| 5% or More                   | 5%             |
| 4% to 4.99%                  | 4%             |
| 3% to 3.99%                  | 3%             |
| 2% to 2.99%                  | 2%             |
| 1% to 1.99%                  | 1%             |

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

### **How the DVBE Preference Works**

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

#### DVBE Incentives Based on High Points

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

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

In the example below, Bidder A (a non-small business) is ranked 1 with 700 points. Bidders B and C are in ranks 2 and 3 respectively and both are certified DVBE

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

|                                  | <b>Bidder A</b> | <b>Bidder B</b> | <b>Bidder C</b> |
|----------------------------------|-----------------|-----------------|-----------------|
| Point Score (Technical Non-Cost) | 700             | 695             | 685             |
| Initial Ranking                  | 1               | 2               | 3               |
| DVBE Status                      | No              | Yes             | Yes             |
| SB Status                        | No              | No              | No              |
| DVBE Incentive Points Applied    | 0               | 35              | 35              |
| SB Preference Points Applied     | 0               | 0               | 0               |
| Cost Score Points                | 257             | 300             | 225             |
| Adjusted Points                  | 957             | 1030            | 945             |
| New Ranking                      | 2               | 1               | 3               |

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

### 9.3 Commercially Useful Function

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

**CUF Definition** California Code of Regulations, Title 2, section 1896.61(l): The term "DVBE contractor, subcontractor or supplier" means any person or entity that satisfies the ownership (or management) and control requirements of section 1896.61(f); is certified in accordance with section 1896.70; and provides services or goods that contribute to the fulfillment of the contract requirements by performing CUF.

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

1. Is responsible for the execution of a distinct element of the work of the contract.
2. Carries out the obligation by actually performing, managing, or supervising the work involved.
3. Performs work that is normal for its business services and functions.
4. Is responsible, with respect to products, inventories, materials, and supplies required for the contract, for negotiating price, determining quality and quantity, ordering, installing, if applicable, and making payment.
5. Is not further subcontracting a portion of the work that is greater than that expected to be subcontracted under normal industry practices.

A contractor, subcontractor or supplier will not be considered to perform a CUF if the contractor's, subcontractor's or supplier's role is limited to that of an extra participant in a transaction, contract or project through which funds are passed in order to obtain the appearance of DVBE participation.

#### 9.4 Target Area Contract Preference Act (TACPA)

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

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

#### Attachments

- Attachment 1: Proposal Cover Page
- Attachment 2: Form 700 Statement of Economic Interest Certification
- Attachment 3: Form STD 204 – Payee Data Record
- Attachment 4: Contractor Certification Form
- Attachment 5: Form GSPD-05-105 – Bidder Declaration
- Attachment 6: Form STD 843 – Disabled Veteran Business Enterprise (DVBE) Declaration
- Attachment 7: Form STD 830 – Target Area Contract Preference Act (TACPA)
- Attachment 8: Form DGS/PD526 Bidder's Summary (TACPA)
- Attachment 9: Proposal Checklist

Attachment 10:Public Relations Agency Cost Proposal  
Attachment 11:Bankruptcy and Litigation Disclosure  
Attachment 12:Public Relations Bidding Agency Fact Sheet  
Attachment 13:Proposed subcontractor Fact Sheet  
Attachment 14:Proposed Account Staffing Chart  
Attachment 15:Client Refernces

### **Model Contract with Exhibits**

Standard 213  
Exhibit A – Scope of Work  
Exhibit B – Budget Provisions  
Exhibit B, Attachment 1 – Cost Worksheet  
Exhibit C – General Terms and Conditions  
Exhibit C, Attachment 1 – Resumes  
Exhibit D: Privacy Addendum  
Exhibit E: Marketing and Branding  
Exhibit F: Travel Reimbursement