



February 28, 2022 (*Amended March 21, 2022*)

# Request for Proposals

## Notice to Prospective Proposers

You are invited to review and respond to this Request for Proposals (RFP), entitled:

### **CTA21010 Equity-Focused Community Engagement.**

The deadline for proposals is ~~April 4, 2022~~ **April 29, 2022**. In submitting your proposal, you must comply with these instructions.

All contracts entered into with the California Tahoe Conservancy (Conservancy) will include by reference General Terms and Conditions and Contractor Certification Clauses that may be viewed and downloaded at the [Department of General Service's website](https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language) at <https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language>. If you lack Internet access, contact the Conservancy.

In the opinion of the Conservancy, this Request for Proposals is complete and without need of explanation. However, if you have questions, or should you need any clarifying information, please submit your questions to the email shown below by March 14, 2022, including this contract number CTA21010.

All questions will be compiled and a full response to all proposers will be provided on [the Conservancy's website](https://tahoe.ca.gov/rfp-equity-focused-community-engagement) at <https://tahoe.ca.gov/rfp-equity-focused-community-engagement>.

California Tahoe Conservancy  
Procurement/Contracts

530-543-6025 | [procurement@tahoe.ca.gov](mailto:procurement@tahoe.ca.gov)

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

Sue Ewbank  
Contract/Procurement Analyst

#### BOARD MEMBERS

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*Wade Crowfoot, Secretary*

**DEPARTMENT OF FINANCE**  
*Keely Bosler, Director*  
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*Deputy Director*

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## A. Background and Purpose

The California Tahoe Conservancy's (Conservancy) mission is to lead California's efforts to restore and enhance the extraordinary natural and recreational resources of the Lake Tahoe Basin (Basin). The Conservancy's 2018-2023 Strategic Plan identifies its primary program areas and its strategic initiatives. These include:

1. Management of state lands,
2. Forest health and wildfire,
3. Biodiversity and wildlife,
4. Watersheds and water quality,
5. Aquatic invasive species,
6. Recreation and public access to open space,
7. Climate resilience and adaptation, and
8. Sustainable communities (e.g., infill development, walkable bikeable transit-friendly town centers, affordable and workforce housing).

The Conservancy advances its strategic initiatives by managing and implementing projects on its 4,700 Conservancy-owned parcels, awarding grants to partners, and coordinating with regional organizations to accomplish State and regional goals.

The Conservancy is organized under four divisions (Executive, Administrative, Lands, and Natural Resources) with program focus areas under each.

The Conservancy is committed to achieving racial equity in its operations, investments, and policy initiatives. The Conservancy seeks to reduce and remove racial disparities experienced by people who live, work, and play in the Basin. Conservancy staff is developing a racial equity action plan (REAP) to define the actions it plans on taking to move toward racial equity.

The Conservancy seeks services to support its work to address racial equity in advancing its mission and strategic plan. Section B, Scope of Work, provides detail on each service.

## **B. Scope of Work**

The Contractor will perform the following two tasks.

### **1. Build the Conservancy's Capacity to Achieve Racial Equity Goals**

The first task is building the capacity of the Conservancy's staff and Board to develop and implement a REAP, and to make measurable progress in reducing racial inequity. Work may involve, but is not limited to, the following:

- a) Lead diversity, equity, and inclusion trainings for Conservancy staff and Board, including one focused on implicit bias;
- b) Design and lead trainings for each Conservancy division, including best practices and techniques for soliciting public input on Conservancy activities from hard-to-reach populations;
- c) Lead Conservancy staff from each Conservancy division through "root cause analysis," or similar technique, to identify root causes of inequity on topics relevant to each Conservancy program; and
- d) Assist staff, as needed, with development of REAP, including, but not limited to, helping identify categories, tasks, and topics where community engagement may be necessary.

#### **Task 1 Deliverables:**

- 1) Agenda, slides and/or handouts, and meeting notes from at least two trainings for all Conservancy staff;
- 2) Agenda, slides and/or handouts, and meeting notes from at least one training with the Conservancy Board;
- 3) Agenda, slides and/or handouts, and meeting notes from at least one Conservancy division-specific training on public outreach;
- 4) Root cause analysis (or similar activity) filled out by each Conservancy division; and
- 5) Staff surveys before and after trainings are conducted to measure changes in understanding and learning.

### **2. Engage Community Members to Help Inform Racial Equity Action Planning**

The second task is to support the Conservancy in ensuring its REAP proceeds from a foundation of knowledge that includes adequate data on racial inequity. Significant data exists to document racial disparities in California, but there are obstacles to distilling such data to the Basin and the Conservancy's mission. The tasks accomplished through this agreement will help the Conservancy build and improve relationships with hard-to-reach and underserved community members and organizations in the Basin and to gain

information and data about racial inequity. Work may involve, but is not limited to, the following:

- a) Identify community-based organizations or individuals who comprise and/or represent historically underrepresented populations and organize into a stakeholder analysis chart;
- b) With Conservancy staff, coordinate outreach to and conduct community-based participatory research with community-based organizations or individuals representing underrepresented groups;
- c) With Conservancy staff, prepare for and facilitate listening sessions with community members and organizations identified in subtasks (a) and (b) above;
- d) Design outreach materials and techniques;
- e) With Conservancy staff, identify measurable racial disparities that are relevant to the Conservancy's mission and that the Conservancy could work to address;
- f) With Conservancy staff, develop a tool to evaluate implementation of REAP goals over time;
- g) Concurrent with outreach to Tahoe-based community members, assist the Conservancy with outreach to seek feedback from a representative number of underrepresented visitors to Lake Tahoe;
- h) Implement community engagement techniques intended to increase community Engage community members to seek qualitative and quantitative data to support the Conservancy's strategic and racial equity action planning processes;
- i) With Conservancy staff, engage traditional Conservancy partner organizations to solicit feedback on how it can better serve underrepresented and under-resourced communities at Lake Tahoe; and
- j) Based on community engagement and discussions on feasibility of gathering data with the Conservancy, assist the Conservancy in closing data gaps related to measuring racial disparities, including regionally specific qualitative and quantitative data on topics including, but not limited to: recreation, housing, nonmotorized transportation, access to public lands, and community involvement.

### **Task 2 Deliverables:**

- 1) Meeting materials and outcomes from at least seven meetings that cumulatively engage at least 15 total underrepresented organizations or people representative of underrepresented or hard-to-reach groups;
- 2) Stakeholder analysis chart (or similar tool) for underrepresented populations or groups at Lake Tahoe;
- 3) Meeting materials and outcomes from at least five meetings with at least seven traditional partners;

- 4) Templates for outreach materials the Conservancy can use for future community engagement;
- 5) Contact information for people and organizations consulted;
- 6) Regional qualitative and quantitative data, including maps, identifying racial disparities on topics including, but not limited to: recreation, housing, nonmotorized transportation, access to public lands, community involvement, and inclusion; and
- 7) Evaluation tools to measure progress implementing REAP over time.

## C. Timeframe

This is a two-year contract. The Conservancy anticipates the contract will begin in May 2022, with a completion date in April 2024. This contract may be amended for up to, but no longer than one additional year. See additional information on contract amendments below.

## D. Budget

The budget for this project is up to Two Hundred Thousand (\$200,000), contingent upon approval in the State Budget Act and authorization by the Conservancy Board. If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the Conservancy shall have the obligation to notify the Contractor in writing of such event and shall have the option to either cancel this Agreement with no liability occurring to the Conservancy beyond payment for services provided up to the date of said written notification or to offer an agreement amendment to Contractor to reflect the reduced amount subject to approval by the Contractor. **This contract will require Department of General Services (DGS) approval.**

Per State of California (State) Contracting Manual Volume 1, 5.81, this contract may be amended, at the Conservancy's discretion, to provide for either additional time up to one year to complete performance OR an additional 30 percent of the original contract value. The contract may not be amended to allow for both additional time and value and can only be amended for such once.

## E. Minimum Qualifications for Proposers

The Contractor must have experience in providing racial equity training to government employees and officials.

The Contractor must also have experience conducting outreach and coordinating community-based participatory research, or a similar technique, with historically underrepresented or hard-to-reach communities. Preferably, the Contractor will have experience advancing racial equity goals in rural communities with few formal community-based organizations, preferably within communities that experience large influxes of visitors.

The Contractor must have experience developing racial equity action plans, or similar planning structures, for government agencies and have experience with data mapping and developing evaluation tools.

## F. Proposal Requirements and Information

The following elements are required in all proposals. Any proposal not meeting the minimum requirements will not be considered.

Proposers shall submit all questions to [procurement@tahoe.ca.gov](mailto:procurement@tahoe.ca.gov) no later than 3:00 p.m. on March 14, 2022. Responses to the questions shall be posted to [the Conservancy's website](#) at

<https://tahoe.ca.gov/rfp-equity-focused-community-engagement> no later than 3:00 p.m. on March 21, 2022.

1. Key Action Dates

- RFP available to prospective proposers February 28, 2022
- Question submittal deadline March 14, 2022
- Responses to questions posted March 21, 2022
- Final Date for Proposal Submission ~~April 4, 2022~~ **April 29, 2022**
- Notice of Intent to Award Depends on potential post-bid interviews.
- Award Date to Award Five business days after Notice of Intent

The contract start date will be the date the contract is signed by all parties and approved by DGS.

2. Submission of Proposal

- a. All proposals and all required documents must be submitted by email to [procurement@tahoe.ca.gov](mailto:procurement@tahoe.ca.gov), with the subject line "CTA 21010 [*Name of Proposer*]," no later than the date and time shown in the Key Action Dates above. Proposals received after this date (email time stamp validation) will not be considered.
- b. All bids shall include the documents identified in Section F, Required Attachment Checklist. Bids not including the proper "required attachments" shall be deemed non-responsive. A non-responsive proposal is one that does not meet the basic proposal requirements.
- c. All documents requiring a signature must bear an original signature of a person authorized to bind the bidding firm. The Conservancy accepts digital signatures as original signatures.
- d. Proposals must be submitted for the performance of all the work described in the above Scope of Work. Any deviation from the work specifications will not be considered and will cause a proposal to be rejected.
- e. A proposal may be rejected if it is conditional or incomplete, or if it contains any alterations of form or other irregularities of any kind. The Conservancy may reject any or all bids and may waive an immaterial deviation in a bid. The State's waiver of an immaterial deviation shall in no way modify the RFP document or excuse the proposer from full compliance with all requirements if awarded the contract.
- f. Costs incurred for developing bids and in anticipation of award of the contract are entirely the responsibility of the proposer and shall not be charged to the State of California.
- g. An individual who is authorized to bind the proposer contractually shall sign the Proposal/Proposer Certification Sheet. The signature should indicate the title or position that the individual holds in the firm. An unsigned proposal may be rejected.
- h. A proposer may modify a proposal after its submission by withdrawing its original proposal and resubmitting a new proposal prior to the proposal submission



deadline. Proposer modifications offered in any other manner, oral or written, will not be considered.

- i. A proposer may withdraw its proposal by submitting a written withdrawal request to the Conservancy, signed by the proposer or an authorized agent. A proposer may thereafter submit a new proposal prior to the proposal submission deadline. Proposals may not be withdrawn without cause after proposal submission deadline.
- j. The Conservancy may modify the RFP prior to the date fixed for submission of proposals by the issuance of an addendum to all parties who received a proposal package.
- k. The Conservancy reserves the right to reject all proposals. The Conservancy is not required to award a contract.
- l. Before submitting a response to this solicitation, proposers should review, correct all errors, and confirm compliance with the RFP requirements.
- m. The Conservancy does not accept alternate contract language from a prospective contractor. A proposal with such language will be considered a counter proposal and will be rejected. The State's General Terms and Conditions (GTC) are not negotiable.
- n. No oral understanding or agreement shall be binding on either party.

### 3. Evaluation and Selection

- a. Each proposal will be checked for the presence or absence of required information in conformance with the submission requirements of this RFP.
- b. Proposals that contain false or misleading statements, or which provide references, which do not support an attribute or condition claimed by the proposer, may be rejected.
- c. Award, if made, will be to the highest scored responsible proposal.

### 4. Evaluation Criteria

Proposals will be evaluated based on the adequacy of the response to all the requirements of this RFP and must include all information specifically required in all sections of the RFP. Proposal format and minimum qualifications will be evaluated on a points basis, with the award made to the highest scoring proposal. RFPs will be evaluated using the following criteria and ratings:

- a. Statement of qualifications of proposed staff demonstrates expertise in the following: **(0-30 points)**
  - i. Providing training for government employees and officials in the subjects of racial equity and community engagement (0-8 points)
  - ii. Helping government agencies develop plans to address racial equity (0-7 points)
  - iii. Planning and conducting community engagement to underrepresented populations (0-8 points)
  - iv. Using community-based participatory research, or similar tools, to gather actionable data on racial equity at the local and regional community level (0-7 points)

- b. Thoroughness and quality of proposal narrative, proposed work plan, and budget **(0-40 points)**
- c. Cost of proposed budget **(0-30 points)**

The lowest cost proposal is awarded the maximum cost points. Other proposals are awarded cost points based on the following calculation:

cost points for other proposer = lowest proposer's cost / other proposer's cost (factor) x maximum cost points available.

Example: lowest cost proposal = \$75,000, other proposal = \$100,000, 30 cost points available:

$(\$75,000/\$100,000) = (3/4) \times 30 = 22.5$  cost points awarded to the other proposal

## 5. Evaluation Standards

Proposals will be evaluated using the consensus process. A committee will evaluate each proposal and collectively agree on a score for each proposal using the Evaluation Criteria Score Sheet.

The committee may conduct phone interviews with the top scored proposals. Prior to the interview, the Conservancy may contact each proposer to obtain additional information. The interview will provide the proposer the opportunity to elaborate on the written material previously submitted and give the Conservancy the opportunity to meet their key personnel and ask questions regarding any aspect of the proposal, background, and other relevant topics.

## Evaluation Criteria Score Sheet

Name of Proposer:

Evaluator:

<b>Proposal Evaluation</b>	<b>Maximum Possible Score</b>	<b>Score</b>
a(i). How well does the statement of qualifications demonstrate the proposer’s expertise in providing training for government employees and officials in the subjects of racial equity and community engagement?	8 pts	
a(ii). How well does the statement of qualifications demonstrate the proposer’s expertise in helping government agencies develop plans to address racial equity?	7 pts	
a(iii). How well does the statement of qualifications demonstrate the proposer’s expertise in planning and conducting community engagement to underrepresented populations?	8 pts	
a(iv). How well does the statement of qualifications demonstrate the proposer’s expertise in using community-based participatory research, or similar tools, to gather actionable data on racial equity at the local and regional community level?	7 pts	
b. What is the the thoroughness and quality of narrative, proposed work plan, and budget?	40 pts	
c. Cost points up to 30. (See calculation above in Section 4c	30 pts	
<b>Total</b>	<b>100 pts</b>	
<b>Small Business Preference Points*</b> * If the highest scored proposal is from a non-certified small business or microbusiness, then five percent of the highest responsible bidder’s total score is given to each certified small business bidder.	<b>Five percent of highest responsible proposal’s total score</b>	
<b>GRAND TOTAL</b>	<b>105 PTS (maximum, with small business preference)</b>	

## 6. Award and Protest

- a. Notice of the proposed award shall be posted in a public place in the office of the California Tahoe Conservancy for five (5) working days prior to awarding the agreement.
- b. If any proposer, prior to the award of agreement, files a protest with the California Tahoe Conservancy, 1061 Third Street, South Lake Tahoe, CA 96150, and the Department of General Services, Office of Legal Services, 707 Third Street, 7th Floor, Suite 7-330, West Sacramento, CA 95605, on the grounds that the (protesting) proposer would have been awarded the contract had the agency correctly applied the evaluation standard in the RFP, or if the agency followed the evaluation and scoring methods in the RFP, the agreement shall not be awarded until either the protest has been withdrawn or the Department of General Services has decided the matter. It is suggested that a protesting proposer submits any protest by certified or registered mail.
- c. Within five (5) calendar days after filing the initial protest, the protesting proposer shall file with the Department of General Services, Office of Legal Services and the California Tahoe Conservancy a detailed statement specifying the grounds for the protest.
- d. Upon resolution of the protest and award of the agreement, Contractor must complete and submit to the awarding agency the Payee Data Record (STD 204), to determine if the Contractor is subject to state income tax withholding pursuant to California Revenue and Taxation Code Sections 18662 and 26131. This form can be found on [the DGS website](https://www.dgsapps.dgs.ca.gov/osp/StatewideFormsWeb/Forms.aspx) at <https://www.dgsapps.dgs.ca.gov/osp/StatewideFormsWeb/Forms.aspx> under the heading STD Forms. No payment shall be made unless a completed STD 204 has been returned to the awarding agency.
- e. Upon resolution of the protest and award of the agreement, Contractor must sign and submit to the awarding agency, page one (1) of the Contractor Certification Clauses, which can be found on [the DGS website](https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language) at <https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language>.

## 7. Disposition of Proposals

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

## 8. Agreement Execution and Performance

- a. Performance shall start not later than the express date set by the awarding agency and the Contractor, after all approvals have been obtained and the contract is fully executed. Should the Contractor fail to commence work at the agreed upon time, the awarding agency, upon five (5) days written notice to the Contractor, reserves the right to terminate the contract. In addition, the Contractor shall be liable to the State for the difference between the Contractor's bid price and the actual cost of performing work by the second lowest proposer or by another contractor.
- b. All performance under the contract shall be completed on or before the termination date of the contract.

## **G. Preference Programs**

### **1. Small Business Preference**

California law encourages state departments to first consider a Small Business Enterprise (Small)/ Microbusiness Enterprise (Micro) for contracting opportunities. The Conservancy is committed to supporting Small/Micro business participation in state contracting and seeks to use certified Small/Micro businesses whenever possible.

A Small/Micro business enterprise is defined as a business certified by the DGS Office of Small Business and Disabled Veteran Business Enterprise Certification Services (OSDS) in which:

- a. The principal office is located in California
- b. The officers are domiciled in California
- c. The business is independently owned and operated
- d. The business, with any affiliates, is not dominant in its field of operation; and
- e. For Small Business, either:
  - i. The business, together with any affiliates, has 100 or fewer employees and averaged annual gross receipts of \$15,000,000 or less over the previous three years, or
  - ii. The business is a manufacturer with 100 or fewer employees

A small business will automatically be designated as a microbusiness if annual gross receipts are less than \$3,500,000; or the small business is a manufacturer with 25 or fewer employees.

Section 14835, et seq., of the California Government Code requires that a five percent preference be given to proposers who qualify as a Small/Micro business enterprise. The rules and regulations of this law are contained in Title 2, California Code of Regulations, section 1896, et seq. A copy of the regulation is available upon request.

To claim the Small/Micro business preference, your firm must have a completed application (including proof of annual receipts) on file with the DGS, OSDS, by 5:00 p.m. on the date bids are due, and receipt verified by such office. Therefore, if you are a Small/Micro business, but are not certified, it is to your advantage to become certified.

For certification and preference approval process information, contact the Conservancy Small Business Advocate at 530-543-6025.

2. Disabled Veterans Business Enterprise Program (DVBE) Participation.

The **minimum** percentage of DVBE participation is **3%** for this solicitation *unless* another percentage is specified in the solicitation, or the solicitation is exempt from DVBE participation.

Effective November 19, 2021 the following policy and procedure changes have been implemented due to new legislation (see Department of General Services Broadcast Bulletin P-05-21).

- a. Prime Contractors using the DVBE incentive are required to submit a complete and accurate Prime Contractor's Certification – DVBE Subcontracting Report (STD 817) upon contract completion. STD 817 can be found here: [Prime Contractor's DVBE Subcontracting Report \(ca.gov\)](#). (See Military and Veterans Code [MVC] Sec. 999.5(d).)
- b. State departments are required to withhold \$10,000, or full payment if less than \$10,000, from a prime contractor's final payment pending receipt of a complete and accurate STD 817, including supporting documentation. The STD 817 must be submitted within 30 days of contract completion. (See MVC Sec. 999.7.)
- c. If the STD 817 is late or incomplete, State departments must send the prime contractor a cure notice allowing at least 15 days, but not more than 30 days, to meet the certification requirements.

For questions and information contact: [OSDSHelp@dgs.ca.gov](mailto:OSDSHelp@dgs.ca.gov) or [procurement@tahoe.ca.gov](mailto:procurement@tahoe.ca.gov).

## H. Required Attachments

Refer to the following pages for additional Required Attachments that are a part of this Request for Proposal.

### Attachment 1

Proposer Name \_\_\_\_\_

#### Required Attachment Check List

A complete proposal or proposal package will consist of the items identified below.

Complete this checklist to confirm the items in your bid. Place a check mark or "X" next to each item that you are submitting to the State. **FOR YOUR BID TO BE RESPONSIVE, ALL REQUIRED ATTACHMENTS MUST BE RETURNED.** This checklist must be returned with your proposal package.

<u>Attachment</u>	<u>Attachment Name/Description</u>
_____ Attachment 1	Required Attachment Check List
_____ Attachment 2	Proposal/Proposer Certification Sheet
_____ Attachment 3	Sample Cost Proposal Worksheet
_____ Attachment 4	Proposer References
_____ Attachment 5	DVBE Program Requirements and DVBE Incentive Waiver
_____ Attachment 6	List of Proposed Subcontractors
_____ Attachment 6a	DVBE Subcontractor Incentive Request
_____ Attachment 7	Commercially Useful Function (CUF) Evaluation and Determination
_____ Attachment 8	Worksheet Darfur Contracting Act Certification
_____ Attachment 9	STD 204 Payee Data Record

## Attachment 2

### Proposal/Proposer Certification Sheet

This Proposal/Proposer Certification Sheet must be signed and returned along with all the "required attachments" as an entire package by email.

**Do not return the Request for Proposals or the Standard Agreement (STD 213) at the end of this RFP.**

**Our all-inclusive bid is shown on the Cost Proposal Worksheet Attached (Attachment 3).**

All required attachments are included with this certification sheet.

- A. I have read and understand the DVBE participation requirements and have included documentation demonstrating that I have met the participation goals or have made a good faith effort.
- B. The signature affixed hereon and dated certifies compliance with all the requirements of this bid document. The signature below authorizes the verification of this certification.
- C. The undersigned Contractor hereby proposes to carry out the work at the bid price and in accordance with the terms and conditions set forth in this Request for Proposals, and the attached Standard 213, including all plans specifications.

### An Unsigned Proposal/Proposer Certification Sheet May Be Cause for Rejection

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



## Completion Instructions for Proposal/Proposer Certification Sheet

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

**Item Numbers 1, 2, 2a, 3:** Must be completed. These items are self-explanatory.

**Item Number 4:** Check if your firm is a sole proprietorship. A sole proprietorship is a form of business in which one person owns all the assets of the business in contrast to a partnership and corporation. The sole proprietor is solely liable for all the debts of the business.

**Item Number 5:** Check if your firm is a partnership. A partnership is a voluntary agreement between two or more competent persons to place their money, effects, labor, and skill, or some or all of them in lawful commerce or business, with the understanding that there shall be a proportional sharing of the profits and losses between them. An association of two or more persons to carry on, as co-owners, a business for profit.

**Item Number 6:** Check if your firm is a corporation. A corporation is an artificial person or legal entity created by or under the authority of the laws of a state or nation, composed, in some rare instances, of a single person and his successors, being the incumbents of a particular office, but ordinarily consisting of an association of numerous individuals.

**Item Number 7:** Enter your federal employee tax identification number.

**Item Number 8:** Enter your corporation number assigned by the California Secretary of State's Office. This information is used for checking if a corporation is in good standing and qualified to conduct business in California.

**Item Number 9:** Complete, if applicable, by indicating the type of license and/or certification that your firm possesses and that is required for the type of services being procured.

**Item Numbers 10, 11, 12, 13:** Must be completed. These items are self-explanatory.

**Item Number 14:** If certified as a California Small Business, place a check in the "Yes" box, and enter your certification number on the line. If certified as a Disabled Veterans Business Enterprise, place a check in the "Yes" box and enter your service code on the line. If you are not certified to one or both, place a check in the "No" box. If your certification is pending, enter the date your application was submitted to OSBCR.

### Attachment 3

#### Sample Cost Proposal Worksheet

**DIRECT LABOR**

List Position Titles and Names	HOURS	RATE	TOTAL
Program Manager	@	\$	\$
Account Personnel	@	\$	\$
Media Buyer	@	\$	\$
Other	@	\$	\$
<b>TOTAL SUBCONTRACT EXPENSES</b> (Itemize Type of Subcontracting Work and Total Cost. Attach Separate Cost Proposal for Each Subcontractor.)	_____	_____	_____

OTHER DIRECT COSTS (Except Labor)	Percent of Direct Costs	Total
Travel*	%	\$
Supplies	%	\$
Other Direct Costs (Except Labor)	%	\$
Itemize any expenses over \$500 on a separate attachment		
<b>SUBTOTAL (OTHER DIRECT COSTS)</b>		\$
<b>PROFIT</b>	% of Total Contract	\$
<b>PROJECT TOTAL</b>		\$

**TASK/ACTIVITY**

(As Outlined in Exhibit A-1)	LABOR	AMOUNT
Task 1	_____	\$
Task 2	_____	\$
Task 3	_____	\$
<b>Project Total</b>		\$

\* Please include detailed breakdowns of the sub-tasks and associated costs under each category.

**Attachment 4**  
**Proposer References**

List below three references for services performed within the last five years, which are similar to the scope of work to be performed in this contract.

**REFERENCE 1**

Name of Firm:

Street Address:

City:

State:

Zip:

Contact Person:

Telephone Number:

Dates of Service:

Value or Cost of Service:

Brief Description of Service Provided:

**REFERENCE 2**

Name of Firm:

Street Address:

City:

State:

Zip:

Contact Person:

Telephone Number:

Dates of Service:

Value or Cost of Service:

Brief Description of Service Provided:

**REFERENCE 3**

Name of Firm:

Street Address:

City:

State:

Zip:

Contact Person:

Telephone Number:

Dates of Service:

Value or Cost of Service:

Brief Description of Service Provided:

## Attachment 5

### DVBE Program Requirements and DVBE Incentive Waiver

Download attachment 5, the DVBE Program Requirements and DVBE Incentive Waiver, from [the DGS website](https://www.documents.dgs.ca.gov/dgs/fmc/gspd/gspd07-04.pdf) at <https://www.documents.dgs.ca.gov/dgs/fmc/gspd/gspd07-04.pdf>.

### CALIFORNIA DISABLED VETERAN BUSINESS ENTERPRISE (DVBE) PROGRAM REQUIREMENTS (Revision Date 10-2021)

**PLEASE READ THE REQUIREMENTS AND INSTRUCTIONS CAREFULLY BEFORE YOU BEGIN.**

#### **AUTHORITY**

The Disabled Veteran Business Enterprise (DVBE) Participation Goal Program for State contracts is established in Public Contract Code (PCC), §10115 et seq., Military and Veterans Code (MVC), §999 et seq., and California Code of Regulations (CCR), Title 2, §1896.61 et seq.

**DVBE PARTICIPATION** The minimum percentage of DVBE participation is **3%** for this solicitation *unless* another percentage is specified in the solicitation, or the solicitation is exempt from DVBE participation.

#### **DVBE INCENTIVE**

An incentive will be given to bidders who provide DVBE participation, *unless* stated elsewhere in the solicitation the DVBE Incentive has been exempted.

#### **INTRODUCTION**

The bidder must complete the identified form(s) and fully document that the mandatory minimum percent of DVBE participation will be met in order to comply with this solicitation's DVBE program requirement or the bid may be considered non-responsive.

Information submitted by the Bidder to comply with this solicitation's DVBE requirements will be verified by the State. 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 §10115, et seq., and MVC §999 et seq., and follow the investigatory procedures required by 2 CCR §1896.91. Contractors found to be in violation of these provisions may be subject to suspension from doing business with the State of California, contract termination, civil penalties, and loss of State certifications.

Only State of California, Office of Small Business and DVBE Services (OSDS), certified Disabled Veteran Business Enterprises (hereafter called "DVBE") who will perform a commercially useful function (CUF) shall be used to satisfy the DVBE requirements. The term "DVBE contractor, subcontractor or supplier" means any person or entity that satisfies the ownership (or management) and control requirements of §1896.81, is certified in accordance with §1896.84, and provides services or goods that contribute to the fulfillment of the contract requirements by performing a commercially useful function as required in MVC §999(B). Bidders must verify each DVBE subcontractor's certification status with OSDS to ensure DVBE participation eligibility prior to

submitting bids. A DVBE that is not certified at the time of award or does not meet and maintain certification cannot count towards an awarding department's 3-percent goal. {MVC §999.5(c)}

### **COMMERCIALLY USEFUL FUNCTION DEFINITION**

As defined in MVC §999(B), a person or an entity is deemed to perform a "commercially useful function" if a person or entity does all of the following:

- Is responsible for the execution of a distinct element of the work of the contract.
- Carries out the obligation by actually performing, managing, or supervising the work involved.
- Performs work that is normal for its business services and functions.
- 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.
- Is not further subcontracting a portion of the work that is greater than that expected to be subcontracted by normal industry practices.

A contractor, subcontractor, or supplier will not be considered to perform a "commercially useful function" 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 disabled veteran business enterprise participation.

### **DVBE SUBSTITUTION**

Bidders must use the DVBE subcontractors or suppliers proposed in the bid. Any substitutions must be requested in writing to the awarding department and approved by both the awarding department and OSDS in writing prior to the commencement of any work by the proposed DVBE. The substitution must be to perform the same work and shall maintain the minimum level of DVBE participation stated in original bid. {MVC §999.5(g)}

### **DVBE SUBCONTRACTOR REPORTING**

Bidders awarded a contract with a commitment to use DVBE subcontractors must certify, upon completion of contract, that all payments have been made to the DVBE subcontractors by submitting the Prime Contractor's -DVBE Subcontracting Report (STD 817). For such contracts awarded on or after January 1, 2021, the department will withhold \$10,000 from the final payment, or the full payment if the final payment is less than \$10,000 from prime contractors, until the complete and accurate STD 817 is received. Failure to submit this certification after given the opportunity to cure, will result in the department permanently deducting \$10,000 from the final payment or the full payment if less than \$10,000. {MVC §999.7}

Prime contractor shall provide proof of payments made to DVBE subcontractors at the request of the department. The department shall keep all information provided by the prime contractor regarding the DVBE program requirements in the procurement file for six years. {MVC §999.55}

## PLEASE READ ALL INSTRUCTIONS CAREFULLY

These instructions contain information about the DVBE program requirements, bidder responsibilities, and the DVBE Bid Incentive. Bidders are responsible for thorough review and compliance with these instructions.

**To meet the DVBE program requirements, bidders must complete and fully document compliance with the following:**

### **PARTICIPATION COMMITMENT**

Bidders must commit to meet or exceed the DVBE participation requirement in this solicitation by either Method A1 (bidder is a California certified DVBE) or A2 (bidder is not a California certified DVBE). Bidders must document DVBE participation commitment by completing and submitting all forms and documentation necessary to support meeting CUF. Forms include the Bidder Declaration (DGS PD-05-105) and (DGS PD 843) DVBE Declarations located elsewhere in the solicitation, the Confirmation Letter/Form as described below, and any other requested documentation. Failure to complete and submit the required form(s) as instructed will render the bid non-responsive.

#### **METHOD A1. CERTIFIED DVBE BIDDER:**

- a. Commit to perform the participation goal percentage of the contract bid amount with its own resources or in combination with another DVBE(s).
- b. Document DVBE participation on the Bidder Declaration DGS PD-05-105 for the Prime and all subcontractors (any person, firm, corporation that will participate in fulfilling any part of the contract.).
- c. Submit a written Confirmation Letter/Form from each DVBE subcontractor identified on the Bidder Declaration. The written confirmation must include the solicitation number and be signed by the Bidder and the DVBE subcontractor(s). The written confirmation shall include, but is not limited to, the DVBE scope of work, work to be performed by the DVBE, term of intended subcontract with the DVBE, anticipated dates the DVBE will perform required work, rate and conditions of payment and total amount to be paid to the DVBE. Failure to submit signed confirmations with the bid may render the bid non-responsive. If further verification is necessary, the State will obtain additional information to verify compliance with the above requirements.
- d. DGS PD 843 DVBE Declarations form for all DVBE participants (prime or sub).

#### **METHOD A2. NON-DVBE BIDDER:**

- a. Commit to using DVBE(s) to perform the participation goal percentage of the contract bid amount.
- b. Document DVBE participation on the Bidder Declaration DGS PD-05-105.
- c. Submit a written Confirmation Letter/Form from each DVBE subcontractor identified on the Bidder Declaration. The written confirmation must include the solicitation number and be signed by the Bidder and the DVBE subcontractor(s). The written confirmation shall include, but is not limited to, the DVBE scope of work, work to be performed by the DVBE, term of intended subcontract with the DVBE, anticipated dates the DVBE will

perform required work, rate and conditions of payment and total amount to be paid to the DVBE. Failure to submit signed confirmations with the bid may render the bid non-responsive. If further verification is necessary, the State will obtain additional information to verify compliance with the above requirements.

- d. DGS PD 843 DVBE Declarations form for all DVBE participants.

**DVBE BID INCENTIVE**

Unless stated elsewhere in the solicitation that the DVBE incentive has been waived, in accordance with Section 999.5(a) of the Military and Veterans Code an incentive will be given to bidders who provide DVBE participation. For evaluation purposes only, the State shall apply an incentive to bids that propose California certified DVBE participation as identified on the Bidder Declaration DGS PD05-105, (located elsewhere within the solicitation document) and confirmed by the State. The incentive amount for awards based on low price will vary in conjunction with the percentage of DVBE participation. Unless a table that replaces the one below has been expressly established elsewhere within the solicitation, the following percentages will apply for awards based on low price.

<b>Confirmed DVBE Participation of:</b>	<b>DVBE Incentive:</b>
5% or Over	5%
4% to 4.99% inclusive	4%
3% to 3.99% inclusive	3%

**Attachment 6**

**List of Proposed Subcontractors**

Listed hereinafter is the name and address of each subcontractor who will be employed, and the kind of work which each will perform if the contract is awarded. I understand that under Government Code Section 4100 through 4108, I must clearly set forth the name and address of each subcontractor who will perform work or labor or render service to me, in an amount in excess of one-half of one percent (1/2 of 1 percent) of my total bid, and that as to any work in which I fail to do so, I agree to perform that portion myself or be subject to penalty under the act.

(Note: In case more than one subcontractor is named for the same kind of work, state the portion that each will perform. Vendors or suppliers of materials only need not be listed.)

If further space is required for the list of proposed subcontractors, additional sheets showing the required information, as indicated below, shall be attached hereto and made a part of the Bid Form.

If no subcontractors are to be used, write "**NONE**".

**KIND OF WORK**

**SUBCONTRACTOR NAME AND ADDRESS**

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## Attachment 6a

### DVBE Subcontractor Incentive Request

List each certified DVBE that will be subcontracted with. To be granted a bidding incentive, total DVBE subcontractor use must equal at least 1 percent up to a total of 5 percent, unless other specifications are included elsewhere in the agreement, of the total price or cost offered. Each named subcontractor must be actively certified as a DVBE by the bid submission due date and must acknowledge their participation as claimed herein via a DVBE Subcontractor/Supplier Acknowledgement (Attachment 6b). **Attach to this form an acknowledgement (Attachment 6b) signed by an authorized representative of each named subcontractor acknowledging their proposed use as described herein.**

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#### Name of certified DVBE Subcontractor

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Name of Subcontractor  
Street address | City | State | Zip Code  
Contact Person | Telephone number

( )  
DVBE Certification No. | Certification exp. date | Participation dollar value | Committed % of total bid  
\$ | %

Brief description of the commercially useful function(s) to be performed and/or provided:

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#### Name of certified DVBE Subcontractor

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Name of Subcontractor  
Street address | City | State | Zip Code  
Contact Person | Telephone number

( )  
DVBE Certification No. | Certification exp. date | Participation dollar value | Committed % of total bid  
\$ | %

Brief description of the commercially useful function(s) to be performed and/or provided:

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#### Name of certified DVBE Subcontractor

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Name of Subcontractor  
Street address | City | State | Zip Code  
Contact Person | Telephone number

( )  
DVBE Certification No. | Certification exp. date | Participation dollar value | Committed % of total bid  
\$ | %

Brief description of the commercially useful function(s) to be performed and/or provided:

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## **Attachment 7**

### **Disabled Veteran Business Enterprise Declarations**

Download attachment 7, Disabled Veteran Business Enterprise Declarations, DGS PD 843, from [the DGS website](https://www.documents.dgs.ca.gov/dgs/fmc/gc/pd/pd_843.pdf) at [https://www.documents.dgs.ca.gov/dgs/fmc/gc/pd/pd\\_843.pdf](https://www.documents.dgs.ca.gov/dgs/fmc/gc/pd/pd_843.pdf).

## Attachment 8

### Commercially Useful Function Evaluation and Determination Worksheet

Download attachment 8, the [Commercially Useful Function Evaluation and Determination Worksheet](https://www.dgs.ca.gov/-/media/Divisions/PD/OSDS/Certification/CUF/CUFEvaluationandDeterminationWorksheet.pdf), from the DGS website at <https://www.dgs.ca.gov/-/media/Divisions/PD/OSDS/Certification/CUF/CUFEvaluationandDeterminationWorksheet.pdf>

## Attachment 9

### Darfur Contracting Act Certification

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

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

#### **OPTION #1 - CERTIFICATION**

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

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

Company/Vendor Name (Printed): \_\_\_\_\_

Federal ID Number: \_\_\_\_\_

By (Authorized Signature): \_\_\_\_\_

Printed Name and Title of Person Signing: \_\_\_\_\_

Date Executed: \_\_\_\_\_ Executed in the County and State of: \_\_\_\_\_

#### **OPTION #2 – WRITTEN PERMISSION FROM DGS**

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

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

Company/Vendor Name (Printed): \_\_\_\_\_

Federal ID Number: \_\_\_\_\_

Initials of Submitter: \_\_\_\_\_

Printed Name and Title of Person Initialing: \_\_\_\_\_

## **Attachment 10**

### **STD 204 Payee Data Record**

Download attachment 10, the [STD 204 Payee Data Record](https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf), from the DGS website at <https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf>.