



Department of Cannabis Control

CALIFORNIA

Request For Proposal (RFP)

RFP 2024-003

PART 1 – BIDDER INSTRUCTIONS

FOR

Laboratory Information Management System Replacement (LIMSR)- 1115-002

March 18, 2025

Issued by:

STATE OF CALIFORNIA

**Department of Cannabis Control
2920 Kilgore Rd, Rancho Cordova, CA 95670**

Part 1 of the solicitation contains the bidder and bidding instructions, proposal form instructions, solution requirements and instructions, and all other instructional/compliance information that the bidder must meet in order to be considered responsive and responsible to the solicitation.

Part 2 of the solicitation contains all forms a bidder must complete and return with its Phase 1 and Phase 2 proposals, including the SOW, administrative forms, qualification forms, requirement responses, and all exhibits/attachments discussed in Part 1.

Disclaimer: The original version and any subsequent solicitation addenda released by the Procurement Officer of this solicitation remain the official version. In the event of any inconsistency between the Bidder's versions, articles, attachments, specifications or provisions, the official State

version of the solicitation in its entirety shall take precedence.

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RFP
PART 1 - BIDDER INSTRUCTIONS

1. INTRODUCTION

On behalf of the Department of Cannabis Control (DCC), this solicitation is being conducted under the authority of California Department of Technology (CDT) pursuant to Public Contract Code (PCC) §6611 et seq which provides the authority to use a competitive negotiation process when the State's business need or the purpose of a procurement or contract is known, but negotiation is necessary to ensure that the State is receiving the best value or the most cost-efficient goods, services, information technology, and telecommunications.

This solicitation contains the instructions governing the requirements for fixed price deliverable-based proposals to be submitted by Bidders. Also included in this solicitation is the required format and materials. Bidders must follow when responding to this solicitation. This solicitation also addresses the requirements that Bidders must meet to be eligible for consideration, as well as Bidders' responsibilities before and after award.

The following terms are used interchangeably throughout the solicitation documents: (1) "contract" and "agreement"; (2) "response" and "proposals". For additional definitions, see ATTACHMENT 18: GLOSSARY OF TERMS.

1.1. PURPOSE

The purpose of this Request For Proposal (hereinafter referred to as "solicitation") is to obtain proposals from qualified Bidders to provide the Department of Cannabis Control DCC and the State of California (hereinafter referred to as the "State") with Cloud Software as a Service (SaaS) and Implementation Services for the Laboratory Information Management System Replacement project (hereinafter referred to as "LIMSR").

This solicitation follows a phased approach that includes multiple submissions and evaluations to determine the most qualified Bidder to Design, Develop, and Implement (DD&I) the LIMSR solution (hereinafter referred to as "the Solution").

The Contract Award, if made, will be to a single Bidder in accordance with the methodology defined in [SECTION 7. EVALUATION](#).

1.2. BACKGROUND

The Cannabis Testing Laboratory Branch (CTLB), a branch of the Laboratory Services Division is responsible for investigatory sample testing of cannabis and cannabis products for regulatory compliance and enforcement investigations. The branch works closely with other divisions in the Department to

administer DCC's compliance and enforcement functions, and works with other State Labs to review testing standards and develop new methods as the science in this space evolves. The CTLB consists of Research Scientists with backgrounds in microbiology and chemistry. Research Scientist Supervisors oversee the lab team and direct the activities of the lab. Cannabis samples are handled under California and Drug Enforcement Agency (DEA) regulatory requirements. The CTLB has a DEA registration and is ISO 17025 accredited.

The DCC is seeking to acquire a LIMS solution to support the functional and non-functional needs identified in EXHIBIT A: STATEMENT OF WORK. These needs include, but are not limited to, accepting sample logins for tests, assigning tests to the sample(s), creating analytical batches, adding quality controls (QC) to batches, entering results, reviewing data, rejecting and approving runs, generating reports and QC charts, search, query, add analytes, add new instruments, auto-verify, import and export data, and interface with partner laboratories, instruments, and other systems. These efforts protect public safety and the environment to ensure that products sold legally on the market are safe for the consumers.

1.3. TERM OF CONTRACT

See EXHIBIT A: STATEMENT OF WORK [SECTION 3. TERM OF THE CONTRACT](#) for the contract term for software licensing and implementation services.

1.4. CURRENT AND PROPOSED ENVIRONMENTS

See EXHIBIT A: STATEMENT OF WORK, [SECTION 2. DESCRIPTION OF PROPOSED NEW SYSTEM OR SERVICE](#) for the description of the product and services the DCC is seeking from a Contractor.

1.4.1. CURRENT ENVIRONMENT

Currently, the DCC CTLB utilizes a legacy laboratory management system that is maintained and designed for use by another State agency, which does not conduct cannabis testing. The current system supports sample login, data entry and generating reports but was built for blood testing and other human products and is not optimized for cannabis testing. A new LIMS is necessary that is geared towards cannabis product testing and will offer automated improvements in both the tracking as well as the reporting of testing results. EXHIBIT A: STATEMENT OF WORK provides additional background and the current needs to support the LIMS solution.

1.4.2. PROPOSED ENVIRONMENT

A detailed description of the proposed environment and overall project requirements for Cloud Software as a Service (SaaS) and Implementation Services are included in EXHIBIT A: STATEMENT OF WORK, including, but not limited to, [SECTION 2. DESCRIPTION OF PROPOSED NEW SYSTEM OR SERVICE](#), [SECTION 10. CONTRACTOR'S ROLES AND RESPONSIBILITIES](#), [SECTION 24. COMPATIBILITY](#)

[AND INTERFACE](#) . Details of the solicitation requirements are included in EXHIBIT D: FUNCTIONAL AND NON-FUNCTIONAL REQUIREMENTS.

1.5. AMERICANS WITH DISABILITIES ACT (ADA)

To comply with the nondiscrimination requirements of the ADA, it is the policy of the State of California to make every effort to ensure that its programs, activities, and services are available to all persons, including persons with disabilities.

For persons with a disability needing a reasonable accommodation to participate in the procurement process or for persons having questions regarding reasonable accommodations of the procurement process, potential Bidders may contact the Procurement Officer identified in [SECTION 2.2.1. PROCUREMENT OFFICER](#). You may also contact the State of California at the telephone numbers listed below.

Important: To ensure that we can meet your needs, it is best that we receive your request for reasonable accommodations at least ten (10) working days prior to the scheduled event, e.g., meeting, conference, workshop, etc., or deadline due-date for procurement documents.

Table 1.5-1 The California Relay Service Telephone Numbers are:

| RELAY SERVICE DESCRIPTION | LANGUAGE | TELEPHONE NUMBER |
|-----------------------------|-------------------|------------------|
| TTY/VCO/HCO to Voice | English | 1-800-735-2929 |
| | Spanish | 1-800-855-3000 |
| Voice to TTY/VCO/HCO | English | 1-800-735-2922 |
| | Spanish | 1-800-855-3000 |
| From or to Speech-to-Speech | English & Spanish | 1-800-854-7784 |

2. BIDDING INSTRUCTIONS

2.1. BIDDER ADMONISHMENT

This procurement will follow a phased approach designed to increase the likelihood of a successful

Proposal and the Bidder's eligibility for invitation to negotiation.

The Bidder should refer to [SECTION 2.5. BIDDING STEPS](#) to review the details surrounding the phases for this solicitation and [SECTION 7. EVALUATION](#) to learn about the evaluation process for each phase. It is the Bidder's responsibility to:

1. Carefully read the entire solicitation.
2. Submit questions in a timely manner.
3. Submit all required responses by the dates and times specified in [SECTION 2.3. KEY ACTION DATES](#) .
4. Abide by all procedures and requirements of the solicitation.
5. Do not include conditional statements, assumptions, or exception language with Proposals.
6. Carefully review the solicitation requirements prior to submission of a Proposal to ensure nothing has been overlooked.

2.2. COMMUNICATIONS AND CONTACTS

The State uses an online procurement system known as *Cal eProcure* to communicate with prospective Bidders and suppliers. Information and ongoing communications for this solicitation will be posted by the State on the *Cal eProcure* website (www.caleprocure.ca.gov). Following Phase 1 evaluations, Bidder communications may be sent directly to compliant Phase 2 Bidders.

Oral communications by Agency/State entity officers and employees concerning this solicitation shall not be binding on the State and shall in no way excuse the Bidder of any obligations set forth in this solicitation.

2.2.1. PROCUREMENT OFFICER

The Procurement Officer is the State's designated authorized representative regarding this procurement and is the sole point of contact.

Bidders are directed to communicate all correspondence regarding this procurement to the Procurement Officer at the contact information below in Table 2-1: Procurement Officer.

Table 2.2.1-1: Procurement Officer

| PROCUREMENT OFFICER | |
|---------------------|--|
| Department Name: | California Department of Technology, Office of Statewide Technology Procurement (OSTP) |

| | |
|--------------------------------|---------------------------------|
| Procurement Officer: | Vaibhav Srivastava |
| Email: | vaibhav.srivastava@state.ca.gov |
| Phone: | +19166399252 |
| Secondary Procurement Officer: | Hashmat Mohmand |
| Email: | Hashmat.Mohmand@state.ca.gov |
| Phone: | +1 916-413-3522 |

2.2.2. QUESTIONS REGARDING THE SOLICITATION DOCUMENT

Bidders requesting clarification of the intent, terms and conditions, content of this solicitation, or on procedural matters regarding the competitive bid process should submit requests for clarification using ATTACHMENT 1: TEMPLATE FOR QUESTION/REQUEST FOR CHANGE SUBMITTAL via email addressed to the Procurement Officer listed in [SECTION 2.2.1. PROCUREMENT OFFICER](#).

If the Bidder believes that one or more of the solicitation requirements is onerous, unfair, or imposes unnecessary constraints on the Bidder proposing a less costly or an alternate solution, the Bidder may request a change to the solicitation by submitting, in writing, the recommended change(s) and the facts substantiating this belief and reasons for making the recommended change using ATTACHMENT 1: TEMPLATE FOR QUESTION/REQUEST FOR CHANGE SUBMITTAL. Such a request must be submitted to the Procurement Officer by the date specified in [SECTION 2.3. KEY ACTION DATES](#). Only questions submitted in writing and answered in writing by the Procurement Officer shall be binding and official.

Written questions and requests for changes must be submitted, using Microsoft Excel or Word, by email to the Procurement Officer identified in [SECTION 2.2.1. PROCUREMENT OFFICER](#), using ATTACHMENT 1: TEMPLATE FOR QUESTION/REQUEST FOR CHANGE SUBMITTAL.

The email must include the solicitation identification information from the solicitation title page in the subject line. To ensure a response, written questions must be received by the date(s) specified in [SECTION 2.3. KEY ACTION DATES](#). Question and answer sets will be posted to Cal eProcure and will not identify the submitter(s). Following Phase 1 evaluations, responses to Bidder questions may be sent directly to compliant Bidders via email. During the Negotiation Phase, responses to Bidder questions may be sent directly to the requesting Bidder only. At the sole discretion of the State, questions may be paraphrased by the State for clarity.

If a Bidder desires clarification or further information on the content of the solicitation, but whose

questions relate to a proprietary aspect of its proposal and disclosure exposes its proposal to other Bidders, the question may be submitted using the criteria specified above with the notation, “CONFIDENTIAL”. The Bidder must explain why the question is sensitive in nature. If the State concurs that the disclosure of the question or answer would expose the proprietary nature of the proposal, the question will be will be answered and will be confidentially maintained. If the State does not concur with the proprietary nature of the question, the Bidder will be notified and may withdraw the question. If the question is not withdrawn, the question and associated response will not be confidentially maintained.

To ensure a response, questions, and requests for changes must be received and submitted to the Procurement Officer listed in [SECTION 2.2.1. PROCUREMENT OFFICER](#) in writing by the scheduled due date(s) specified in [SECTION 2.3. KEY ACTION DATES](#) . Oral responses shall not be binding on the State.

Only questions submitted in writing and answered in writing by the Procurement Officer shall be binding and official.

2.2.3. INTENT TO BID

Bidders that wish to participate in this solicitation must submit a completed ATTACHMENT 2: INTENT TO BID by the date specified in [SECTION 2.3. KEY ACTION DATES](#) .

This document shall be sent by email to the Procurement Officer identified in [SECTION 2.2.1. PROCUREMENT OFFICER](#).

It shall be the Bidder’s responsibility to immediately notify the Procurement Officer identified in [SECTION 2.2.1. PROCUREMENT OFFICER](#), in writing, regarding any change to its Intent to Bid or the contact information. The State shall not be responsible for Proposal correspondence not received by the Bidder if the Bidder fails to notify the State, in writing, of any change pertaining to the designated contact person.

2.3. KEY ACTION DATES

Table 2.3: Key Action Dates (KAD) provides the key action dates and times by which actions must be taken or completed. If the State finds it necessary to change these dates or times, an addendum to this solicitation will be released, with the exception of those dates listed after the Bidder’s submission of Phase 2 proposal due date. All times listed are Pacific Standard Time (PST).

Table 2.3-1: Key Action Dates (KAD)

| KEY ACTION DATES |
|------------------|
|------------------|

| ITEM | ACTION | DATE AND TIME |
|----------------|---|------------------------------|
| 1. | Release of Solicitation | March 18, 2025 |
| 2. | Submit ATTACHMENT 2: INTENT TO BID and ATTACHMENT 3: CONFIDENTIALITY STATEMENT | March 21, 2025 |
| 3. | Last day to submit written questions for clarification of Solicitation | March 30, 2025 |
| 4. | State responds to Q&A Set #1. | April 10, 2025 |
| 5. | Release Addendum #1 (if required) | April 11, 2025 |
| 6. | Last day to submit questions related to Addendum 1 using ATTACHMENT 1: TEMPLATE FOR QUESTION SUBMITTAL/ REQUEST FOR CHANGES | April 15, 2025 |
| 7. | Last Day to Submit Phase 1 Proposal and Last Day for e-VAQ approval² | May 1, 2025 by 2 PM |
| 8. | State's Evaluation of Proposals – Phase 1 | May1 - May 23, 2025 |
| 11. | Notification of Bidders Selected for Phase 2 | May 30, 2025 |
| PHASE 2 | | |
| 12. | Last Day to Submit Phase 2 Proposal (Including password protected Cost Workbook) | June 17, 2025 by 2 PM |
| 13. | State's Evaluation of Proposals – Phase 2 | June 18 - July 1, 2025 |
| 14. | State Conducts Demonstrations | July 2 - 15, 2025 |
| 15. | Evaluation of Cost | July 16 - 18, 2025 |

| PHASE 3 | | |
|---------|---------------------------------------|--------------------------------------|
| 16. | Notice of Invitation to Negotiate | August 4 |
| 17. | Negotiations | August 5 - September 4, 2025 |
| 18 | Best and Final Offer (BAFO) due | September 12, 2025 by 2 PM |
| 19 | State's evaluation of BAFO submission | September 15 - September 26, 2025 |
| 20 | Contract Preparation & Execution | September 29, 2025 -October 15, 2025 |
| 21 | Notification of Award | October 15, 2025 |
| 22 | Contract Start | October 16, 2025 |

¹ Or five (5) business days following the last addendum that changes the requirements of the solicitation.

² If Bidder does not have an approved eVAQ application on file with OSTP, it is recommended that Bidders allow a minimum of **four(4) weeks** prior to Phase 1 submission due date for the State to process and approve Bidder's eVAQ application.

NOTE: Dates after Submission of Phase 2 Responses are estimates and are subject to change without addendum to this solicitation.

2.4. RULES GOVERNING COMPETITION

This solicitation, the evaluation of responses, and the award of any resultant Contract shall be made in conformance with current competitive bidding procedures as they relate to the procurement of IT goods and services or Telecom by public bodies in the State of California.

2.4.1. IDENTIFICATION AND CLASSIFICATION OF SOLICITATION REQUIREMENTS

The State has established certain requirements with respect to Proposals to be submitted by prospective Contractors. The use of "shall," "must," or "will" (except to indicate simple futurity) in the solicitation indicates a requirement or condition which is mandatory.

A deviation of any mandatory requirement will disqualify a Bidder from further participating in Negotiations and Contract Award.

The words “should” or “may” in the solicitation indicate desirable attributes or conditions, but are non-mandatory in nature.

2.4.2. SOLICITATION DOCUMENTS

This solicitation document includes, in addition to an explanation of the State’s requirements which must be met, instructions which prescribe the format and content of proposals to be submitted and the model of the Contract to be executed between the State and the successful Bidder.

If a Bidder discovers any ambiguity, conflict, discrepancy, omission, or other error in this solicitation document, the Bidder shall immediately notify the Procurement Officer identified in [SECTION 2.2.1. PROCUREMENT OFFICER](#), of such error in writing and request clarification or modification of the document.

If the solicitation document contains an error known to the Bidder, or an error that reasonably should have been known, the Bidder shall bid at its own risk. If the Bidder fails to notify the State of the error prior to the date fixed for submission of proposals, and is awarded the Contract, the Bidder shall not be entitled to additional compensation or time by reason of the error or its later correction.

Modifications will be made by addenda issued pursuant to [SECTION 2.4.6. ADDENDA](#) .

2.4.3. EXAMINATION OF THE WORK

The Bidder should carefully examine the entire solicitation document and any addenda thereto, and all related materials and data referenced in the solicitation document or otherwise available to the Bidder, and should become fully aware of the nature and location of the work, the quantities of the work, and the conditions to be encountered in performing the work.

2.4.4. EXCLUSION FOR CONFLICT OF INTEREST

No consultant shall be paid out of State funds for developing recommendations on the acquisition of telecom, information technology (IT) products or services or assisting in the preparation of the project approval lifecycle documents (stages 2, 3, or 4), while in effect, if that consultant is to be a source of such acquisition or could otherwise directly and/or materially benefit from State adoption of such recommendations or the course of action recommended in the project approval lifecycle documents (stages 2, 3, or 4). Further, no consultant shall be paid out of State funds for developing recommendations on the disposal of State surplus IT products if that consultant would directly and/or materially benefit from State adoption of such recommendations.

A consultant shall not be eligible to serve as the Prime Contractor or subcontractor pursuant to this solicitation if the Contractor/subcontractor is: (1) currently working on the solicitation in an Independent Verification and Validation (IV&V) role or (2) holds an active license issued by the DCC and has a financial position in the software solution proposed in this RFP.

The Bidder must complete and submit ATTACHMENT 4: FOLLOW-ON DISCLOSURE with its phase 1 proposal.

2.4.5. CONFIDENTIALITY

Bidder material becomes public only after the Notification of Award is released. If material marked “confidential,” “proprietary,” or “trade secret” is requested pursuant to the Public Records Act, the State will make an independent assessment whether it is exempt from disclosure. If the State disagrees with the Bidder, the State will notify the Bidder and give them a reasonable opportunity to justify their position or obtain a court order protecting the material from disclosure.

The Bidder should be aware that marking a document “confidential” or “proprietary” in their Proposal may exclude it from consideration for award and will not keep that document from being released after notice of award as part of the public record, unless a court has ordered the State not to release the document.

The content of all working papers and discussions relating to the Bidder’s proposal shall be held in confidence indefinitely, unless the public interest is best served by an item’s disclosure because of its direct pertinence to a decision, agreement or the evaluation of the proposal.

Any disclosure of confidential information by the Bidder is a basis for rejecting the Bidder’s proposal and ruling the Bidder ineligible to further participate. Any disclosure of confidential information by a State employee is a basis for disciplinary action, including dismissal from State employment, as provided by Government Code §19570 et seq. Total confidentiality is paramount; it cannot be over emphasized.

2.4.6. ADDENDA

The State may modify the solicitation at any time prior to submission of proposals by issuing an addendum. Addenda during Phase 1 will be numbered consecutively and released to all bidders via Cal eProcure. Addenda after Phase 1 will be released only to the Bidders who are invited to subsequent phases.

The Bidder is allowed five (5) business days to submit written questions regarding the addendum according to the instructions contained in [SECTION 2.2.2. QUESTIONS REGARDING THE SOLICITATION DOCUMENT](#) .

2.4.7. COST FOR DEVELOPING PROPOSAL

Costs for developing proposals are the responsibility entirely of the Bidder and shall not be chargeable to the State.

2.4.8. SIGNATURE OF PROPOSAL

The Bidder must submit ATTACHMENT 5: COVER LETTER FORM which must be signed by an individual who is authorized to bind the bidding firm contractually. The signature block must indicate the title that the individual holds in the firm.

2.4.9. IRREVOCABLE OFFER

Bidder's response to this solicitation shall constitute a firm offer, which shall remain irrevocable for not less than 120 calendar days following the contract award date specified in [SECTION 2.3. KEY ACTION DATES](#) . In the event of a delay in contract award, a Bidder may extend the expiration date of its firm offer an additional 30 calendar days by written notice to the State.

This expiration date may be further extended by mutual agreement between the State and the Bidder, in order to accommodate processing time for required approvals and other solicitation-related reviews.

2.4.10. FALSE OR MISLEADING STATEMENTS

Proposals that contain false or misleading statements, or provide references that do not support an attribute or condition claimed by the Bidder, may be rejected. If, in the opinion of the State, such information was intended to mislead the State in its evaluation of the Proposal, and the attribute, condition, or capability is a requirement of this solicitation document, it will be the basis for rejection of the Bidder's Proposal.

2.4.11. BONDS

The State reserves the right to require a performance bond or other security document as specified in the solicitation from the Bidder in an amount not to exceed the amount of the Contract. In the event the State requires a surety bond that has not been expressly required by the solicitation, the State will reimburse the Bidder as an addition to the purchase price in an amount not exceeding the standard premium on such bond.

2.5. BIDDING STEPS

The following instructions provide the steps to submit a response to this solicitation by interested Bidders. Details surrounding Proposals are described further in [SECTION 4. PROPOSAL REQUIREMENTS](#) .

The Bidder is expected to follow the format requirements and utilize all forms included in this solicitation necessary for its response. This solicitation also addresses the Bidder responsibilities and requirements it must meet to be eligible for consideration. If the Bidder fails to follow the provided instructions, the Bidder may be disqualified from the solicitation process.

This solicitation will follow a phased approach as indicated below to ensure contract award. Refer to [SECTION 2.3. KEY ACTION DATES](#) to determine which phases and mandatory steps are included in this solicitation. [SECTION 2.3. KEY ACTION DATES](#) lists milestones, mandatory steps, and due dates for deliverables in this solicitation. Prior to submitting a response, Bidders must register and submit an Intent to Bid as detailed in [SECTION 2.2.3. INTENT TO BID](#) and a Confidentiality Statement as detailed in [SECTION 2.4.5. CONFIDENTIALITY](#). Bidders must also submit a pre-qualified Electronic Vendor Application of Qualifications (EVAQ) as detailed in [SECTION 3.1.1. ELECTRONIC VENDOR APPLICATION OF QUALIFICATIONS \(EVAQ\)](#).

2.5.1. PHASE 1 - ADMINISTRATIVE, BIDDER EXPERIENCE, BIDDER REFERENCES, DELIVERABLES, NARRATIVE RESPONSE AND SOLUTION REQUIREMENTS.

Bidders must complete and obtain approval of the eVAQ online application by the Phase 1 Proposal due date **(Please note, it is recommended that Bidders allow a minimum of four weeks before Phase 1 Proposal due date for the State to process the application approval).**

The objective of Phase 1 is to select qualified Bidders that meet the State's minimum requirements to advance to Phase 2. The initial release of this solicitation contains all the information necessary for Bidders to complete and submit a Phase 1 response. Following release of the solicitation, Phase 1 will include the following:

- Bidder submits an application to the Electronic Vendor Application of Qualifications site detailed in [SECTION 3.1.1. ELECTRONIC VENDOR APPLICATION OF QUALIFICATIONS \(EVAQ\)](#).
- Bidder submits its Phase 1 Administrative, Bidder Experience, Bidder References, Narrative Response, Deliverables Table, and Solution Requirements (ATTACHMENT 13: BIDDER QUALIFICATIONS FORM - INSTRUCTIONS, ATTACHMENT 14: BIDDER QUALIFICATIONS FORM, , EXHIBIT F: DELIVERABLES TABLE, ATTACHMENT 12: PHASE 1: NARRATIVE REQUIREMENT RESPONSE and EXHIBIT D: FUNCTIONAL AND NON-FUNCTIONAL REQUIREMENTS).
- The State evaluates the Phase 1 responses based on the evaluation criteria detailed in [SECTION 7. EVALUATION](#).
- Following the Phase 1 evaluation, the State will advance and notify up to the top five (5) highest scoring Bidders to participate in Phase 2 of the solicitation.

2.5.2. PHASE 2 - STAFF QUALIFICATIONS, KEY STAFF REFERENCES, DEMONSTRATIONS, AND COST RESPONSE

Bidders invited to participate in Phase 2 of the solicitation will be required to submit their Phase 2 Proposal by the date specified in [SECTION 2.3. KEY ACTION DATES](#) .

Phase 2 will include the following:

- The State evaluates Key Staff Qualifications, and Key Staff References (ATTACHMENT 16: KEY STAFF QUALIFICATIONS FORM - INSTRUCTIONS, ATTACHMENT 16.1: PROJECT MANAGER KEY STAFF QUALIFICATIONS FORM, ATTACHMENT 16.2: IMPLEMENTATION MANAGER/ARCHITECT KEY STAFF QUALIFICATIONS FORM, ATTACHMENT 16.3: INTEGRATION ANALYST KEY STAFF QUALIFICATION FORM KEY STAFF QUALIFICATIONS FORM, and ATTACHMENT 17: KEY STAFF REFERENCE FORM).
- Bidders will host demonstrations (online) to allow the State to observe a subset of the Bidder's Solution, determine compliance, and award points as described in [SECTION 7.4.3. DEMONSTRATIONS](#) .
- Bidder submits its Phase 2 - Cost Workbook (EXHIBIT E: COST WORKBOOK).
- Invitation to Negotiate: . At the discretion of the State, the State may invite Bidder(s) to participate in the negotiation process under option 1 or option 2, detailed in [SECTION 8.1. PROCEEDING TO NEGOTIATIONS](#).

Bidders invited to participate in Phase 2 will be notified via email and provided the date and time of demonstrations. Notification will be delivered no less than three (3) calendar days prior to the demonstration dates.

2.5.3. PHASE 3 - NEGOTIATIONS

The State will conduct negotiations under PCC § 6611 and as detailed in [SECTION 8. PHASE 3 NEGOTIATIONS](#). The purpose of the negotiation process is to maximize the State's ability to obtain a value effective solution.

Following Proposal Rank Determination, described in [SECTION 7.4.6. PROPOSAL RANK DETERMINATION](#), the State will invite and proceed with negotiations in accordance with [SECTION 8.1. PROCEEDING TO NEGOTIATIONS](#) and may award a Contract.

This Bidder negotiation selection process will continue until the State completes negotiations with the final selected Phase 2 Bidder. The negotiations may or may not result in a Contract award.

2.5.4. WITHDRAWAL AND RESUBMISSION/MODIFICATION OF PROPOSALS

A Bidder may withdraw its proposal at any time prior to the Proposal Submission due date of the relevant Phase by submitting a written notification of withdrawal signed by an authorized representative of the Bidder in accordance with [SECTION 2.4.8. SIGNATURE OF PROPOSAL](#) . The bidder may thereafter submit a new or modified proposal prior to the respective proposal submission date and time specified in [SECTION 2.3. KEY ACTION DATES](#) . Modification offered in any other manner, oral or written, will not be considered. Other than as allowed by law, Proposals cannot be changed or withdrawn after the respective deadline date and time designated for receipt, except as provided in the solicitation.

2.5.5. DISPOSITION OF PROPOSALS

All materials submitted in response to this solicitation will become the property of the State of California. All phases of the Proposal shall be retained for official files and will become public record after the Notification of Award is posted.

3. ADMINISTRATIVE REQUIREMENTS

This section contains the mandatory and optional administrative requirements that should be met in order to be considered responsive to this solicitation. Additional administrative requirements for this solicitation are being processed through the EVAQ. Please refer to [SECTION 3.1.1. ELECTRONIC VENDOR APPLICATION OF QUALIFICATIONS \(EVAQ\)](#) for more information.

Unless designated otherwise, all of the requirements in this section are mandatory. Documents that must be submitted with the Bidder's Proposal are noted as "Mandatory" or "(M)" in this section.

The administrative requirements listed in this section are denoted as follows:

1. (M) All sections labeled as "Mandatory" or "M" are not negotiable. To be considered responsive and responsible to these requirements, all requirements identified as (M) must receive a response from the Bidder. Failure to respond to any (M) requirements where indicated shall result in a "fail" and disqualification of the proposal.
2. (O) Sections labeled as "Optional" or "O" are not required to be offered by the Bidder in order to be compliant to the solicitation requirements. A Bidder may choose whether to meet administrative requirements labeled as (O) such as those relating to preference points. However, if a Bidder offers any of these (O) requirements, the Bidder must meet the minimum requirements as stated in the section. The State will review responses to optional requirements and apply points, if applicable, in accordance with [SECTION 7. EVALUATION](#).

3.1. PREQUALIFICATION REQUIREMENTS (M)

This section details the requirements necessary for Bidders to qualify for contract award. Failure to complete or comply will disqualify Bidder(s) and the State will not move forward with evaluating the proposal, conducting negotiations and contract award. The State will not seek modifications or clarifications after Phase 1 submission due date for any prequalification requirements.

3.1.1. ELECTRONIC VENDOR APPLICATION OF QUALIFICATIONS (EVAQ)

It is the responsibility of the Bidder to ensure they have an STP approved eVAQ and all applicable requirements and provisions for this solicitation are met. Failure to be eVAQ approved prior to Phase 1 submission due date will disqualify Bidder(s) and the State will not move forward with evaluating the proposal, conducting negotiations and contract award. The State will not seek eVAQ modifications or clarifications after Phase 1 proposal submission due date.

The State's eVAQ is an external process to this solicitation. The intent of the pre-qualification is to process as much of the administrative requirements required to do business in the State of California in advance to streamline the solicitation process. Bidder's will be required to have an approved application on file prior to the Key Action Date for the Last day to submit Phase 1 Proposal (refer to [SECTION 2.3. KEY ACTION DATES](#)) in order to be eligible for contract award.

The application can be accessed at OSTP VENDOR MAIN - Vendor Portal (<https://cadtprod.service-now.com/vendor>).

If the Bidder's firm is new to the eVAQ process, account registration is necessary and is free of charge.

If a Bidder has an approved eVAQ on file, it is the Bidder's responsibility to ensure:

1. The eVAQ is a CDT OSTP-approved eVAQ (not a Department of General Services (DGS) eVAQ).
2. All information required to be submitted with the eVAQ is up to date and valid.

It is the responsibility of the Bidder to ensure their approved eVAQ includes all appropriate requirements and provisions for this solicitation.

All questions related to the eVAQ should be addressed to the Procurement Officer.

3.1.1.1. INCORPORATION OF EVAQ REQUIREMENTS

The Contract awarded as a result of the solicitation shall automatically incorporate by reference all requirements of the solicitation and terms and conditions of the eVAQ. The Bidder's eVAQ shall remain in effect throughout the life of the Contract including all optional years.

In the event there is inconsistent language between the solicitation and the eVAQ documents, the solicitation documents shall take precedence.

3.2. ADMINISTRATION REQUIREMENTS DOCUMENT (M)

The Bidder must complete and submit ATTACHMENT 6: RESPONSE TO ADMINISTRATIVE REQUIREMENTS. The Bidder must indicate its willingness and ability to satisfy these requirements by responding “Yes” in the “Bidder Agrees Yes/No” column. A “No” response to any of the mandatory administrative requirements will be considered a deviation.

3.3. ABILITY TO PERFORM

Prior to award of the Contract, the State must be assured that the Bidder selected has all of the resources to successfully perform under the Contract. This includes, but is not limited to, personnel in the quantity and with the skills required; equipment of appropriate type and in sufficient quantity; financial resources sufficient to complete performance under the Contract; and experience in similar endeavors. If, during the evaluation process, the State is unable to assure itself of the Bidder’s ability to perform under the Contract if awarded, the State has the option of requesting from the Bidder any information that the State deems necessary to determine the Bidder’s responsibility. If such information is required, the Bidder will be so notified and will be permitted five (5) state business days to submit the information requested in writing. Examples of the type of financial responsibility information requested may include annual reports and current audited balance sheets for the Bidder’s firm.

3.4. PRIMARY BIDDER

An award, if made, will be to a primary Bidder. The awarded primary Bidder will be responsible for successful performance of all subcontractors and support services offered in response to this solicitation. All State policies, guidelines, and requirements that apply to the primary Bidder also apply to subcontractors, as applicable to the products and services they provide and to their role as a subcontractor. Furthermore, the State will consider the primary Bidder to be the sole point of contact regarding contractual matters for the term of the resulting Contract. The Bidder shall not assign financial documents to a third-party without prior written approval by the State, and an amendment to the resulting Contract.

3.5. SUBCONTRACTORS

Nothing contained in the resulting Contract shall create any relationship between the State and any subcontractors, and no subcontract shall relieve the Contractor of its responsibilities and obligations. The Contractor is fully responsible to the State for the acts and omissions of the Contractor's subcontractors

and of persons either directly or indirectly employed by the Contractor.

The Contractor shall not change subcontractor(s) and/or DVBE subcontractor(s) if such changes conflict with the work to be performed under this Contract. For DVBE subcontractor changes, the Contractor shall utilize another DVBE subcontractor. The State recognizes that changes to subcontractor(s) may be necessary and in the best interests of the State, however, advance notification of a contemplated change and the reasons for such change must be made to the State no less than seven (7) business days prior to the existing subcontractor's termination. If this should occur, the Contractor should be aware that the State Contract administrator or designee must approve any changes to the subcontractor(s) prior to the termination of the existing subcontractor(s). This also includes any changes made between submittal of the Proposal and the actual start of the Contract.

Contractor understands and agrees to comply with the requirements set forth in Military and Veterans Code, Section 999 et seq. that should award of this contract be based in part on their commitment to use the Disabled Veteran Business Enterprise (DVBE) subcontractor(s) identified in their bid or offer, per Military and Veterans Code, Section 999.5(f), a DVBE subcontractor may only be replaced by another DVBE subcontractor and must be approved by both the awarding department and the Department of General Services (DGS) prior to the commencement of any work by the proposed subcontractor. Changes to the scope of work that impact the DVBE subcontractor(s) identified in the bid or offer and approved DVBE substitutions will be documented by contract amendment.

Failure of Contractor to seek substitution and adhere to the DVBE participation level identified in the bid or offer may be cause for contract termination, recovery of damages under rights and remedies due to the State, and penalties as outlined in MVC, Section 999.9; Public Contract Code (PCC), Section 10115.10.

The State will not compensate the Contractor for any of the Contractor's time or effort to educate or otherwise make the new subcontractor(s) ready to begin work on the contract.

The Contractor's obligation to pay its subcontractors is an independent obligation from the State's obligation to pay or to enforce the payment of any money to any subcontractor. Contractor is solely responsible for any payments to or claims made by subcontractors.

3.5.1. BIDDER DECLARATION FORM (M)

The Bidder must complete and submit ATTACHMENT 7: BIDDER DECLARATION GSPD 05-105, with its Phase 1 Proposal. When completing the declaration, the Bidder must identify all subcontractors proposed for participation in the Contract. The Bidder awarded the Contract is contractually obligated to use the subcontractors for the corresponding work identified, unless the Agency/State entity agrees to a substitution and it is incorporated, in writing. If the Bidder is not using subcontractors, the Bidder must still complete ATTACHMENT 7: BIDDER DECLARATION GSPD 05-105 answering the applicable questions on the form, and submitting it with its Proposal. The form is available at:

<https://www.documents.dgs.ca.gov/dgs/fmc/gspd/gspd05-105.pdf>

3.6. AMENDMENT

Any Contract executed as a result of this solicitation may be amended consistent with the terms and conditions of the Contract and by mutual consent of both parties, subject to approval by the OSTP.

3.7. FINANCIAL RESPONSIBILITY INFORMATION

In order to minimize the potential risk of default due to financial issues, the State reserves the right to request additional documentation throughout the life of the awarded Contract.

The State must be assured that the Contractor continues to have the financial resources to sustain its operations during the term of the Contract.

3.8. GENERAL PROVISIONS

The Contract awarded as a result of this solicitation shall automatically incorporate by reference the following:

- Information Technology General Provisions – (Cloud Computing Services) – DGS PD 402-ITGP Cloud (REV. 02/20/2025), which can be found at the following URL:
 - <https://www.dgs.ca.gov/-/media/Divisions/PD/Acquisitions/Solicitation-Document-Attachments/IT-General-Provisions-Cloud-DGS-PD-402ITGP-Revised-02202025.pdf>

As a condition of submitting a response to this solicitation, the Bidder agrees to abide by all terms and conditions of the solicitation as written. The Bidder is advised that deviations from the State-approved Terms and Conditions may be the basis for rejection of the Bidder's proposal.

The State may consider limited negotiations around its standard terms, including the General Provisions during the negotiation phase of the solicitation. Any negotiation of the General Provisions shall be limited to those provisions of the General that explicitly allow for changes by adding terms and conditions to the Statement of Work. Any changes to the State's standard terms, including the General provisions, shall be at the sole and absolute discretion of the State.

Per State's Cloud Smart Computing Policy, Agencies/State entities must first consider CDT Managed Cloud Services or CDT approved cloud service offerings. These service options include Software as a Service (SaaS), Platform as a Service (PaaS) and Infrastructure as a Service (IaaS). Refer to EXHIBIT A: STATEMENT OF WORK, [SECTION 8. STATE DATA CENTER OR CONTRACTOR HOSTED FACILITY ENVIRONMENT](#) for specific hosting requirements for this solicitation.

3.9. GENERATIVE ARTIFICIAL INTELLIGENCE (GENAI) DISCLOSURE

NOTIFICATION (M)

The State of California seeks to realize the potential benefits of GenAI, through the development and deployment of GenAI, while balancing the risks of these technologies.

Bidder must notify the State in writing if it: (1) intends to provide GenAI as a deliverable to the State; or (2), intends to utilize GenAI, including GenAI from third parties, to complete all or a portion of any deliverable that materially impacts: (i) functionality of a State system, (ii) risk to the State, or (iii) Contract performance. For avoidance of doubt, the term "materially impacts" shall have the meaning set forth in State Administrative Manual (SAM) [4986.2](#).

Failure to report GenAI to the State may result in disqualification. The State reserves its right to seek any and all relief it may be entitled to as a result of such non-disclosure.

Upon notification by a Bidder of GenAI as required, the state reserves the right to incorporate GenAI Special Provisions into the final contract or reject bids that present an unacceptable level of risk to the state.

Government Code [11549.64](#) defines "Generative Artificial Intelligence (GenAI)" as an artificial intelligence system that can generate derived synthetic content, including text, images, video, and audio that emulates the structure and characteristics of the system's training data.

3.10. INSURANCE COVERAGE (M)

In accordance to [SECTION 33. INSURANCE REQUIREMENTS](#), the Contractor must furnish an insurance certificate(s) evidencing required insurance coverage acceptable to the State, including endorsements showing the State as an "additional insured" if required under the contract. Any required endorsements requested by the State must be separately provided; merely referring to such coverage on the certificates(s) is insufficient for this purpose. When performing work on state-owned or controlled property, Contractor shall provide a waiver of subrogation in favor of the State for its workers' compensation policy.

The prime Contractor shall agree to furnish the State with satisfactory evidence of insurance within ten (10) calendar days of Contract award.

3.11. STATEMENT OF WORK

EXHIBIT A: STATEMENT OF WORK identifies and describes the tasks and responsibilities of the Contractor and the responsibilities of the State during the term of the Contract.

The Bidder is advised that deviations to the SOW may be the basis for rejection of the Bidder's proposal. Refer to EXHIBIT A: STATEMENT OF WORK.

3.12. CONFIDENTIALITY STATEMENT (M)

The Bidder must agree to the State's confidentiality requirements by submitting a signed ATTACHMENT 3: CONFIDENTIALITY STATEMENT, for the Bidder's company. The completed confidentiality statement must be submitted, as indicated in [SECTION 2.3. KEY ACTION DATES](#).

The Bidder engaging in services pertaining to this solicitation, requiring contact with confidential State information or State customer information will be required to exercise security precautions for all such data that is made available and must accept full legal responsibility for the protection of this confidential information. This includes all statistical, personal, technical, and/or other confidential personal data and information relating to the State's operations that are designated confidential by the State.

The Bidder will also be required, upon Contract award, to submit a signed confidentiality statement from all personnel, agents, and subcontractors assigned to the awarded Contract.

3.13. SOCIOECONOMIC PROGRAMS

Bidders who claim any of the socioeconomic program points will be evaluated to determine whether they submitted the required forms, documents, exhibits, attachments and/or the responses necessary to validate their qualification and eligibility for the claimed preference(s). If the State determines that the submitted information is insufficient or that the required documents do not otherwise validate the eligibility for points in any of the claimed programs, then the points for that program will not be added to the Bidder's final overall proposal score. If the State is able to validate the Bidder's claim, the qualified preference points will be applied to the Bidder's final overall proposal score provided that the Bidder's proposal is not otherwise determined to be non-responsive to any mandatory requirements.

Completed Small Business and Disabled Veteran Business Enterprise certification applications and required support documents must be submitted to the Department of General Services Office of Small Business and DVBE Services (OSDS) no later than 5:00 p.m. on the proposal due date, and the OSDS must be able to approve the application as submitted. Questions regarding certification should be directed to the OSDS at

Office of Small Business and DVBE Services
707 Third Street, 1st Floor, Room 400
West Sacramento, CA 95606
Receptionist: (916) 375-4940 Fax (916) 375-4650

3.13.1. BIDDER'S PREFERENCE AND INCENTIVE DECLARATION

The Bidder must complete and submit ATTACHMENT 8: BIDDING PREFERENCES AND INCENTIVES, with its proposal. The Bidder must indicate on ATTACHMENT 8: BIDDING PREFERENCES AND

INCENTIVES whether it is or is not claiming each preference and/or incentive.

3.13.2. DISABLED VETERAN BUSINESS ENTERPRISE (DVBE) PROGRAM

The Disabled Veteran Business Enterprise (DVBE) Participation Goal Program for State contracts are 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, §1896.60 et seq.

Information regarding the DVBE Program Requirements may be viewed at:

<https://www.dgs.ca.gov/PD/Services/Page-Content/Procurement-Division-Services-List-Folder/Certify-or-Re-apply-as-Small-Business-Disabled-Veteran-Business-Enterprise>

The Bidder who has been certified by California as a DVBE (or who has obtained the participation of subcontractors certified by California as a DVBE) must submit a completed form(s) STD.843 Disabled Veteran Business Declarations for each DVBE. All disabled veteran owners and disabled veteran managers of the DVBE(s) must sign a form for each DVBE and submit as ATTACHMENT 9: DVBE DECLARATIONS. The form is available at:

3.13.2.1. DVBE PARTICIPATION REQUIREMENT

FOR THE PURPOSES OF THIS SOLICITATION, THE DVBE PARTICIPATION REQUIREMENT HAS BEEN WAIVED. Mandatory DVBE participation is not required. However, an incentive may be given to Bidders who obtain DVBE participation. See [SECTION 3.13.2.2. DVBE INCENTIVE \(O\)](#) . DVBE INCENTIVE (O) for DVBE incentive information.

3.13.2.2. DVBE INCENTIVE (O)

In accordance with Military and Veterans Code §999.5(a), an incentive will be given to all Bidders who claim DVBE participation. For Contract award evaluation purposes only, the State shall apply the incentive amount based on the amount of DVBE participation obtained.

If the Bidder is claiming a DVBE incentive, the Bidder must complete the following with its Phase 1 proposal for each DVBE:

1. ATTACHMENT 7: BIDDER DECLARATION GSPD 05-105

2. ATTACHMENT 8: BIDDING PREFERENCES AND INCENTIVES
3. ATTACHMENT 9: DVBE DECLARATIONS and,
4. ATTACHMENT 11: COMMERCIALLY USEFUL FUNCTION (CUF)

If the Bidder's DVBE incentive amount changes in Phase 2 from what was submitted in Phase 1, the Bidder must provide an updated

1. ATTACHMENT 7: BIDDER DECLARATION GSPD 05-105
2. ATTACHMENT 8: BIDDING PREFERENCES AND INCENTIVES
3. ATTACHMENT 9: DVBE DECLARATIONS and,
4. ATTACHMENT 11: COMMERCIALLY USEFUL FUNCTION (CUF)

3.13.3. SMALL BUSINESS PREFERENCE (O)

The California Government Code §14835 et seq. requires that a five percent (5%) preference be given to Bidders who qualify as a Small Business (SB). The rules and regulations of this law, including the definition of a SB, or qualifying non-small business, are contained in Title 2, California Code of Regulations, §1896 et seq. The definition of nonprofit veteran service agencies qualifying as a SB is contained in §999.50 et seq. of the Military and Veterans Code.

If the Bidder is claiming a Small Business Preference, the Bidder must complete and submit the following with its Phase I proposal for each SB:

1. ATTACHMENT 7: BIDDER DECLARATION GSPD 05-105
2. ATTACHMENT 8: BIDDING PREFERENCES AND INCENTIVES ; and,
3. [ATTACHMENT 11: COMMERCIALLY USEFUL FUNCTION \(CUF\)](#)

More information regarding the Small Business Preference may be found at:

<https://www.dgs.ca.gov/PD/Services/Page-Content/Procurement-Division-Services-List-Folder/Certify-or-Re-apply-as-Small-Business-Disabled-Veteran-Business-Enterprise>

3.13.4. NON-SMALL BUSINESS SUBCONTRACTOR PREFERENCE (O)

A five percent (5%) proposal preference is available to Bidders that qualify as a non-small business claiming at least twenty-five percent (25%) California-certified small business subcontractor participation. If claiming the non-small business subcontractor preference, the Bidder's response must include a list of the small businesses with which the firm commits to subcontract in an amount of at least twenty-five

percent (25%) of the net proposal price with one (1) 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 §14838(b)(1)(2).

The preference to a non-small business firm that commits to small business or microbusiness subcontractor participation of twenty-five percent (25%) of its net proposal price shall be given five percent (5%) of the highest responsive, responsible firm’s total score. A non-small business that qualifies for this preference, may not take an award away from a certified small business.

If the Bidder is claiming a non-small business using small business subcontractors, the Bidder must complete and submit the following with its Phase I proposal for each SB Subcontractor:

1. ATTACHMENT 7: BIDDER DECLARATION GSPD 05-105
2. ATTACHMENT 9: DVBE DECLARATIONS and,
3. ATTACHMENT 11: COMMERCIALLY USEFUL FUNCTION (CUF)

3.13.5. COMMERCIALLY USEFUL FUNCTION (M)

All certified small business, micro business, and/or DVBE Contractors, subcontractors or suppliers must meet the commercially useful function requirements under Government Code Section 14837 (for SB), Military and Veterans Code Section 999 (for DVBE), and Title II California Code of Regulations, Section 1896.4 and 1896.62.

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 the transaction, the awarded Contract, or project through which funds are passed to obtain the appearance of small business or micro business participation.

The Bidder must complete ATTACHMENT 11: COMMERCIALLY USEFUL FUNCTION (CUF) for each Small Business and/or DVBE (prime and/or subcontractor(s)). All Bidders and subcontractors identified in the proposal response to fulfill the requirements for one (1) or more of the socio-economic programs (DVBE and small business) must perform a commercially useful function (CUF) in the resulting Contract. CUF is defined pursuant to Military and Veterans Code §999(b)(5)(B) and Government Code §14837(d)(4)(A) for the DVBE and small business programs, respectively.

If the Bidder's SB/DVBE participation changes in Phase 2 from what was submitted in Phase 1, the Bidder must provide an updated ATTACHMENT 11: COMMERCIALLY USEFUL FUNCTION (CUF) .

Bidder(s) may be required to submit additional written clarifying information regarding CUF on ATTACHMENT 11: COMMERCIALLY USEFUL FUNCTION (CUF) . Failure to submit the requested written information as specified may be the basis for rejection of the Bidder’s proposal.

3.13.6. TARGET AREA CONTRACT PREFERENCE ACT (TACPA) (O)

Target Area Contract Preference Act (TACPA) will be granted to California-based firms in accordance with Government Code §4530 whenever contracts for goods or services are in excess of \$100,000 and the Bidder meets certain requirements as defined in the California Administrative Code (Title 2, §1896.30 et seq.) regarding labor needed to produce the goods or provide the services being procured. The TACPA is optional on the part of the Bidder (not mandatory), is for proposal evaluation purposes only, and does not alter the amount of the awarded Contract.

Bidders wishing to take advantage of this preference will need to review the website below and submit the appropriate response forms as ATTACHMENT 10: TACPA PREFERENCE REQUEST FORMS with its Final Proposal.

The required applications/forms are as follows:

- TACPA (Std. 830)
- Manufacturer Summary of Contract Activities and Labor Hours (DGS/PD 525)
- Bidder's Summary of Contract Activities and Labor Hours (DGS/PD 526)

<https://www.dgs.ca.gov/PD/Services/Page-Content/Procurement-Division-Services-List-Folder/Request-a-Target-Area-Contract-Preference>

3.14. PRODUCTIVE USE REQUIREMENTS

The productive use requirements protect the State from being an experimentalist for new equipment and software having no record of proven consistent performance. The State will only accept proven technology products.

The proposed solution must include only equipment and off-the-shelf software that is currently supported by its manufacturer for at least the time specified in Table 3.14.1-1, Productive Use Timeframes. No equipment and/or software may be proposed, specified, or employed if the manufacturer has announced an end to support. The productive use requirements defined in this section do not apply to any portion of the custom software developed for the State or to modifications to custom software that was developed for the State under this Contract prior to submittal and throughout Contract duration.

3.14.1. CUSTOMER IN-USE

The State requires each equipment and software component proposed as part of an automated system adhere to the following:

- 1. Must have been installed and in productive use, in substantially the conformation bid;
- 2. For a paying customer external to the Bidder’s organization; and
- 3. For at least the number of months shown in Table 3.14.1-1 below and prior to the solicitation release date. .

Table 3.14.1-1: Productive Use Timeframes

| PRODUCT | PROJECT COST | INSTALLATION | PROPOSAL SUBMISSION |
|---|---------------------|--------------|---------------------|
| Category 1 - Critical Software Software that is required to control the overall operation of a computer system or peripheral equipment. Included in this category are operating systems, data base management systems, language interpreters, assemblers and compilers, communications software, and other essential system software. | More than \$100,000 | 12 months | 12 months |

Design changes in required system control modules or in components critical to the processing requirements of the State's workload are also subject to the In-Use Requirement. Increases or decreases in numbers of components or minor alteration in equipment or minor modifications or updates to software to provide improvements or features, to correct errors, or to accommodate hardware changes may be exempt from the In-use requirement by CDT OSTP, if no changes in logic, architecture or design are involved.

3.14.2. HARDWARE/EQUIPMENT

All equipment offered must be new and the latest model in current production. Used, shopworn, refurbished, demonstrator, prototype, or discontinued models are not acceptable.

3.14.3. OPEN SOURCE SOFTWARE REQUIREMENTS

If the Bidder's proposed solution includes Open Source software, the Open Source software must adhere to [SECTION 3.14. PRODUCTIVE USE REQUIREMENTS](#), CDT Technology Letter #TL 18-02, SAM 4819.2, and SAM 4984; ITPL-01. The CDT Technology Letter #TL 18-02 can be found at the following URL:

https://cdt.ca.gov/wp-content/uploads/2018/05/TL-18-02-OSCodeReuse_2018-0419.pdf

4. PROPOSAL REQUIREMENTS

This section contains the mandatory, mandatory scored, mandatory optional and desirable scored proposal requirements that must be met in order to be considered responsive to this solicitation.

The documents that must be submitted with the Bidder's proposal are noted as "Mandatory" "(M)", "Mandatory Scored" "(MS)", or "Mandatory Optional" "(MO)" in this section. Items labeled "Desirable Scored" "(DS)" are optional.

The proposal requirements listed in this section are denoted as follows:

1. (M) Sections labeled as "Mandatory" or "M" are not negotiable. To be considered responsive and responsible to these requirements, all requirement identified as (M) must receive a response from the Bidder. Failure to respond to any (M) requirements where indicated shall result in a "fail" and disqualification of the proposal.
2. (MS) Sections labeled "Mandatory Scored" or "MS" are not negotiable. To be considered responsive and responsible to these requirements, all requirements identified as (MS) must receive a response. Failure to respond to any (MS) requirement where indicated shall result in a "fail" and disqualification of the proposal. The State's evaluation team will review responses to (MS) requirements and award points, if applicable, per criteria stated in SECTION 7. EVALUATION.
3. (MO) Sections labeled "Mandatory Optional" or "MO" are not negotiable. To be considered responsive and responsible to these requirements, all requirements identified as (MO) must receive a response. Failure to respond to any (MO) requirement where indicated shall result in a "fail" and disqualification of the proposal. It is at the State's option/discretion on whether to utilize the option in the Contract.
4. (DS) Sections labeled "Desirable Scored" or "DS" are not required to be offered by the Bidder in order to be compliant with the solicitation requirements. The Bidder may choose whether to meet

requirements labeled as (DS). However, if a Bidder offers any of these (DS) requirement, the Bidder must meet the minimum requirements as stated in the section. The State will review responses to (DS) requirements and apply points, if applicable, per criteria stated in [SECTION 7. EVALUATION](#).

4.1. QUALIFICATION REQUIREMENTS

The Bidder is expected to have a proven record of success and be responsible for all aspects of the service, including any subcontractors and the project team/staff proposed.

The Bidder must meet the minimum Bidder Qualification, ATTACHMENT 13: BIDDER QUALIFICATIONS FORM - INSTRUCTIONS, and Key Staff Qualification Requirements, ATTACHMENT 16: KEY STAFF QUALIFICATIONS FORM - INSTRUCTIONS. Failure to meet any of the minimum requirements shall result in a proposal being deemed non-responsive and therefore disqualified.

4.1.1. BIDDER QUALIFICATIONS (M) (DS) (DUE WITH PHASE 1 RESPONSE)

The Bidder must complete and submit as part of its Phase 1 response, ATTACHMENT 14: BIDDER QUALIFICATIONS FORM , to confirm that the Bidder's experience meets the minimum requirements identified in ATTACHMENT 14: BIDDER QUALIFICATIONS FORM. It is incumbent upon the Bidder to provide enough detail in its Proposal to evaluate the Bidder's ability to meet the requirements and perform the services as described in this solicitation. Refer to ATTACHMENT 13: BIDDER QUALIFICATIONS FORM - INSTRUCTIONS for further requirements and instructions.

Points will be awarded based on experience in accordance with [SECTION 7. EVALUATION](#) .

4.1.2. BIDDER REFERENCES (M) (DUE WITH PHASE 1 RESPONSE)

The Bidder must complete and submit as part of its Phase 1 response, ATTACHMENT 15: BIDDER REFERENCE FORM for each of the projects cited on the corresponding ATTACHMENT 14: BIDDER QUALIFICATIONS FORM .

The purpose of the Bidder reference requirement is to provide the State the ability to assess the Bidder's experience in providing similar or relevant services to other organizations through a satisfaction rating provided by the Bidder's previous project clients. The description of their projects must be detailed and comprehensive enough to permit the State to assess the similarity of those projects to the work anticipated for the Contract resulting from this solicitation.

ATTACHMENT 15: BIDDER REFERENCE FORM must be completed in its entirety and dated by a reference that performed a management or supervisory role on the referenced project to be considered responsive. The ATTACHMENT 15: BIDDER REFERENCE FORM must be returned to the Bidder for submission with the proposal. No information corrections or changes may be made on the reference form

by the Bidder. Forms with alterations or changes to the entered information may deem the Bidder non-responsive and may be the basis for rejection of the proposal.

References may be contacted to validate submitted responses based on customer satisfaction in accordance with [SECTION 7. EVALUATION](#). References must be external to a Bidder's organization and corporate structure. Failure to provide verifiable references may cause the proposal to be rejected.

References must meet the following criteria:

- Must be from the company (customer) or Agency for which the project was developed and/or services provided.
- Must be someone who performs a management or supervisory role on the referenced project.
- Must be external to the Bidder's organization and corporate structure.
- Must not be from employees or individuals who have or are currently working for the Bidder.
- Amendments to contracts shall not be considered separate and distinct contracts and cannot be used as separate projects.
- Must be able to provide an objective evaluation of the proposed Bidder and/or staff's performance.

If the reference is not allowed either legally or by company/organization policy to sign the reference form, the reference must type in its full name.

Prior to the Bidder using a current State employee as a reference, the Bidder shall contact the State Procurement Officer identified in [SECTION 2.2.1. PROCUREMENT OFFICER](#), to ensure the current State employee is not a member of the Evaluation Team. In addition, only one (1) reference from the DCC is permitted.

4.1.3. KEY STAFF QUALIFICATIONS (M) (DS) (DUE WITH PHASE 2 RESPONSE)

The Bidder is fully responsible for all necessary staffing resources to successfully implement LIMSR solution within the agreed upon schedule and to perform to the standards set forth in the EXHIBIT A: STATEMENT OF WORK. The Bidder's staff may be comprised of Key Staff, and Non-Key Staff that the Bidder requires to implement the Solution. A minimum of three Contractor key staff are required to fill the roles required in the SOW. Additional Contractor staff may also be necessary, at no additional cost to the State.

In its Phase 2 response, the Bidder must complete and submit applicable key Staff Qualifications forms, ATTACHMENT 16.1: PROJECT MANAGER KEY STAFF QUALIFICATIONS FORM, ATTACHMENT 16.2: IMPLEMENTATION MANAGER/ARCHITECT KEY STAFF QUALIFICATIONS FORM, and ATTACHMENT 16.3: INTEGRATION ANALYST KEY STAFF QUALIFICATION FORM KEY STAFF QUALIFICATIONS FORM . The Bidder must provide complete information to confirm that each of the three proposed staff possess the experience and qualifications as specified for their project role.

The following key staff are required to perform the services as described in [EXHIBIT A: STATEMENT OF WORK](#) :

- Project Manager
- Implementation Services Lead
- Integration Analyst

4.1.4. KEY STAFF REFERENCES (MS) (DUE WITH PHASE 2 RESPONSE)

The Bidder must complete and submit as part of its Phase 2 response, ATTACHMENT 17: KEY STAFF REFERENCE FORM for each of the projects cited in ATTACHMENT 16.1: PROJECT MANAGER KEY STAFF QUALIFICATIONS FORM, ATTACHMENT 16.2: IMPLEMENTATION MANAGER/ARCHITECT KEY STAFF QUALIFICATIONS FORM, and ATTACHMENT 16.3: INTEGRATION ANALYST KEY STAFF QUALIFICATION FORM KEY STAFF QUALIFICATIONS FORM .

The purpose of the Key Staff reference requirement is to provide the State the ability to evaluate the proposed staff's experience in providing similar or relevant services to other organizations through a satisfaction rating provided by the staff's previous clients. The description of their projects must be detailed and comprehensive enough to permit the State to evaluate the work performed on the project meets the requirement(s).

Key Staff Reference Form must be completed in its entirety, and dated by a reference. The Key Staff Reference Form must be returned to the Bidder for submission with proposal.

No information corrections or changes may be made on the reference form by the Bidder. Forms with alterations or changes to the entered information may deem the Bidder non-responsive and may be the basis for rejection of the Bidder's proposal.

References may be contacted to validate submitted responses based on customer satisfaction in accordance with [SECTION 7. EVALUATION](#). Failure to provide verifiable references may cause the proposal to be rejected.

References must meet the following criteria:

- Must be from the company (customer) for Agency for which the project was developed and/or services provided.
- Must be someone who performs a management or supervisory role on the referenced project.
- Must be external to the Bidder's organization and corporate structure.
- May not be from employees or individuals who have or are currently working for the Bidder.
- A contract and all amendments to it are considered as one project. Amendments to a contract cannot be submitted as separate projects.

- Must be able to provide an objective evaluation of the proposed staff's performance.

If the reference is not allowed either legally or by company/organization policy to sign the reference form, the reference must type in its full name.

Prior to the proposed staff person using a current State employee as a reference, the Bidder shall contact the State Procurement Officer identified in [SECTION 2.2.1. PROCUREMENT OFFICER](#), to ensure the current State employee is not a member of the Evaluation Team. In addition, only one (1) reference from the DCC is permitted.

4.1.4.1. FULL-TIME/PART-TIME MONTH EQUIVALENTS DEFINITION

For each experience requirement (marked by “x”) that is met or partially met on the referenced project, specify the number of full-time month equivalents (FTEs) experience that the Staff person accrued on the referenced project. For each period in which the Staff person performed work applicable to the claimed experience for a minimum of twenty (20) workdays of a minimum total of one hundred forty (160) hours (the minimum required to represent working full-time), the Staff accrues one (1) full-time month equivalent experience.

To calculate and report the full-time month equivalents experience for Staff who worked part-time (partial) on a referenced project, use the following calculation:

If the Staff worked half ($\frac{1}{2}$) time on a referenced project, experience should be pro-rated to one-half ($\frac{1}{2}$) or 0.5-month full-time month equivalent experience for each period in which the staff person worked a minimum of seventy (80) hours over twenty (20) State Business Days in a month.

For each experience requirement the Staff's work on a referenced project report the total number of full-time month equivalent experience the Staff's work represents using the calculations previously described in this section, which depend upon the time period (calendar period) during which the Staff worked on the referenced project and whether he/she worked on a full-time or some other basis.

Refer to the details in [SECTION 7. EVALUATION](#) on how the requirements will be scored as part of the overall evaluation.

4.2. SOLUTION REQUIREMENTS (DUE WITH PHASE 1 RESPONSE)

This section contains the detailed functional and non-functional requirements, deliverables and milestone requirements and narrative response requirements pertaining to the proposed system that must be met to be considered responsive to this solicitation. In addition to meeting these requirements, the Bidder must adhere to EXHIBIT A: STATEMENT OF WORK.

4.2.1. FUNCTIONAL AND NON-FUNCTIONAL REQUIREMENTS (M/MS) (DUE WITH

PHASE 1 RESPONSE)

The Bidder must complete and submit as part of its Phase 1 response, EXHIBIT D: FUNCTIONAL AND NON-FUNCTIONAL REQUIREMENTS.

Refer to [SECTION 7. EVALUATION](#) for details on how the requirements will be scored as part of the overall evaluation. In addition to meeting these requirements, the Bidder must adhere to EXHIBIT A: STATEMENT OF WORK.

The State reserves the right to require a demonstration of any Solution Requirement the Bidder specifies will be met "Out of the Box."

4.2.2. DELIVERABLES AND MILESTONES TABLE (M) (DUE WITH PHASE 1 RESPONSE)

The Bidder must complete and submit as part of its Phase 1 response, EXHIBIT F: DELIVERABLES TABLE. The Bidder must indicate compliance and confirmation with each of the deliverables by marking "Yes" or "No" in the column labeled "Contractor Agrees to provide the Deliverable Yes/No." Any answer other than "YES" (including "N/A", blank or "NO" answer in either of these two (2) columns may cause the proposal to be deemed non-responsive and could form the basis for rejection of the Bidder's proposal.

The Bidder must not alter the structure or the content of EXHIBIT F: DELIVERABLES TABLE.

Refer to the details in [SECTION 7. EVALUATION](#) on how the requirements will be scored as part of the overall evaluation.

4.2.3. NARRATIVE RESPONSES REQUIREMENTS (MS) (DUE IN PHASE 1)

The Bidder must complete and submit ATTACHMENT 12: PHASE 1: NARRATIVE REQUIREMENT RESPONSE as part of their response to Phase 1, in accordance with the instructions and requirements specified in the Attachment.

Failure to submit the Narrative Responses in the format specified in [SECTION 6. PROPOSAL/BID FORMAT AND SUBMISSION REQUIREMENTS](#) may result in the response being considered non-responsive.

Refer to the details [SECTION 7. EVALUATION](#) on how the requirements will be scored as part of the overall evaluation.

5. COST (DUE WITH PHASE 2 RESPONSE)

Cost is a primary evaluation criterion weighted at 40% of the total points and will be evaluated in Phase

2.

This section contains the **Mandatory Scored (MS)** and **Mandatory Optional (MO)** cost requirements that must be met in order to be considered responsive to this solicitation. All proposed costs for all line items must be all-inclusive, thereby including the cost of any and all services required in this solicitation.

The intent is to structure the pricing format to facilitate a straightforward comparison among all Bidders and foster competition. Therefore, the Bidder is advised that failure to comply with the instructions listed in [SECTION 6. PROPOSAL/BID FORMAT AND SUBMISSION REQUIREMENTS](#), such as submission of an incomplete proposal, use of alternative pricing structures or different formats than the one requested, may be the basis for rejection of the Bidder's proposal.

It is imperative that no cost information be included in the body of the proposal. Cost information must only be submitted in the Bidder's Response, Volume 2, Phase 2, Cost in accordance with [SECTION 6. PROPOSAL/BID FORMAT AND SUBMISSION REQUIREMENTS](#).

5.1. COST CONSIDERATIONS

One-Time Costs:

One-time costs are those costs paid by the State for deliverables, tasks, and responsibilities necessary for the acquisition, design, development, and implementation (DD&I) of the proposed solution. These costs are usually fixed costs. The following are examples of one-time costs:

- Business Analysis - perform an analysis of the business processes for the CTLB to understand and deliver a solution that meets process needs.
- Design and Development - utilizing EXHIBIT D: FUNCTIONAL AND NON-FUNCTIONAL REQUIREMENTS configure a solution to support mandatory requirements.
- Implementation and training - testing, defect resolution, go-live planning, implementation, and training to affect an operational system.

The Bidder shall identify one-time costs separate from SaaS subscription service costs on EXHIBIT E: COST WORKBOOK.

On-Going Costs:

On-going continuing costs are those costs that are projected to be paid by the State to the successful Bidder on an annual basis or some other reoccurring basis. For evaluation purposes and contract value determination, continuing costs include any costs that are applied on a reoccurring basis during the term of the Contract. The following are examples of continuing costs:

- Help Desk Support

- Maintenance and Operations
- Hardware and Software maintenance and operational costs
- Licensing and Associated Annual Subscription Costs

The Bidder shall identify on-going SaaS subscription service costs on EXHIBIT E: COST WORKBOOK.

5.2. PRICE ESCALATION

Bidders must not include any cost escalation factor in the rates proposed in the EXHIBIT E: COST WORKBOOK.

5.3. COST WORKBOOK (M)

The Bidder must submit a completed cost workbook, EXHIBIT E: COST WORKBOOK, separately in Volume 2, as part of Phase 2 response, in accordance with the requirements specified in the Section/ Exhibit.

Services and software costs included in the EXHIBIT E: COST WORKBOOK are those that the Bidder must provide for the term of the Agreement as identified in the EXHIBIT A: STATEMENT OF WORK, which includes all optional years.

5.4. COST WORKBOOK INSTRUCTIONS

The cost workbook includes multiple cost worksheets that must be completed by the Bidder and submitted with its Phase 2 response to be considered responsive. The cost workbook lists all cost elements required.

The Bidder is required to enter all cost data in the format prescribed by the cost workbook, even if there are no costs for the item indicated on the worksheet(s). In these instances the Bidder must indicate the cost as a zero (\$0). In addition, if any character other than a numeral is used (e.g., a dash), the State will assume the cost of the item to be zero (\$0). Items submitted with no price will be considered as offered at no cost. Costs cannot exceed two (2) decimal places.

The Bidder's completed Cost Workbook must be submitted separately with its proposal no later than the date and time identified in [SECTION 2.3. KEY ACTION DATES](#) to be considered responsive. The Cost Workbook shall list all cost elements required to implement, maintain, and operate the proposed services in support of the LIMSR project.

Unless specified, all other fields must not be modified. If the cost workbook is modified or cells are left blank, the State may reject the Bidder's proposal. The cost workbook must be filled out completely or the

State may reject the Bidder's proposal.

The State has populated some of the cells with formulas, however it is the responsibility of the Bidder to ensure worksheets and calculations are correct and accurate. The State will not assume responsibility for any cost figures that do not calculate properly. Cells highlighted in yellow, indicate the cells in which the Bidders must enter its cost.

A detailed description of each worksheet is provided in the [EXHIBIT F: COST WORKBOOK](#).

- Tab 1: Cover Page
- Tab 2: Summary
- Tab 3: SaaS Software
- Tab 4: Deliverables Payment Milestones
- Tab 5: Unanticipated Tasks (UT) Hourly Rates

Refer to the [EXHIBIT F: COST WORKBOOK](#) for additional Cost Workbook instructions.

5.5. SALES TAX

Sales tax is not to be included in the cost worksheets. If awarded the Contract, sales tax, if applicable, should be added at time of invoicing. The sales tax rate applied should be based on the rate of the area where the service is to be provided. See California Department of Tax and Fee Administration Regulation 1502 (f) (1) (D).

5.6. PROJECT PAYMENT TERMS

In accordance with Public Contract Code, §12112, the State will withhold, from each invoiced payment amount to the Contractor, an amount equal to fifteen percent (15%) of the payment, per the EXHIBIT A: STATEMENT OF WORK. For additional payment information, see EXHIBIT A: STATEMENT OF WORK SECTION 37. BUDGET DETAIL AND PAYMENT PROVISIONS.

6. PROPOSAL/BID FORMAT AND SUBMISSION REQUIREMENTS

These instructions identify the mandatory proposal format and the approach for the development and presentation of proposals. The format instructions must be followed, all requirements and questions in the solicitation must be completed and all requested data must be supplied. The Bidder shall carefully examine the solicitation and be satisfied with the compliance conditions prior to submittal.

Bidder shall upload a electronic copies of its proposal, including the Cost Workbook, as specified in [SECTION 6.5. PROPOSAL CONTENT AND STRUCTURE](#) .

It is important that Bidder's electronic files that comprise its proposal are clearly labeled, or they may be rejected.

The State will not be liable for any costs incurred by any Bidder in responding to this solicitation, regardless of whether the State awards the Contract through this process, decides not to move forward with the project, cancels this solicitation for any reason, or Contracts for the project through other processes or by issuing another solicitation.

6.1. PREPARATION

Proposals are to be prepared in such a way as to provide a straightforward, concise delineation of capabilities to satisfy the requirements of this solicitation document. High-definition graphics, multi-colored content, promotional materials, etc., are neither necessary nor desired. Emphasis should be on conformance to the solicitation document instructions, responsiveness to the solicitation document requirements, and completeness and clarity of content.

6.2. COMPLETION OF PROPOSALS

Proposals must be complete in all respects as required. 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. A Proposal will be rejected if any such defect or irregularity constitutes a deviation from the solicitation document requirements. The Proposal must contain all costs as required in [SECTION 5. COST \(DUE WITH PHASE 2 RESPONSE\)](#) and [SECTION 6. PROPOSAL/BID FORMAT AND SUBMISSION REQUIREMENTS](#).

6.3. SUBMISSION INSTRUCTIONS

The Bidder must email the Procurement Officer by the due date specified in [SECTION 2.3. KEY ACTION DATES](#), no more than two (2) contacts who will have access to the State's repository to electronically upload Bidder's proposal. Once provided, an invitation to the State's file sharing site will be sent to those individuals. It is the Bidder's responsibility to confirm receipt of the invitation with the Procurement Officer.

A separate file location will be created for each Bidder accessible only to the Bidder Contact(s).

The file sharing site does not allow access from outside the Continental United States.

It is highly recommended that Bidders upload a test MS Word, MS Excel, and PDF file to each folder at least five (5) calendar days prior to the due dates to test access to the State's file sharing site. Upon successful upload, notify the Procurement Officer and the test file will be deleted. It is the Bidder's responsibility to gain access to the file-sharing site to submit their proposals.

The file sharing site will provide a primary folder for each Bidder to submit their proposal. Each Bidder's folder will contain subfolders: Phase 1, Phase 2, and Phase 2-Cost.

PHASE 1 AND PHASE 2:

The Bidder Contacts will be required to upload a complete copy of the Bidder's proposal for each phase to the appropriate folders.

PHASE 2- COST:

- The Bidder Contacts will be required to upload a complete copy of the Bidder's EXHIBIT C: COST WORKBOOK in the Phase 2-cost folder.
- The Bidder's EXHIBIT E: COST WORKBOOK file shall be titled with the [Bidder's Name] and Project Name, and deposited in the folder labeled "Phase 2-Cost".
- The Bidder's Cost Workbook shall be in MS Excel format (version 2019 or higher).
- Prior to submission, Bidders MUST apply an encryption password to the Cost Workbook.
- The Bidder will be required to email the encryption password to the Procurement Officer or designee at the same time the Bidder uploads their cost workbook.

If a file is uploaded in error to a file sharing site folder, the Bidder may submit a request by email to the Procurement Officer prior to the last day to submit responses. **Do not upload compressed files (.zip files) onto the file sharing site.**

Proposals must be received no later than the date and time specified in SECTION 2.3. KEY ACTION DATES. **Late receipt of a proposal shall cause the State to deem a Bidder nonresponsive and disqualified.**

6.4. PROPOSAL FORMAT

It is the Bidder's responsibility to ensure its proposal is submitted in a manner that enables the State to easily locate all response descriptions, Exhibits, and Attachments for each requirement of this solicitation. Page numbers should be in the same position throughout the proposal. Figures, tables, charts, etc., should be assigned index numbers and should be referenced by these numbers in the text and in the Table of Contents. Figures, tables, charts, etc., should be placed as close to text references as possible. The proposal should be organized to identify the phases and Attachments/Exhibits.

Proposals must be in electronic format and submitted in the appropriate SharePoint Folders.

1. The following must be shown on each page of the proposal:
 - a. Solicitation #
 - b. Name of Bidder
 - c. Attachment/Exhibit Number
 - d. Page number (Page # of ##)
2. Response components shall be submitted electronically using the Century Gothic typeface no

smaller than twelve (12) points, with headers/footers and table/figures no smaller than ten (10) point font. Documents must be formatted to fit, if printed, on 8.5" x 11" letter-size paper and have a perimeter margin no less than one-half inch (0.5").

3. Electronic copies of the proposals must be in Microsoft Office version 2013 or higher (e.g., MS Word, MS Excel, MS Visio, etc.). The Bidder may include a PDF version of its proposal; however, the Bidder must ensure PDF versions are identical in content and pagination. In the event of a discrepancy between the MS Office and PDF versions, the Bidder's MS Office version shall supersede the PDF version. The content of all PDF files must be searchable.
4. PDF versions of documents shall be used for those submissions of the proposal that require signature.
5. The Bidder must ensure that no pricing information of any type is included outside of the Cost Workbook. Bidders must ensure each phase of its proposal is submitted in the applicable SharePoint Folders. The inclusion of pricing in any fashion or format in any part of the proposal, except for Volume 2, may be the basis for immediate rejection of the Bidder's proposal.
6. As stated in [SECTION 2.4.5. CONFIDENTIALITY](#), proposal's marked "confidential" or "proprietary" may exclude the Bidder from consideration for award.

6.5. PROPOSAL CONTENT AND STRUCTURE

Each volume of the proposal must be provided separately, submitted, and must be structured in the following manner:

Phase 1 and Phase 2 Proposals must contain all the material specified in this section unless otherwise indicated. It is important that all sections, Exhibits, and Attachments are complete and included with the proposal submissions for the State to identify completeness and responsiveness to the requirements of this solicitation. Each Phase of the proposal must be provided separately and structured as indicated in [SECTION 6.6. RESPONSE TO SOLICITATION REQUIREMENTS - PHASE 1](#) and [SECTION 6.7. RESPONSE TO SOLICITATION REQUIREMENTS - PHASE 2](#) the sub-sections below.

1. The following must be shown on each page of the proposal:
 - a. Solicitation #
 - b. Name of Bidder
 - c. Attachment/Exhibit Number
 - d. Page number (Page # of ##)
2. Response components shall be submitted electronically using the Century Gothic typeface no smaller than twelve (12) points, with headers/footers and table/figures no smaller than ten (10) point font. Documents must be formatted to fit, if printed, on 8.5" x 11" letter-size paper and have a perimeter margin no less than one-half inch (0.5").
3. Electronic copies of the proposals must be in Microsoft Office version 2013 or higher (e.g., MS

Word, MS Excel, MS Visio, etc.). The Bidder may include a PDF version of its proposal; however, the Bidder must ensure PDF versions are identical in content and pagination. In the event of a discrepancy between the MS Office and PDF versions, the Bidder's MS Office version shall supersede the PDF version. The content of all PDF files must be searchable.

4. PDF versions of documents shall be used for those submissions of the proposal that require signature.
5. The Bidder must ensure that no pricing information of any type is included outside of the Cost Workbook. Bidders must ensure each phase of its proposal is submitted in the applicable SharePoint Folders. The inclusion of pricing in any fashion or format in any part of the proposal, except for Volume 2, may be the basis for immediate rejection of the Bidder's proposal.
6. As stated in [SECTION 2.4.5. CONFIDENTIALITY](#), proposal's marked "confidential" or "proprietary" may exclude the Bidder from consideration for award..

Narrative Response must adhere to the instructions specified in [SECTION 4.2.3. NARRATIVE RESPONSES REQUIREMENTS \(MS\) \(DUE IN PHASE 1\)](#) and include the following:

1. Table of Contents (not included in page limit)
2. Separate headings to delineate sections (aligned with the Table of Contents)
3. Formatting to ensure greater ease of evaluation, by:
 - a. Use of bold headings and sub-headings to easily locate information
 - b. Use of sub-headings or bullets to address each requirement or element listed for each narrative
 - c. Use of tables for each project described to summarize relevant information
 - d. Use of tables to highlight other relevant content for the narrative sub-sections
 - e. Use of graphics to enhance readability of response
 - f. Avoid use of acronyms
 - g. Provide glossary at the end of each narrative if non-standard terminology is used

6.6. RESPONSE TO SOLICITATION REQUIREMENTS - PHASE 1

6.6.1. PHASE 1: ADMINISTRATIVE, BIDDER EXPERIENCE, BIDDER REFERENCES, NARRATIVES, DELIVERABLES, AND SOLUTION REQUIREMENTS

The Bidder's Phase 1 response must contain a Table of Contents and must identify all figures, charts, graphs, and tables. Phase 1 submission must contain the following:

1. Required Solicitation Phase 1 Attachments, in the following order:
 - ATTACHMENT 3: CONFIDENTIALITY STATEMENT
 - ATTACHMENT 5: COVER LETTER FORM

- ATTACHMENT 6: RESPONSE TO ADMINISTRATIVE REQUIREMENTS
- ATTACHMENT 7: BIDDER DECLARATION GSPD 05-105
- ATTACHMENT 8: BIDDING PREFERENCES AND INCENTIVES
- ATTACHMENT 9: DVBE DECLARATIONS
- ATTACHMENT 10: TACPA PREFERENCE REQUEST FORMS
- ATTACHMENT 11: COMMERCIALLY USEFUL FUNCTION (CUF)
- ATTACHMENT 13: BIDDER QUALIFICATIONS FORM - INSTRUCTIONS
- ATTACHMENT 14: BIDDER QUALIFICATIONS FORM:
- ATTACHMENT 15: BIDDER REFERENCE FORM
- EXHIBIT D: FUNCTIONAL AND NON-FUNCTIONAL REQUIREMENTS
- EXHIBIT F: DELIVERABLES TABLE

6.7. RESPONSE TO SOLICITATION REQUIREMENTS - PHASE 2

6.7.1. PHASE 2: STAFF QUALIFICATIONS, AND KEY STAFF REFERENCES

The Bidder's Phase 2 response must contain a Table of Contents and must identify all figures, charts, graphs, and tables. Phase 2 submission must contain the following:

1. Table of Contents
2. Required Solicitation Phase 2 Attachments, in the following order:
 - ATTACHMENT 16.1: PROJECT MANAGER KEY STAFF QUALIFICATIONS FORM
 - ATTACHMENT 16.2: IMPLEMENTATION MANAGER/ARCHITECT KEY STAFF QUALIFICATIONS FORM
 - ATTACHMENT 16.3: INTEGRATION ANALYST KEY STAFF QUALIFICATION FORM
 - ATTACHMENT 17: KEY STAFF REFERENCE FORM

6.7.2. PHASE 2: COST

Phase 2 , Volume 2 Cost submission must contain the following:

- EXHIBIT E: COST WORKBOOK

The Bidder's Cost Workbook shall be in MS Excel format (version 2013 or higher). Bidders are directed to password protect and upload their Cost Workbook to the folder titled "Volume 2 - Cost" on the State's repository site.

The contents of the "Volume 2 - Cost" folder will not be accessible to the Procurement Officer or State

Evaluation Team until Cost submissions are evaluated.

7. EVALUATION

This section details the evaluation process and scoring procedures the State will follow when evaluating proposals submitted in response to this solicitation. The evaluation process is multi-step review of each Bidder's proposal response to determine that it is responsive and responsible, and provides "value-effective" solution to the State. The value effective proposal is the proposal that best meets all requirements set forth in this solicitation and any State negotiated items.

The State reserves the right to modify or cancel this procurement in its entirety or in part at any time.

7.1. EVALUATION TEAM

This procurement is being conducted under the guidance of a Procurement Officer from CDT OSTP (refer to [SECTION 2.2.1. PROCUREMENT OFFICER](#)). The Procurement Officer will serve as the Bidder's point of contact for questions and clarification, and will identify the rules governing this procurement.

The State will establish an evaluation team consisting of Department of Cannabis Control State employees only, including management and staff to review and evaluate proposals. The State Procurement Officer will provide guidance and oversight to the evaluation team and oversight of the evaluation process. The State may engage additional qualified individuals or subject matter experts (SME) during the evaluation process to assist the State in gaining a better understanding of technical, financial, legal, contractual, or program issues. These individuals/SME do not have voting privileges or responsibility for the evaluation process and will serve solely in an advisory capacity.

7.2. PROPOSAL EVALUATION

This section identifies how the State will evaluate and award points for each proposal in a manner that preserves the integrity of the competitive procurement process.

Proposals will be based on compliance with all requirements, with points allocated **sixty percent (60%)** for scored solution, narratives, experience requirements, interviews, and demonstrations. The remaining **forty percent (40%)** will be allocated for Cost. The evaluation methodology and distribution and allocation of maximum points possible for each proposal component is provided in Table 7.2: Scoring and Point Distribution.

Proposals will be evaluated using a combination of mandatory Pass/Fail and numerically scored criteria. All Bidders should read this section carefully to understand how points and scores are assigned.

A Proposal may be rejected if it is conditional or incomplete, contradicts the requirements, contains alterations of any form, or contains other irregularities of any kind, including alterations to any terms and

conditions.

If any narrative response included in the Bidder's Proposal conflicts with its "Yes" response to any of the Bidder's responses to EXHIBIT D: FUNCTIONAL AND NON-FUNCTIONAL REQUIREMENTS, the Bidder's "Yes" response to the Technical Requirements shall supersede the conflicting narrative response language included in its Proposal and the awarded Contractor shall be required to meet the requirement(s) as written within EXHIBIT D: FUNCTIONAL AND NON-FUNCTIONAL REQUIREMENTS.

Evaluation scoring will be made by consensus of the Evaluation Team members.

There are 12,770 points available, excluding preferences and incentives. All point calculations will be rounded to the nearest hundredth (two (2) decimal places).

Table 7.2: Scoring and Point Distribution

| SCORING PROCESS AND POINT DISTRIBUTION | SCORING METHOD | MAX SCORE |
|---|----------------|-----------|
| PHASE 1 EVALUATION | | |
| REVIEW OF BIDS FOR ADMINISTRATIVE COMPLIANCE | | |
| EVAQ Approval Validation | Pass/Fail | N/A |
| Opening and Submission Validation | Pass/Fail | N/A |
| Administrative and Technical Review for Compliance | Pass/Fail | N/A |
| EVALUATION OF BIDDER QUALIFICATIONS AND REFERENCES (max. 1,000 points) | | |
| Mandatory Qualifications for Bidder | Pass/Fail | N/A |
| Desirable Qualifications for Bidder | Scored | 1,000 |
| Bidder Mandatory Reference Requirements | Pass/Fail | N/A |
| Bidder Reference Scoring Points (Average) | Pass/Fail | N/A |

| EVALUATION OF PHASE 1 BIDDER NARRATIVES AND DELIVERABLES (max. 1,000 points) | | |
|--|-----------|--------------|
| Narrative Requirement Response (Understanding & Approach) | Scored | 1,000 |
| Mandatory Deliverables Requirements (Exhibit G) | Pass/Fail | N/A |
| EVALUATION OF SOLUTION REQUIREMENTS (max. 3,270 points) | | |
| Mandatory Functional & Non-Functional Requirements (Exhibit E) | Scored | 3,270 |
| TOTAL POSSIBLE PHASE 1 POINTS | | 5,270 |
| UP TO THREE TOP-SCORING BIDDERS WILL PROCEED TO NEXT PHASE | | |
| PHASE 2 EVALUATION | | |
| EVALUATION OF KEY STAFF QUALIFICATIONS AND DEMONSTRATIONS (max. 2,400 points) | | |
| Mandatory Requirements for Proposed Key Staff | Pass/Fail | N/A |
| Desirable Requirements for Proposed Key Staff | | |
| 1. Project Manager | Scored | 600 |
| 2. Implementation Services Lead | Scored | 600 |
| 3. Integration Analyst | Scored | 600 |
| Key Staff – Reference Forms Scoring (Average) | Pass/Fail | N/A |
| Demonstrations | Scored | 600 |
| COST EVALUATION (max. 5,100 points) | | |
| Cost Evaluation | Scored | 5,100 |

| | |
|--|---------------|
| TOTAL POSSIBLE PHASE 2 POINTS | 7,500 |
| TOTAL POSSIBLE POINTS PHASE 1 AND 2 | 12,770 |

| Preference/Incentive Points | |
|---|------------|
| | Max Score |
| Small Business Preference Points (O) | 130 |
| DVBE Incentive (O) | TBD |
| TACPA Preference (O) | TBD |
| TOTAL POSSIBLE POINTS PHASE 1 AND 2 + PREFERENCES AND INCENTIVES | TBD |

7.2.1. VALIDATION AGAINST REQUIREMENTS

The State will review each Proposal in detail to determine its compliance with the solicitation requirements. The State reserves the right to use multiple means to validate and determine the Bidder's response to a requirement. This may be through details in its description and/or supporting documentation provided or material that is publicly available, that may either support or contradict the Bidder's claim of intended compliance.

During the proposal evaluation, the State may request that the Bidder to clarify any area of the proposal that the State determines to be unclear in accordance with [SECTION 7. EVALUATION](#).

If a Bidder's proposal fails to meet a mandatory requirement, it will be deemed considered a deviation in accordance with [SECTION 2.4.1. IDENTIFICATION AND CLASSIFICATION OF SOLICITATION REQUIREMENTS](#).

7.2.2. ERRORS IN THE PROPOSAL

An error in the Proposal may cause the rejection of that proposal; however, the State may at its sole option retain the proposal and make certain corrections. In determining if a correction will be made, the State will consider the conformance of the proposal to the format and content required by the solicitation, and any unusual complexity of the format and content required by the solicitation. If appropriate, errors may be corrected in accordance with the following:

1. If the Bidder's intent is clearly established based on review of the complete Proposal submittal, the State may at its sole option correct an error based on that established intent.

2. If the State discovers obvious clerical or arithmetic errors, the State may, at its sole option, correct such errors. If the mathematical correction results in significant changes to the Bidder's response, the State will provide the Bidder the opportunity to validate the resulting correction.
3. It is essential that Bidders carefully review the cost elements in their Proposals since they may not be provided the opportunity to correct errors after submission.
4. In the event an ambiguity or discrepancy between any of the State's solicitation documents, is detected after review of the bids, the State reserves the right to seek clarification and acceptance from the Bidder.
5. The State may request that a Bidder clarify any area of their response that the State determines to be unclear. The State may also request clarification for areas that may render the proposal non-compliant and/or non-responsive to the requirements and provide Bidders the opportunity to resubmit compliant responses by the date and time specified by the State. However, if the Bidder does not resubmit a compliant response to the areas identified by the date and time specified by the State, the Bidder's proposal will be rendered non-compliant and/or non-responsive, and ineligible to proceed to the next phase of the solicitation process.
6. The Bidder is required to thoroughly review the solicitation to ensure that its proposal is fully compliant with the solicitation requirements and thereby avoid the possibility of being ruled non-compliant and/or non-responsive. It is the Bidder's responsibility to utilize the question and answer process to clarify any ambiguities in the solicitation requirements to ensure that the Bidder is submitting a compliant response.
7. At the State's sole discretion, it may declare all Proposals to be Draft Proposals. Bidders may not protest the State's determination of all Proposals being declared Draft Proposals. If all proposals are declared to be Draft Proposals, the State may issue an addendum to this solicitation. Should this occur, confidential discussions may be held with Bidders that wish to remain under consideration. Each Bidder will be notified of the due date for the submission of a new Proposal to the State. This submission must conform to the requirements of the original RFP or as modified by an addendum. The new Proposals will be evaluated as required by [SECTION 7. EVALUATION](#).

7.3. PHASE 1: ADMINISTRATIVE, BIDDER EXPERIENCE, BIDDER REFERENCES, NARRATIVE RESPONSES, DELIVERABLES, AND SOLUTION REQUIREMENTS.

All Administrative, Bidder Qualification, Bidder References, Narrative Responses, Deliverables, and Solution Requirements received by the date and time specified in [SECTION 2.3. KEY ACTION DATES](#) , will be evaluated, provided the Bidder has an approved eVAQ on file.

Review of proposals will begin by validating each of the Bidder has provided a response to all administrative requirements specified in [SECTION 3. ADMINISTRATIVE REQUIREMENTS](#) which require proposal submittal documents.

Phase 1 proposals will be evaluated and scored as identified in [SECTION 7.2. PROPOSAL](#)

EVALUATION .

If the proposal fails to meet any requirement, the Bidder may be disqualified and may not continue to Phase 2 of the solicitation.

7.3.1. ADMINISTRATIVE REQUIREMENTS

All Administrative Requirements labeled (M) are mandatory, whereas Administrative Requirements labeled with (O) are optional. Bidders are not required to respond to optional requirements. Review of the proposals will begin with ensuring that the Bidder has responded to all mandatory Administrative Requirements. Unless otherwise required, e-Signatures or copies of an original signature are acceptable.

7.3.2. BIDDER QUALIFICATIONS

The Evaluation Team will consider all information in the Bidder's proposal to evaluate the Bidder Qualifications.

The State will evaluate Bidder qualifications using the information contained in the completed ATTACHMENT 14: BIDDER QUALIFICATIONS FORM. Descriptions of experience must be clear, concise, and apply directly to the solicitation requirements.

To aid the State in evaluating Bidder qualifications, the Bidder should use a **MM/DD/YYYY format** when indicating **project start and end dates**. If a Bidder submits a proposal using any other date format, the State will count only the whole months or years between the start and end dates specified. If a project end date is ongoing or exceeds the Phase 1 due date, then the Bidder or key staff will receive credit for only the experience acquired up to the Phase 1 due date specified in [SECTION 2.3. KEY ACTION DATES](#) . In this instance, Bidders are instructed to use the Phase 1 due date as the end date of ongoing projects. Concurrent project timeframes (overlapping dates) will only count once for calculating the number of years and months of qualification experience.

Bidders that do not complete and submit all required Bidder qualification forms and reference forms with their proposal shall be deemed non-responsive and the Bidder may be disqualified.

7.3.3. BIDDER REFERENCES

The Bidder must submit one (1) ATTACHMENT 15: BIDDER REFERENCE FORM for each project cited on the ATTACHMENT 14: BIDDER QUALIFICATIONS FORM.

Each Bidder Reference Form must be come from a reference contact who performed a management or supervisory role on the referenced project.

Bidders that do not return the required reference forms shall be deemed non-responsive and the Bidder

may be disqualified.

Reference contact individuals must respond “Yes” or “No” to the qualification/experience questions to indicate whether the stated experience was gained on the reference project. The qualification/experience questions are not scored but will be used to validate claimed experience.

The evaluation team will evaluate each completed Bidder Reference Form for compliance with the mandatory requirements specified in [SECTION 4.1.2. BIDDER REFERENCES \(M\) \(DUE WITH PHASE 1 RESPONSE\)](#) (M) and on ATTACHMENT 14: BIDDER QUALIFICATIONS FORM. Bidder references may be contacted to verify experience qualification information submitted. Failure to provide verifiable references may cause the Final Proposal to be rejected.

Each question must have a rating of 10 (satisfactory) or higher to PASS, based upon the ratings provided by the reference(s). Any conflicting information may result in the offer being deemed non-responsive.

If any of the reference questions on any of the forms contain a rating of 10 or less, the State may deem the Bidder non-responsive and may be the basis for rejection of the Bidder's proposal..

If a reference form Satisfaction Rating item receives an “N/A” rating, that item will receive zero (0) points and included in the total point rating.

If a question is not answered, the Bidder will receive zero (0) points for that question.

If the State wishes to validate the claimed information and experience listed on a Bidder Reference Form, the State will make two (2) attempts via email or phone to the reference contact identified on the Bidder Reference Form. The Bidder should ensure that its Bidder Reference Form contacts are available for validation during the evaluation period identified in [SECTION 2.3. KEY ACTION DATES](#) .

If the State has not received a response from the reference contact after the first contact attempt, a second attempt will be made. If no response is received after the second contact attempt, the State will seek assistance from the Bidder requesting the reference to respond to the State within forty-eight (48) hours of the second contact attempt.

If the State remains unable to contact the reference, the Bidder's proposal may be deemed non-responsive for failure to provide a verifiable reference, and the Bidder may be disqualified.

7.3.4. NARRATIVE RESPONSES

The following Narrative Attachments are to be submitted with the Bidder's Phase 1 responses:

- ATTACHMENT 12: PHASE 1: NARRATIVE REQUIREMENT RESPONSE

Narrative Attachments must be submitted in the format specified in each respective Attachment and will be scored for responsiveness and completeness using the scoring criteria shown in [SECTION 7.3.5](#).

EVALUATION OF PHASE 1 NARRATIVE

7.3.5. EVALUATION OF PHASE 1 NARRATIVE

Points will be awarded for the ATTACHMENT 12: PHASE 1: NARRATIVE REQUIREMENT RESPONSE as detailed in Table 7.2: Narrative Scoring Criteria. Points will be awarded based on percentages of the total possible points for each Narrative Requirement.

| Table 7.2: Narrative Scoring Criteria | | |
|---|------------------|------------------------|
| ASSESSMENT CRITERIA | RATINGS | % MAX POINTS AVAILABLE |
| <ul style="list-style-type: none"> • Responsive to all of the areas listed in the requirement; • Demonstrates a thorough understanding by providing such detail that the State is confident that Bidder understands and has the ability to meet the criteria listed; • Provides a detailed description of how Bidder will meet critical aspects of the requirement; • Demonstrates major strengths and few, if any, minor weaknesses. | Excellent ("E") | 100% |
| <ul style="list-style-type: none"> • Responsive to all of the areas listed in the requirement; • Demonstrates an acceptable understanding of the requirement, though minor ambiguities exist; • Provides sufficient description of how Bidder will meet critical aspects of the requirement; • Response strengths outweigh weaknesses. | Acceptable ("A") | 50% |
| <ul style="list-style-type: none"> • Responsive to a majority of the areas listed in the requirement; • Demonstrates a minimal understanding of the | Deficient ("D") | 25% |

| Table 7.2: Narrative Scoring Criteria | | |
|--|------------|------------------------|
| ASSESSMENT CRITERIA | RATINGS | % MAX POINTS AVAILABLE |
| requirement and includes ambiguities or inaccuracies; OR • Provides insufficient detail of how Bidder will meet the requirement; OR • Response weaknesses outweigh strengths. | | |
| • Response lacks an understanding of the requirement; OR • No response provided | Poor (P) | 0%* |

Any Narrative response receiving zero (0) points will not result in the proposal being deemed non-responsive.

7.3.6. SOLUTION REQUIREMENTS - FUNCTIONAL AND NON-FUNCTIONAL REQUIREMENTS, AND DELIVERABLES AND MILESTONES

7.3.6.1. FUNCTIONAL AND NON-FUNCTIONAL REQUIREMENTS

The functional and non-functional requirements identified in [EXHIBIT E: FUNCTIONAL AND NON-FUNCTIONAL REQUIREMENTS](#) will be scored for evaluation. The Bidder must provide complete responses to each requirement.

For Functional Requirements the Bidder must complete the appropriate columns to indicate how the requirement will be met (e.g., out-of-the-box, minor configuration, major configuration, or through customization) by placing a '1' in the Response Code column. Only one column may contain a response code. The Bidder must further indicate the solution's ability to meet the requirement by selecting "Yes" or "No" in the column titled "Met (Y/N)"

For Non-Functional Requirements the Bidder must complete the appropriate columns by selecting "Yes" or "No" in the column titled "Met (Y/N)".

Failure to indicate how the solution will be met, via the Response Codes columns and Bidder Approach Response may be the basis for rejection of the bid.

The Bidder must not modify the format, add columns or include explanatory text to its response or otherwise change the format or content of EXHIBIT E: FUNCTIONAL AND NON-FUNCTIONAL REQUIREMENTS.

The Requirements Workbook provides a description of each column and the instructions for completing EXHIBIT E: FUNCTIONAL AND NON-FUNCTIONAL REQUIREMENTS.

The state reserves the right to require a demonstration of any Solution Requirement the Bidder specifies will be met "Out of the Box."

7.3.6.2. DELIVERABLES AND MILESTONES

The Bidder must complete EXHIBIT F: DELIVERABLES TABLE, which lists (M) deliverables. A "Yes" response in the "Yes/No" column indicates the Bidder agrees to produce and meet each deliverable and milestone identified therein. The Evaluation Team will evaluate the Bidder's responses to confirm compliance.

A "No" response to any of the Mandatory or Mandatory Optional items may deem the proposal non-responsive and disqualify the Bidder

The Bidder must not modify the format, add columns, or include explanatory text to its response or otherwise change the content of EXHIBIT F: DELIVERABLES TABLE. Further, the Bidder must not apply any additional file protection or encryption to the file.

7.4. PHASE 2: NARRATIVES, STAFF QUALIFICATIONS, STAFF REFERENCES, DEMONSTRATIONS, AND COST

7.4.1. KEY STAFF QUALIFICATIONS

The State will evaluate staff qualifications and experience using the information contained in the Bidder's ATTACHMENT 16: KEY STAFF QUALIFICATIONS FORM - INSTRUCTIONS. Descriptions of experience must be clear, concise, and apply directly to the qualification requirements.

Project experience description on ATTACHMENT 21: KEY STAFF QUALIFICATIONS FORM - INSTRUCTIONS must be clear and apply directly to the solicitation requirements.

To aid the State in evaluating staff qualifications, the Bidder should use a MM/DD/YYYY format when indicating project start and end dates on the KEY STAFF QUALIFICATION FORMS. ATTACHMENT 21: KEY STAFF QUALIFICATIONS FORM - INSTRUCTIONS. If a Bidder submits a response proposal using any other date format, the State will count only the whole months or years between the start and end dates specified.

If a project end date is ongoing or exceeds the Phase 2 due date, then the staff member will receive credit for only the experience acquired up to the Phase 2 solicitation due date, as shown on SECTION 2.3. KEY ACTION DATES.

Concurrent project timeframes (overlapping dates) will only count once for calculating the number of years and months of qualification experience for staff.

Bidders that fail to submit a completed KEY STAFF QUALIFICATION FORM ATTACHMENT 21: KEY STAFF QUALIFICATIONS FORM - INSTRUCTIONS together with all required completed corresponding and signed staff reference forms shall be deemed non-responsive and the Bidder may be disqualified.

For each staff, the Evaluation Team will first evaluate the completed ATTACHMENT 21: KEY STAFF QUALIFICATIONS FORM - INSTRUCTIONS for compliance with the instructions specified in the form and in SECTION 4.1.3. KEY STAFF QUALIFICATIONS (M) (DS) (DUE WITH PHASE 2 RESPONSE). The State will evaluate key staff experience and award points as applicable using the Bidder's response to the mandatory and desirable requirements.

If the State is unable to validate that the information supplied qualifies for any desirable scored experience points, no points will be awarded for such experience.

7.4.2. KEY STAFF REFERENCES

The Bidder must complete and submit one (1) reference form using ATTACHMENT 17: KEY STAFF REFERENCE FORM for each Key Staff project cited in ATTACHMENT 16.1: PROJECT MANAGER KEY STAFF QUALIFICATIONS FORM, ATTACHMENT 16.2: IMPLEMENTATION MANAGER/ARCHITECT KEY STAFF QUALIFICATIONS FORM & ATTACHMENT 16.3: INTEGRATION ANALYST KEY STAFF QUALIFICATION FORM KEY STAFF QUALIFICATIONS FORM .

Each Key Staff reference form must be from a reference contact who performed a management or supervisory role on the cited project.

All Key Staff Reference Forms must be returned with the Bidder's Phase 2 response. Proposals that do not include the required Key Staff reference forms may be deemed non-responsive and therefore disqualified.

The Evaluation Team will validate claimed Key Staff experience specified in KEY STAFF QUALIFICATION FORMS using the corresponding ATTACHMENT 16.1: PROJECT MANAGER KEY STAFF QUALIFICATIONS FORM, ATTACHMENT 16.2: IMPLEMENTATION MANAGER/ARCHITECT KEY STAFF QUALIFICATIONS FORM & ATTACHMENT 16.3: INTEGRATION ANALYST KEY STAFF QUALIFICATION FORM KEY STAFF QUALIFICATIONS FORM for each project cited to meet the

mandatory (M) experience and if applicable Desirable (DS) experience. If the State is unable to validate the claimed experience meets the (M) requirement, the response may be deemed non-responsive and may be the basis for rejection of the Bidder's proposal. If the State is unable to validate the claimed experience meets the Desirable (DS) experience, points will not be awarded.

Each question must have a rating of 10 (satisfactory) or higher to PASS, based upon the ratings provided by the reference(s). Any conflicting information may result in the offer being deemed non-responsive.

The evaluation team will evaluate each completed Key Staff Reference Form for compliance with the mandatory requirements specified in SECTION 4.1.4. STAFF REFERENCES (M) and on ATTACHMENT 18: KEY STAFF QUALIFICATIONS FORM - INSTRUCTIONS. Staff references may be contacted to verify experience qualification information submitted. Failure to provide verifiable references may cause the Final Proposal to be rejected.

If any of the reference questions on any of the forms contain a rating of 10 or less, the State may deem the Bidder non-responsive and may be the basis for rejection of the Bidder's proposal.

If a question is not answered, the Bidder will receive a 0 rating score for that question.

If the State validates a Key Staff qualification, the State will make two (2) attempts to the reference contact identified on the Key Staff Reference Form to validate the claimed information and experience. The Bidder should ensure that its Reference Form contacts are available for validation during the evaluation period identified in [SECTION 2.3. KEY ACTION DATES](#). Reference Contacts listed on the Reference Forms must be the same contact person listed on each Bidder Qualification Form.

If the State has not received a response from the reference contact after the first contact attempt, a second attempt will be made. If no response is received after the second contact attempt, the State will seek assistance from the Bidder requesting the reference to respond to the State within forty-eight (48) hours of the second contact attempt.

If the State remains unable to contact the reference, the Bidder's proposal may be deemed non-responsive for failure to provide a verifiable reference, and the Bidder may be disqualified.

7.4.3. DEMONSTRATIONS

Qualified Bidders will be required to perform a demonstration to validate their ability to meet both functional and technical requirements for the solution as specified in [SECTION 7.4.3.2. DEMONSTRATION CONTENT - FUNCTIONAL AND NON-FUNCTIONAL REQUIREMENTS](#). The State will notify Phase 2 Bidders of the date and time of their demonstration no fewer than five (5) calendar days prior to the scheduled demonstration.

Demonstrations will occur over a day-long period for each of the Phase 2 Bidders and will **permit ninety (90) minutes for the demo**. Sixty (60) minutes will be allocated to the Bidder for its demonstration and thirty (30) minutes will be allocated for State follow-up questions and/or clarifications. Bidders are advised to fully prepare in advance of the demonstrations to ensure each use case is fully demonstrated. Demonstration times may be adjusted at the discretion of the States.

Bidders will be required to demonstrate its solution for a subset of the EXHIBIT D: FUNCTIONAL AND NON-FUNCTIONAL REQUIREMENTS. The presentation must be a live demonstration delivered with the proposed solution provided for this project showcasing operational functionality in real-time. A non-operational demonstration of the solution or static slide show of the solution is not allowed, in this scenario State may deem the Bidder non-responsive and may be the basis for rejection of the Bidder's proposal. Bidder demonstrations must contain solution components developed by the Bidder that are functional, feasible, and usable by Department of Cannabis Control upon contract execution. The demonstration components must provide transferrable functionality which can be used towards a more complete system implementation. The cost to the Bidder for preparing and conducting the demonstration shall not be reimbursed by the State.

7.4.3.1. CONDUCT OF DEMONSTRATION

The Bidder demonstrations must be conducted as follows:

1. The Bidder must host the Demonstration using a web conferencing tool such as WebEx, BlueJeans, MS Teams, Zoom, or a similar tool that provides for multiple participants and screen sharing.
2. The Bidder must transmit the Demonstration online meeting information by email to the Procurement Officer specified in [SECTION 2.2.1. PROCUREMENT OFFICER](#) no fewer than three (3) calendar days prior to the demonstration date. The Procurement Officer will distribute the meeting information to the Evaluation Team.
3. The Bidder is fully responsible for all aspects of Bidder Demonstrations. Costs for developing and providing the demonstration are entirely the responsibility of the Bidder and shall not be reimbursed by the State.
4. The Bidder must ensure any materials it wishes Evaluators to have on-hand during the demonstration are submitted to the Procurement Officer no fewer than twenty-four (24) hours prior to the Bidder's demonstration.
5. The State reserves the right to reschedule or propose a new demonstration time(s) based on unforeseen circumstances.
6. Bidders must provide their own technical staff and equipment resources, as necessary, for the demonstrations.

7.4.3.2. DEMONSTRATION CONTENT - FUNCTIONAL AND NON-FUNCTIONAL

REQUIREMENTS

The Bidder will be required to demonstrate its solution for a subset of EXHIBIT D: FUNCTIONAL AND NON-FUNCTIONAL REQUIREMENTS. Bidders will be notified in advance of the demonstrations regarding the specific requirements for the demonstration.

7.4.3.3. EVALUATION OF DEMONSTRATIONS

The State will observe and evaluate the effectiveness and outcome of each demonstration. Demonstrations will be evaluated using the criteria specified in Table 7.4.3.3-1: Demonstration Evaluation Criteria. The maximum points available for demonstrations is six hundred (600) points as specified in Table 7.2: Scoring and Point Distribution ([SECTION 7.2. PROPOSAL EVALUATION](#)).

Table 7.4.3.3-1: Demonstration Evaluation Criteria

| 1. Ease-of-Use | Possible Score |
|---|----------------------|
| Does the demonstration show solution components that are user-friendly? This includes, but is not limited to, an intuitive structure, consistent layouts, clear navigation across screens, tabbing from field to field, simple language for enhanced usability. | 50 |
| 2. Workflow Automation | |
| Does the demonstration show workflow automation in the solution that reduces manual/paper tasks and activities? Include a general overview of the case management lifecycle and showcase the rules and logic that will reduce human input and intervention. | 50 |
| 3. Functional Completeness of Demo | |
| Each of the requirements are fully addressed in the demonstration* | Meets/Does Not meets |

Table 7.4.3.3-2: Demonstration Scoring Key

The requirements will be evaluated using the ratings listed in Table 7.4.3.3-2: Demonstration Scoring Key. A Bidder’s response to a Demonstration Requirement that is awarded a score of zero (0) points will not result in disqualification.

| POINTS (AS %) | RATING | SCORING KEY FOR 1 & 2 |
|------------------|-----------------|---|
| 100% | Fully Meets | The demonstrated element fully meets the expectations of the Evaluation Team and/or demonstrates innovative aspects exceeding the fulfillment of the requirement(s). |
| | | The Bidder has demonstrated a complete understanding of the requirement(s) and has provided a complete approach to meeting the requirement(s). |
| 75% | Mostly Meets | The demonstrated element mostly addresses the requirement evaluation factor. |
| | | The Bidder has demonstrated more than partial, but less than full understanding of the requirement(s). The omission(s), flaw(s), or defect(s), if any, are inconsequential. |
| 50% | Partially Meets | The demonstrated element partially addresses the requirement evaluation factor. |
| | | The Bidder has demonstrated a partial understanding of the requirement(s). The omission(s), flaw(s), or defect(s), if any, are inconsequential. |
| 25% | Minimally Meets | The demonstrated element minimally addresses the requirement evaluation factor. |
| | | The Bidder has demonstrated a minimal understanding of the requirement(s). The omission(s), flaw(s), or defect(s) are consequential. |
| 0% | Does Not Meet | The Bidder has demonstrated no understanding of the requirement(s). The omission(s), flaw(s), or defect(s), result in the Evaluation Team being unable to deduce an overall competency. |

The requirements will be evaluated separately using the ratings listed in Table 7.4.3.3-3: Demonstration Scoring Key. A Bidder's response to a Demonstration Requirement that is awarded a score of zero (0) points will not result in disqualification.

| | | Scoring Criteria for 3 of table 7.4.3.3-1 (Functional Completeness of Demo) |
|-------------|---------------|---|
| Zero points | Meets | All requirements were demonstrated. |
| Zero points | Does not meet | All requirements could not be demonstrated. *If the Functional Requirements that the Bidder marked as Out of the Box in the EXHIBIT E: FUNCTIONAL AND NON-FUNCTIONAL REQUIREMENTS cannot be demonstrated, points will be removed from Exhibit E. |

7.4.4. COST EVALUATION

After Phase 1 and Phase 2 (including demonstrations) have been evaluated, the evaluation team will open the sealed cost (Bidder's response to Phase 2-Cost for those Bidders whose proposals have been deemed responsive and responsible. If a Bidder was determined to be non-responsive and/or not responsible, the cost will remain unopened for that Bidder.

NOTE: If a Bidder's cost workbook fails to meet the encryption password protected requirement, the State may immediately deem the Bidder non-responsive.

The Total Cost points are weighted at **forty percent (40%)** of the maximum available points for this solicitation.

Cost evaluation will be based on the lowest total proposed cost as calculated according to the methodology specified in this section.

All proposed costs for all line items must be all-inclusive, thereby including the cost of any and all associated services and deliverables required in this solicitation to implement and maintain the full solution through the term of the Agreement.

The intent is to structure the pricing format to facilitate a straightforward comparison amongst all Cost submissions and foster competition to obtain the best market pricing. Consequently, Department of Cannabis Control requires that each Bidder's cost information be in the format identified in EXHIBIT E: COST WORKBOOK. Bidders are advised that failure to comply with the instructions listed, such as submission of incomplete proposals or use of alternative pricing structures or different formats than the one requested, may result in the rejection of Bidder's proposal.

Any elements not specifically priced or identified in the Bidder’s Cost Workbook, or those that are identified after Contract award as necessary to meet the requirements of this solicitation, will be at no additional cost to the State.

It is imperative that no cost information be included in the body of the proposal, outside of EXHIBIT E: COST WORKBOOK (Phase 2-Cost Folder).

7.4.4.1. TOTAL EVALUATION COST

All cost worksheets will be validated to verify completeness and mathematical accuracy. If appropriate, errors will be corrected in accordance with [SECTION 7.2.2. ERRORS IN THE PROPOSAL](#) . After costs have been verified for accuracy, the Bidder with the lowest proposed Total Evaluated Cost will receive the maximum score of points. All other Bidders will receive a proportionally lower score using the ratio of the lowest proposed Total Evaluated Cost to the Bidder’s proposed Total Evaluated Cost applied to the points, as shown in Table 7.4.4.1-1 below:

Table 7.4.4.1-1: Bidder Total Evaluated Cost Score Formula

| Bidder Total Contract Amount Cost Score Formula | | | | |
|---|---|-------|---|---|
| (Lowest Proposed Total Contract Amount Cost) | x | 5,100 | = | Bidder’s Total Contract Amount Cost Score |
| (Bidder’s Proposed Total Contract Amount Cost) | | | | |

The total evaluated cost score calculation example in Table 7.4.4.1-2: Example of Bidder Total evaluated Cost Score Calculation illustrates that Bidder C proposed the lowest Total evaluated cost and received the maximum points possible.

Table 7.4.4.1-2: Example of Bidder Total Contract Amount Cost Score Calculation

| Bidder | Bidder’s Proposed Total Contract Amount Cost | Calculation | Bidder Total Contract Amount Cost Score |
|--------|--|-------------|---|
|--------|--|-------------|---|

| | | | | | | |
|---|--------------|-----------------------|---|--------------|---|--------------|
| A | \$10,000,000 | $\frac{\$10M}{\$10M}$ | x | 5,100 points | = | 5,100 points |
| B | \$15,000,000 | $\frac{\$10M}{\$15M}$ | x | 5,100 points | = | 3,400 points |
| C | \$20,000,000 | $\frac{\$10M}{\$20M}$ | x | 5,100 points | = | 2,550 points |

NOTE: Point values and costs in this example explain the calculations and have no other significance.

7.4.4.2. SOCIOECONOMIC PROGRAMS

Bidders who claim preference points will be evaluated to determine whether they submitted the required forms, documents, exhibits, and/or the responses necessary to validate their qualification and eligibility for the claimed preference(s). If the State determines that the submitted information is insufficient or that the required documents do not otherwise validate the eligibility for points in any of the claimed programs, then the points for that program will not be added to the Bidder's final overall proposal score. If the State is able to validate the Bidder's claim, the qualified preference points will be applied to the Bidder's final overall proposal score as illustrated in Table 8.6 Final Score and Rank Determination provided that the Bidder's proposal is not otherwise determined to be non-responsive to any mandatory requirements.

7.4.4.3. TACPA PREFERENCE (O)

The State will give preferences in accordance with Government Code Sections 4530-4535.3, for Bidders that are California home based and qualify for claimed preferences under the Target Area Contract Preference Act (TACPA) by computing and returning the appropriate forms described in this solicitation. Where multiple preferences are claimed, the State will verify eligibility for the preferences and evaluate and apply preferences in accordance with the law.

Available evaluation preferences under TACPA are limited to nine percent (9%), five percent (5%) worksite, and one percent (1%) up to four percent (4%) workforce of the lowest total proposal price or fifty thousand dollars (\$50,000), whichever is less. The TACPA preference is a dollar preference, applied against the Bidder's proposed cost, before cost is evaluated and converted to points.

The State will verify and apply the TACPA Preference accordingly. The TACPA preference does not apply when the worksite is fixed by the terms of the Contract.

7.4.4.4. SMALL BUSINESS PREFERENCE

The State will verify Small Business/Non-Small Business preference claim and apply the five percent (5%) preference accordingly. Refer to [SECTION 3.13.3. SMALL BUSINESS PREFERENCE \(O\)](#) and [SECTION 3.13.4. NON-SMALL BUSINESS SUBCONTRACTOR PREFERENCE \(O\)](#) for more information.

For an illustration of this process, refer to the example in Table 7.4.4.4, Small Business Preference Points Calculation. Points in this example explain the calculations and have no other significance.

The preference points for bidders A and B are based on five percent (5%) of the Bidder proposal score of Bidder C, the highest scorer of a non-small business, which is $(395 \text{ points}) \times (.05) = 19.75 \text{ points}$ (rounded). Bidder C, which is neither a small business nor a non-small business subcontracting a minimum of 25 percent (25%) to a small business, receives no small business preference points.

Table 7.4.4.4

| SMALL BUSINESS PREFERENCE POINTS CALCULATION | | | | |
|--|-----------------------------|----------------------------------|--------------------------------------|--|
| Bidder | Bidder Total Proposal Score | Small Business Preference Claim? | Non-Small Business Preference Claim? | Small Business Preference Points Awarded |
| A | 385 pts | Yes | No | 19.75 pts |
| B | 390 pts | No | Yes | 19.75 pts |
| C | 395 pts | No | No | 0.00 pts |

NOTE: Calculation is based on 5% of the Bidder with the highest “Bidder proposal score” that is a non-small business. In the example Table 7.4.4.4, Bidder C has the highest non-small business score.

7.4.4.5. DVBE INCENTIVE

In accordance with §999.5(a) of the Military and Veterans Code, for evaluation purposes only, the State shall provide an incentive to bidders who provide California-certified DVBE participation that exceeds the mandatory California-certified DVBE participation goal in the amounts shown in Table 7.4.4.5 DVBE

Participation Incentive Points.

The State will verify DVBE and apply the incentive accordingly. The DVBE Incentive points are a percentage of the total possible points. The maximum incentive for this procurement is five percent (5%) of the total points available, and is based on the amount of DVBE participation confirmed. The below table is an illustration of this calculation:

Table 7.4.4.5

| DVBE PARTICIPATION INCENTIVE FORMULA | | |
|--------------------------------------|---------------------------|------------------------|
| Confirmed DVBE Participation | DVBE Incentive Percentage | DVBE Incentive Points* |
| ≥ 5% | 5% | 50 (1,000 x .05) |
| 4% - 4.99% | 4% | 40 (1,000 x .04) |
| 3.1% - 3.99% | 3% | 30 (1,000 x .03) |
| <3% | 0% | 0 |

7.4.5. BIDDER FINAL SCORE CALCULATION

The evaluation team will calculate the Bidder's final score. Table 7.4.5, Bidder Final Score Calculation example illustrates the Bidder's final score that incorporates both preference and incentive points:

Table 7.4.5

| BIDDER FINAL SCORE CALCULATION | | | |
|--------------------------------|-----------------------------|-------------------------------|--------------------|
| Bidder | Bidder Total Proposal Score | DVBE Incentive Points Awarded | Bidder Final Score |
| A | 500.00 pts | 15.00 pts | 515.00 pts |

| | | | |
|---|------------|-----------|------------|
| B | 650.00 pts | 26.00 pts | 676.00 pts |
| C | 700.00 pts | 35.00 pts | 735.00 pts |

NOTE: Bidder final score calculation in Table 7.4.5 is an example that explains the calculations and has no other significance.

7.4.6. PROPOSAL RANK DETERMINATION

The State will rank all qualified proposals by the Bidder Final Score. Table 7.4.6: Example of Bidder Rank Determination illustrates how the final ranking determination is made.

Table 7.4.6: Example of Bidder Rank Determination

| Phase 1 Scoring | Max Points | Bidder A | Bidder B | Bidder C |
|--|----------------------|------------|--------------|--------------|
| Meets all Mandatory Administrative Requirements | Pass/Fail | Pass | Pass | Pass |
| Bidder Qualification | 1,000 | 350 | 500 | 450 |
| Narrative Requirement Response (Understanding & Approach) | 1,000 | 600 | 700 | 600 |
| Solution Requirements (Mandatory Functional & Non-Functional Requirements) | 3,270 | Pass | Pass | Pass |
| Total Phase 1 Score for Non-Cost Points (Points Awarded) | 5,270 | 950 | 1,200 | 1,050 |
| Phase 2 Scoring | Max Points Available | Bidder A | Bidder B | Bidder C |
| Key Staff Qualifications | 1,800 | 400 | 200 | 600 |
| Demonstrations | 600 | 250 | 150 | 450 |

| | | | | |
|---|---------------|--------------|--------------|--------------|
| Total Phase 2 Score for Non-Cost Points (Points Awarded) | 2,400 | 850 | 1,300 | 1,600 |
| Evaluated Cost Score Ph. 2 | <u>5,100</u> | <u>1,100</u> | <u>700</u> | <u>650</u> |
| Total Phase 1 and 2 Score (Points Awarded) | 12,770 | 3,200 | 3,500 | 3,550 |
| Initial Rank (Before Prefs. and Incentives) | N/A | 3 | 2 | 1 |
| DVBE Incentive Points | TBD | 150 | 250 | 250 |
| Small Bus. Preference Points | 130 | 185 | 185 | 0 |

Note: The Bidder Final Score calculation and point values in this example explain the calculations and have no other significance.

8. PHASE 3 NEGOTIATIONS

The State intends to enter into negotiations as set forth under PCC §6611.

Negotiations allow the State and Bidder an opportunity to discuss items that could, in the State's opinion, enhance the Bidder's proposal and potential for award. Negotiations are not intended to allow a Bidder to completely rewrite its proposal. The negotiations are exchanges between the State and the Bidder, which are undertaken with the intent of allowing the Bidder to revise its proposal only in areas determined by the State during the negotiation process. Negotiations will be conducted either orally or in writing.

The State may discuss any aspect of the Bidder's proposal that could, in the opinion of the State, be altered or explained to enhance the proposal's potential for award. However, the State is not required to discuss every area where the Bidder's proposal could be improved. The scope and extent of negotiation exchanges are the matter of the State's judgment. The State reserves the right to modify or cancel this Solicitation in its entirety or in part at any time.

At the State's discretion, the State will determine the topics for negotiation and reserves the right to revise the scoring criteria for Best and Final Offer evaluation to obtain a value effective solution.

Award of a contract, if made, will be to the Bidder that meets and/or exceeds the State's requirements and provides the best value to the State. All aspects of the Bidder's proposal are confidential until after the issuance of the notification of award.

NOTE: In the event no compliant bids are received, the State at its discretion may proceed to negotiations with all Bidders that submitted a bid.

8.1. PROCEEDING TO NEGOTIATIONS

At the discretion of the State, the State may invite compliant Bidder(s) to participate in the negotiation process under the following options:

Option 1

At the discretion of the State, the highest scoring compliant Phase 2 Bidder will be determined eligible to participate in the negotiation process. If the State cannot come to an agreement with the highest scoring compliant Phase 2 Bidder, including agreement to the Bidder's proposed Key Staff, the State will invite and proceed with negotiations with the next highest scoring compliant Phase 2 Bidder. This Bidder negotiation selection process will continue until the State completes negotiations with the final selected Bidder.

Option 2

At the discretion of the State, up to the top three (3) highest scoring, compliant Phase 2 Bidders will be determined eligible to participate in the negotiation process.

NOTE: In the event no compliant bids are received, the State at its discretion may proceed to negotiations with all Phase 2 Bidders that submitted a bid.

The negotiations may or may not result in a Contract award.

8.2. NEGOTIATION INVITATION

Compliant Bidders are determined based on the criteria set forth in [SECTION 8. PHASE 3 NEGOTIATIONS](#), the State will notify Bidder(s) in writing:

- (1) that the State is initiating negotiations pursuant to PCC § 6611(a);
- (2) the general purpose and scope of the negotiations;
- (3) the anticipated schedule for the negotiations; and
- (4) the procedures to be followed for negotiations.

Bidder(s) that have been invited to participate in negotiations must confirm attendance, in accordance with the invitation instructions, within two (2) State business days of invitation.

The Bidder(s) must submit any additional information requested by the State by due date specified in the Invitation to Negotiate letter.

8.3. BEST AND FINAL OFFER SUBMISSION (BAFO)

At the conclusion of negotiations, the State may request a best and final offer (BAFO) submission. The intent of the BAFO is to clarify and document understandings reached during negotiations. The State will establish a date and time for receipt of the BAFOs based on when the Bidder's BAFO negotiations occur. A Bidder's BAFO is an irrevocable offer for one hundred and twenty (120) calendar days following the scheduled date for submission of a final accepted BAFO. A Bidder may extend the offer in the event of a delay in Contract award.

BAFOs must be submitted to the location identified in [SECTION 6.3. SUBMISSION INSTRUCTIONS](#), by the specific date and time that will be communicated to each Bidder individually in writing.

The BAFO submission must address the following:

1. A supplemental proposal containing all negotiated/revised section(s) of the Bidder's original Proposal, any other revised area specifically required by the State to be included in the BAFO, and revisions made necessary in accordance therewith.
2. The supplemental proposal must include all changes made to negotiated section(s) of the Bidder's original Proposal using tracked changes. Changes to the Bidder's original Proposal that are not tracked in the supplemental proposal or otherwise identified may result in rejection of the proposal or cause for termination of the Contract.
3. An executive summary must accompany the supplemental proposal, identifying a list of all changes (other than non-substantive changes to formatting, punctuation and grammar) that have been made to the Bidder's original Proposal. The Bidder must include and attest to the following statement within the Executive Summary:

"This Best and Final Offer (BAFO) is in response to RFP 2024-003 and the changes identified in this executive summary represent all changes made to *{Bidder's name}* Proposal previously submitted to the State. Any substantive change not included in this list is non-operative, non-binding, and will not be considered a part of the *{Bidder's name}* BAFO."

8.4. EVALUATION OF BAFO SUBMISSION

The State will evaluate the BAFO submission based on compliance with solicitation requirements and topics negotiated. The State will document the evaluation process in accordance with the evaluation selection criteria outlined in the negotiation invitation letter.

8.5. AWARD AND EXECUTION

Contract Award, if made, will be to the Bidder that meets and/or exceeds the State's requirements and provides the best value to the State and will occur pursuant to the Key Action Dates of the solicitation document specified in [SECTION 2.3. KEY ACTION DATES](#) . However, the State, at its sole option, may change the Contract Award date.

All aspects of the Bidder's proposal are confidential until after the issuance of the notification of award.

8.6. NOTIFICATION OF AWARD

The State will publish a written "Notification of Award" to all Bidders that have submitted a proposal in response to this solicitation.

See [SECTION 2.3. KEY ACTION DATES](#) , for the anticipated date for the Notification of Awards.

8.7. ADDITIONAL DOCUMENTS REQUIRED FOR AWARD

The State reserves the right to require additional documentation as may be necessary to complete the award of its Contract. Such additional documentation beyond those listed under [SECTION 6. PROPOSAL/BID FORMAT AND SUBMISSION REQUIREMENTS](#) , shall be determined by the State. Such additional required documents are not intended to impose new requirements upon the Bidder and shall not be refused by the Bidder.

Additional required documents must be submitted to the Procurement Officer not later than ten (10) State Business Days from the State's posting of its Notification of Award. These documents are required by the State in order to assemble the awarded Agreement.

8.8. PROTESTS OF AWARD

This procurement process does not include any provisions to protest either the process or resulting contract award(s). However, pursuant to PCC § 6611(d), an unsuccessful Bidder may file a petition for a writ of mandate in accordance with Section 1085 of the Code of Civil Procedure. The venue for the petition for a writ of mandate will be Sacramento, California.

8.9. DEBRIEFING

A debriefing may be held within fifteen (15) days following Contract award at the request of any Bidder for the purpose of receiving specific information concerning the evaluation. The discussion will be based primarily on the qualifications, solution requirements and cost evaluations of the Bidder's Final Proposal. A debriefing is not the forum to challenge the solicitation specifications or requirements.

9. INFORMATIONAL ATTACHMENTS

The following attachments to this solicitation are informational for use in the solicitation process and do not need to be submitted with the Bidder's proposal response.

1. ATTACHMENT 1: TEMPLATE FOR QUESTION/REQUEST FOR CHANGE SUBMITTAL. This attachment provides the format for a Bidder to submit questions regarding this solicitation.
2. ATTACHMENT 18: GLOSSARY OF TERMS. This attachment includes definitions, acronyms and abbreviations for terms used in the solicitation and in EXHIBIT A: STATEMENT OF WORK.